



## Legislation Text

---

**File #: 071096., Version: 0**

---

### **Vacate Unimproved Right of Way Adjacent to the YMCA (B)**

**This item involves a request for the City Commission to approve a petition to the Planning Department to vacate the unimproved right of ways surrounded by the YMCA property at the request of the Public Works Department.**

On August 21, 2002, the City entered into a License Agreement with The North Central Florida Young Men's Christian Association, Inc. (YMCA) for the use of unimproved right of way that loops through and separates two major pieces of their property. The license agreement was for a period of five years, allowing one year renewals. The first of the renewals has been completed. The agreement also stipulated the City will initiate a petition to vacate the unimproved right of way.

This right-of-way is fifty feet wide as per the plat of the Third Addition to Carol Estates, recorded in Plat Book "E", page 99, of the Public Records of Alachua County, Florida. This addition to Carol Estates was platted in 1959 with Northeast 22nd Avenue improved to the west line of Lots 15 and 28 and Northeast 21st Avenue improved to the west line of Lot 36 and 49. The extensions of Northeast 22nd Avenue and Northeast 21st Avenue and the connector, Northeast 13th Terrace, remain unimproved. Public Works recommends vacation of the unimproved portions of Northeast 22nd Avenue, Northeast 21st Avenue and their connection, Northeast 13th Terrace. Standard policy dictates upon vacation of a right of way, an overall utility easement is retained. Policy also dictates, if no utility easement is required, it must be specifically waived in the ordinance. Gainesville Regional Utilities (GRU) has requested the City does not retain an overall 50' utility easement which covers the vacated right-of-way. GRU has requested YMCA grant a Utility Easement over the westerly 20 feet of their property. YMCA has agreed to grant the easement in exchange for the City vacating the right-of-way.

Funding in the amount of \$800 is available in the Public Works Fiscal Year 2008 operating budget.

The City Commission: 1) Approve the request of Public Works to vacate the unimproved portions of Northeast 22nd Avenue, Northeast 21st Avenue and their connector, Northeast 13th Terrace, retaining an overall utility easement; and 2) authorize the Planning Department to circulate a petition to the Plan Board to vacate the unimproved portions of Northeast 22nd Avenue, Northeast 21st Avenue and their connector, being Northeast 13th Terrace, waiving the right to retain an overall 50' utility easement in exchange for a 20' utility easement, granted by The North Central Florida Young Men's Christian Association, Inc.