Z&P Meeting: December 8, 2014
City Council Meeting: January 5, 2014

STAFF PLANNING REPORT
Vacation

CASE 050-14:

A request to vacate a utility easement

APPLICANT: Ralph & Patti Kassab

REPRESENTATIVE: N/A

LOCATION: 410 Islington Place

EXISTING CONDITIONS:

Easement Type(s)	Easement Size
Utility	10' x 400'

REASON FOR VACATION:

The utility easement is requested to be vacated to allow the property owners to construct an addition onto the rear of their home.

UTILITIES CURRENTLY LOCATED IN THE EASEMENT?: No

UTILITIES PLANNED TO LOCATE IN THE EASEMENT?: No

DISCUSSION:

The proposed vacation will not have a negative impact on the public since the easement is no longer needed for existing or the future extension of utilities. All utilities currently exist in other easements. Staff has received letters from all the utility companies agreeing to the vacation.

STAFF RECOMMENDATION:

Staff recommends approval of Case 050-14

ENCLOSURES:

Map (easement to be vacated highlighted in yellow)

RECEIVED
10-31-14

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 050-14
Filing Fee: $ 350.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

I. Applicant Name: Ralph & Patti Kassab Phone: (417) 623-3129

If more than one property applicant, please submit additional names, address and phone numbers on attached sheet(s)

Address: 410 Islington Place Zip: 64801

Email: rkassab@cableone.net

II. Type of vacation requested (check all that apply):

Street Vacation_____

Alley Vacation_____

Utility vacation X

Other (Please specify)_____

III. Legal Description of area requested to be vacated: See Attached

IV. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. Doesn't attach or affect anyone else's property

2. The vacation will not cause the public to suffer a loss or inconvenience. That is correct

3. In justice to the applicant(s) the vacation should be granted. yes immediately

V. Required Attachments:

1. Affidavit(s) from each owner of land adjoining said area that is proposed to be vacated, whom are not listed as an applicant, indicating their consent to the vacation.

2. Survey or such other drawing acceptable to the Planning / Community Development Manager depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding said street, alley or public reservation.

3. Affidavit(s) from the following private utility companies indicating their consent to vacate the easement(s). The following private companies must be contacted and consent to the vacation before the request can be advertised for public hearing.

a.) MGE Missouri Gas Energy	(800) 582-1234
b.) Empire District Electric Company	(417) 624-0300
c.) Cable One	(417) 624-6340
d.) MO American Water Company	(800) 256-6426
e.) AT&T	(800) 464-7928
f.) Republic Services (Trash)	(800) 431-1507

SIGNATURE: _____ DATE: October 31 2014

BY: _____

TITLE: _____

TSE
TRI-STATE ENGINEERING

Kassab Property - Utility Easement to be Vacated

All that part of the 10 foot wide utility easement as shown on Lots numbered Twenty-one (21) through Twenty-four (24) inclusive, as shown on the recorded plat of East Roanoke, an addition to the City of Joplin, Jasper County, Missouri, said easement lying five (5) feet on each side of the following described centerline:

Commencing at a point on the north line of said Lot Twenty-one, said point being 50 feet east of the northwest corner of said Lot Twenty-one;
Thence East along the north line of said Lot Twenty-one, 140.7 feet more or less to the northeast corner of said Lot Twenty-one and the point of ending, said point being on the west right-of-way line of Pearl Avenue.

The sidelines of said easement to be extended or shortened to meet at angle points and to terminate at the east line of the West 50 feet of said Lots 21 and 22 on the west and at the west right-of-way line of Pearl Avenue on the east.



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TRI-STATE ENGINEERING
Toll-Free: 866-781-0643 • www.tristate-engineering.com
702 S. Main, Joplin, MO 64801 • 403 W. First St., Claremore, OK 74017


W ISLINGTON PL
205
337
414
410
R1
EAST ROANOKE ADDITION
AD111
Remove
20' u/e
25'
N PEARL AVE
JAMES T FARRAR'S REPLAT EAST ROANOKE
205
AD200
310
AD111
AD111
825
333
Map created with ArcIMS - Copyright (C) 2005 City of Joplin.



Case 050-14: Easement Vacation – A request for the vacation of a 10 foot wide utility easement on Lots 21 through 24 in East Roanoke Addition - Ralph and Patti Kassab

Case 050-14: 410 Islington Place – A request for the vacation of a 10 foot utility easement on Lots 21 through 24 in the East Roanoke Addition – Ralph and Patti Kassab.

Mr. Eastman opened the public hearing for Case 050-14.

Mr. and Mrs. Kassab were not present. Mr. Bolander stated that this old easement does not contain any utilities. This property is actually an aggregation of many lots in an older subdivision, with this easement never being vacated. The City staff has contacted the utility companies, who don't need the easement in the future since utilities currently exist in the neighborhood. The staff recommends approval of this vacation.

Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 050-14.

MR. DUNCAN MOVED, SECONDED BY MR. CORTEZ, THAT CASE 050-14 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. EASTMAN, AND MR. SMITH VOTING "AYE"; AND WITH MR. RAMSOUR BEING ABSENT (6 IN FAVOR, 1 ABSENT).