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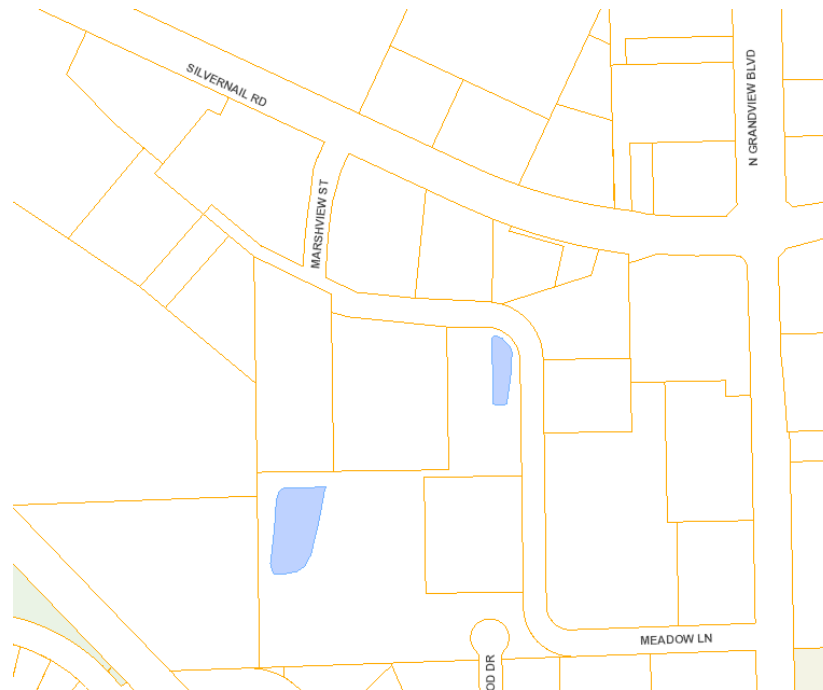
January 7, 2020

Memorandum

To: Common Council
From: Brian Running
Re: Vacation of a portion of Meadow Lane, west of Marshview Street

This matter was introduced at the December 3 meeting, and we had to wait 40 days before final passage can take place, while notices are being published in the paper and sent to adjacent property owners. As of the January 21 meeting, final passage can take place.

This resolution is to vacate the remaining portion of Meadow Lane that is no longer being used as a public street. Meadow Lane used to be a loop that connected to Silvernail Road at each end, from where the Gasthaus used to be on the east, to roughly where Good Harvest market is now on the west. You can see where it used to run by the bow-shaped contours of the parcels shown on this GIS map of the area:



Today, Meadow Lane runs from Grandview on the east, right at the Kwik Trip station, behind the strip mall where Office Depot is, then in front of the Goodwill store, ending behind

McDonald's where it turns into Marshview Street. The former right of way has been abandoned in pieces over the years. First the section where the strip mall is now, then the west end where Good Harvest is now, then the far east end where the Panda Express development went in. The only part of the former, unused right of way that hasn't been formally vacated is the section just west of Marshview Street, behind the CVS pharmacy and in front of the new Avid Hotel that's being developed. You can see the north half of it on the GIS map, the narrow extension to the west of Marshview, and on the map appended to the resolution and attached to the agenda. That section is no longer used as a public street, but is being used for private access to the parcels there, including to Good Harvest.

The Avid Hotel developers have asked that this final section of Meadow Lane be vacated so it can be used for their parking lot and access roads. This request was approved by the Plan Commission on June 12, 2019.

The Common Council also has already approved of this vacation, by Council Resolution 38-19, on September 3, 2019. The problem is that the legal description that accompanied the resolution was incorrect, as it only included the north half of the right-of-way. The reason is that the 66-foot wide right of way is a 33-foot easement across the private lots on the south side, and the north 33 feet is owned outright by the City. That's why the right of way looks so narrow on the GIS map. Initially, it was mistakenly believed that only the City-owned part had to be vacated. Actually, the entire 66-foot-wide right of way needs to be vacated, so that's why this is coming back around for Council approval again. This time, the entire 66-foot wide right of way is included in the resolution.