

**COUNTY VACATION
STAFF REPORT****Date: May 7, 2015****NAME**

Hutchison, Moore & Rauch, LLC

LOCATION

North side of Padgett Switch Road, extending to the South side of U.S. Highway 90 West.

REQUEST

Request to vacate public Right-of-Way in the Planning Jurisdiction.

REMARKS

The applicant is requesting vacation of an existing Right-of-Way in the Planning Jurisdiction.

The site is located along the North side of Padgett Switch Road, extending to the South side of U.S. Highway 90 West and the railroad right-of-way paralleling the highway. The subject right-of-way to be vacated is 30' wide and approximately 2,360' along its centerline. GIS data indicates that the approximate East half is under a County tax parcel, and the approximate West half is an unopened right-of-way. There are no recorded easements indicated within the right-of-way. The site has been used for many years as a sand and gravel quarry and the area through which the right-of-way extends has been extensively excavated. There are several other narrow rights-of-way within the area, some of which are still unopened.

The applicant states the reason for the request is *“Clean up clouded title of property dating back to the 1930”s. Owner and County were under assumption that this land had been deeded over long ago. A search of modern available records makes this unclear so we are taking action to clean up ownership, title and tax records.”*

A review of GIS aerial photography back to 1938 does not reveal any development or physical sign of the right-of-way. Development of the subject site as a sand and gravel quarry appears to have occurred after 1997. Therefore, it could be concluded that if the right-of-way were actually intended for public use, ample time existed for the contesting of the quarry use. Therefore, the vacation of it to clear ownership discrepancies would seem in order. Once vacated, the property should be combined with adjacent properties via a one-lot Subdivision.

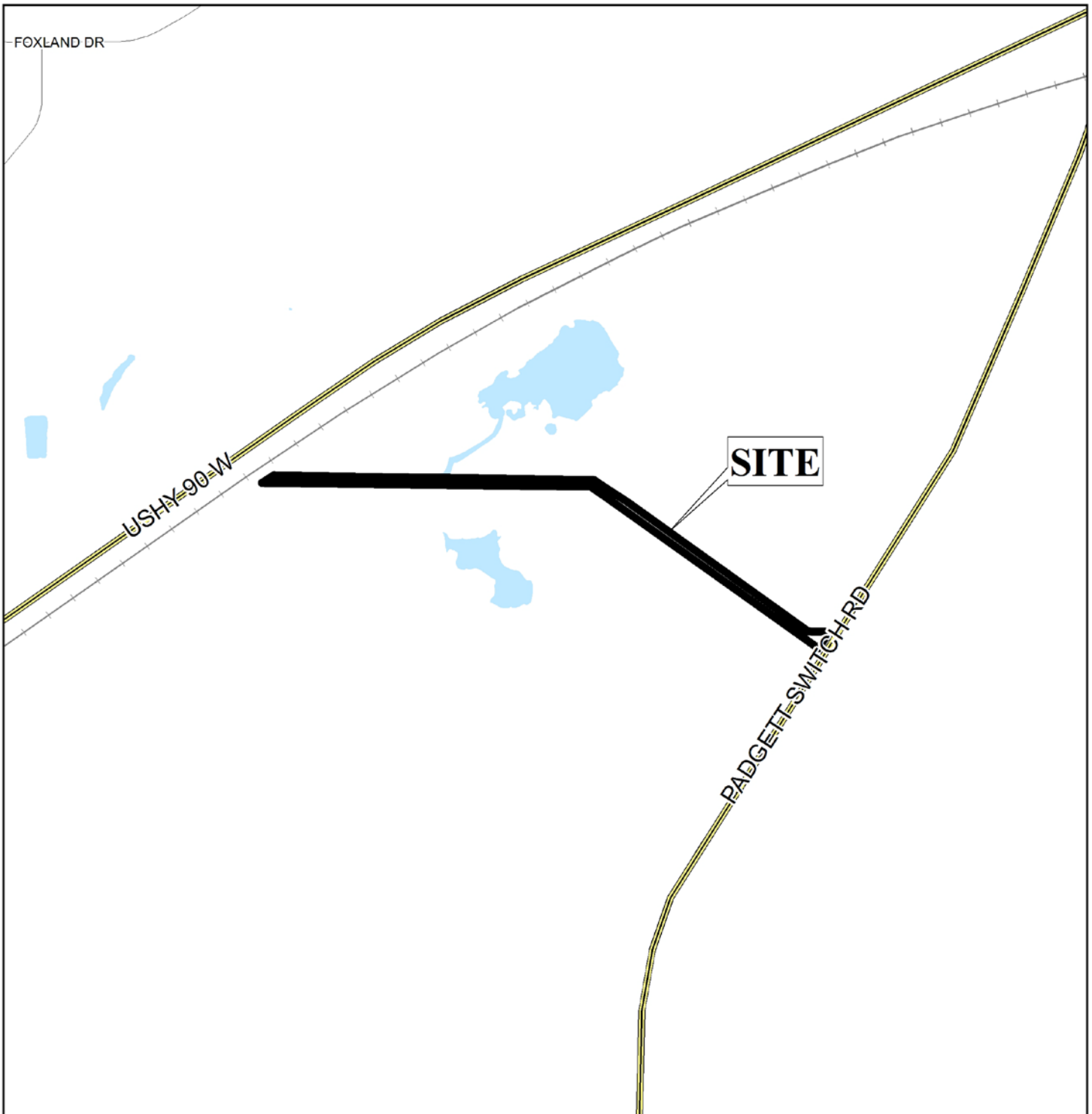
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RECOMMENDATION

The request for Right-of-Way Vacation is recommended for approval, subject to the following condition:

- 1) once vacated, the property is to be combined with adjacent properties owned by the applicant via a one-lot Subdivision.

LOCATOR MAP



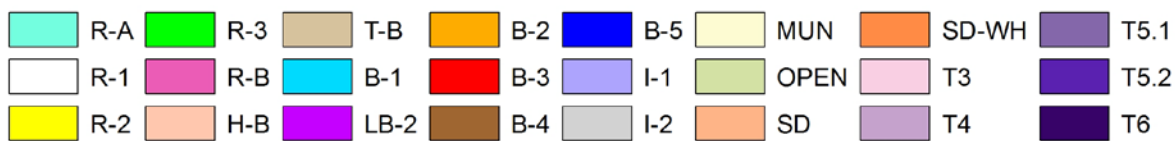
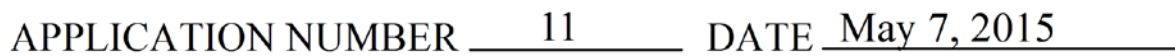
APPLICATION NUMBER 11 DATE May 7, 2015

APPLICANT Hutchinson, Moore & Rauch, LLC

REQUEST Vacation Request



ZONE: X



PLANNING COMMISSION VACATION REQUEST



APPLICATION NUMBER 11 DATE May 7, 2015



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