



## Legislation Text

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File #: 22-1107, Version: 1

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**TO: Mayor and Commissioners**  
**FROM: Missie Barletto- Public Works Director**  
**THROUGH: Terrence Moore, ICMA-RM**  
**DATE: September 6, 2022**

ITEM(S) A1 - ACCEPTANCE OF FOUR RIGHT-OF-WAY DEDICATIONS BY EACH PROPERTY OWNER OF 1407 LAKE DRIVE, 245 NE 7<sup>TH</sup> AVE., 932 SE 4<sup>TH</sup> AVE. AND 1301 LAKE DR.

**Recommended Action:**

**Consideration of the following items:**

Item A1 - Motion to approve and accept a Right of Way Dedication by the owners of 1407 Lake Drive

Item B1 - Motion to approve and accept a Right of Way Dedication by the owners of 245 NE 7<sup>th</sup> Ave.

Item C1 - Motion to approve and accept a Right of Way Dedication by the owners of 932 SE 4<sup>th</sup> Ave.

Item D1 - Motion to approve and accept a Right of Way Dedication by the owners of 1301 Lake Dr.

**Background:**

**Item A1**

Consider acceptance of a Right-of-Way Dedication located at 1407 Lake Dr.

The owner(s), Joshua Khoury, submitted building permit #22-203826 on 4/21/2022, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) a 25' dedication at the intersection of Lake Dr and NW 14th St would be required. As a result, a 25 ft radial right of way dedication was requested to satisfy the requirement.

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

**Item B1**

Consider acceptance of a Right of Way Dedication located at 245 NE 7<sup>th</sup> Ave.

The owner(s), Kathleen Yeakle, submitted building permit #22-203788 on 4/20/2022, for the subject property. During the application process it was found that in accordance with LDR 5.3.1 (A) the ultimate right of way of NE 3<sup>rd</sup> St is 50ft, and it was determined that a 15ft dedication would be

required. NE 7<sup>th</sup> Ave has an ultimate right of way of 50 ft, and it was determined that a 5ft dedication would be required. As a result, a 25 ft radial right of way at the intersection, a 15ft dedication along NE 3<sup>rd</sup> St, and a 5ft dedication along NE 7<sup>th</sup> Ave was requested to satisfy the requirement.

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

### **Item C1**

Consider acceptance of a Right of Way Dedication located at 932 SE 4<sup>th</sup> Ave.

The owner(s), Michael and Jan Rosenstein submitted building permit #22-204546 on 5/24//2022, for the subject property. During the application process it was determined that the property was adjacent to a 16 ft alley and in accordance with LDR 5.3.1 (A) the ultimate right of way for alleys is 20ft. As a result, a 2 ft right of way dedication along the alley was requested to satisfy the requirement.

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

### **Item D1**

Consider acceptance of a Right of Way Dedication located at 1301 Lake Drive

The owner(s), Richard and Patricia Quigley submitted building permit #22-203123 on 3/22/2022, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) a 25' dedication at the intersection of Lake Dr and NW 13th St would be required. As a result, a 25 ft radial right of way dedication was requested to satisfy the requirement.

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

### **City Attorney Review:**

Approved as to form and legal sufficiency.

### **Funding Source/Financial Impact:**

N/A

### **Timing of Request:**

The timing of these requests is of high importance in order to allow projects to continue construction.