
**CITY OF TEMPE
REQUEST FOR COUNCIL ACTION****Council Meeting Date: 11/03/2016
Agenda Item: 6C6**

ACTION: Hold the second and final public hearing to adopt an ordinance authorizing the granting of an easement for a building encroachment to Tempe 425 Mill, LP over certain public right of way located at 425 South Mill Avenue. (Ordinance No. O2016.60)

FISCAL IMPACT: The property owner is required to pay a one-time payment of \$2,400 to the City upon execution of the easement. The funds will be deposited in the General Fund, Cost Center 2712 (Community Development), Account 4413 (Streets, Easements, Alley Abandonments).

RECOMMENDATION: Adopt Ordinance No. O2016.60.

BACKGROUND INFORMATION: The owner of the 425 S. Mill Avenue building discovered through a recent property transaction that a very small portion of the south building wall is within City right-of-way. In order to mitigate any potential survey conflicts for the City or the owner, conveying an easement will provide for the existing encroachment to remain until such time that the building is substantially or completely demolished. The City will receive a one-time payment from the building owner as consideration for the approximately 0.31' x 125' encroachment area.

ATTACHMENTS: Ordinance, Easement

STAFF CONTACT(S): Alex Smith, Deputy Community Development Director – Special Projects, (480) 350-2708

Department Director: Jeff Tamulevich, Interim Community Development Director
Legal review by: Sonia Blain, Deputy City Attorney
Prepared by: Heidi Bradshaw, Senior Planner