



## Legislation Details (With Text)

**File #:** 18-487      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 7/26/2018      **In control:** City Commission  
**On agenda:** 8/21/2018      **Final action:** 8/21/2018  
**Title:** ACCEPTANCE OF A RIGHT OF WAY DEED FOR 515 NW 1st AVE.  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Right of Way Deed.pdf, 3. Exhibit A Sketch and Description, 4. Survey 515 NW 1st Ave..PDF, 5. PAPA Map Location.pdf, 6. PAPA Page 515 NW 1st Ave..pdf

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Susan Goebel-Canning, Public Works Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** August 21, 2018

ACCEPTANCE OF A RIGHT OF WAY DEED FOR 515 NW 1<sup>st</sup> AVE.

### **Recommended Action:**

Motion to Approve and accept a 15' Right of Way Deed located at 515 NW 1<sup>st</sup> Ave.

### **Background:**

Consider acceptance of a Right of Way Deed located at 515 NW 1<sup>st</sup> Ave.

On June 22<sup>nd</sup>, 2017, the owner Francis R. Zofay submitted building permit #17-170270 to construct a new single family residence located at 515 NW 1<sup>st</sup> Ave. This property is located west of N. Swinton Ave. on NW 6<sup>th</sup> St., south on NW 1<sup>st</sup> Ave., and located on the east side of the roadway.

The roadway, NW 1<sup>st</sup> Ave. associated with this project is a local street without curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the 40' portion of the existing 98' right of way is 10' on NW 1<sup>st</sup> Ave. per the survey, 15 feet would be required from this property. A 5 foot perpetual sidewalk easement was requested to satisfy the 60' requirement.

There is no City cost now or in the future for this item.

Attachments provided:

- 1) Right of Way Deed Agreement
- 2) "Exhibit A" Sketch and Description

- 3) Survey 515 NW 1<sup>st</sup> Ave.
- 4) PAPA Map Location 515 NW 1<sup>st</sup> Ave.
- 5) PAPA Page 515 NW 1<sup>st</sup> Ave.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Please include a comprehensive and complete fiscal analysis of the item and full justification.

**Timing of Request:**

The timing of this request is of high importance in order to process the residence C/O when completed.