

City Council – Action Request Form

Date: September 14, 2020

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Damon C. Dequenne, Assistant City Manager
S. Kirk Bjorling, Real Estate Administrator
John Lawson, Assistant City Attorney

Council Action Requested:

Resolution Authorizing the Quitclaim Abandonment of Right-of-Way and Temporary Construction Easement to Ala VI, LLC Associated with the Meadowlark Drive Improvement Project (West Ward)

Strategic Focus Area: Quality Transportation
Strategic Objective: Improve Integrated Road Network
Strategic Plan Action Item: No
Key Work Item: No



Summary of Information:

On April 16, 2018, the City Council approved of several acquisitions for Phase IV of the Meadowlark Drive Improvement Project, including for Ala VI, LLC, which owns property located at 140 Beauchamp Road. On June 28, 2019, the City filed a condemnation action against Ala VI, LLC in order to acquire 1,399 square feet of right-of-way and 2,978 square feet of temporary construction easement.

After negotiating with Ala VI, LLC, staff made the decision to abandon the taking. Doing so obligated the City to pay Ala VI, LLC’s actual costs incurred in defending the condemnation lawsuit (including attorney’s fees). The City Council approved settling this matter for Ala VI, LLC’s actual costs in closed session on August 3, 2020. As a part of the settlement, Ala VI, LLC has asked the City to execute a quitclaim deed to formally return the right-of-way and temporary construction easement to it in order to clear up title for Ala VI, LLC going forward.

The attached resolution authorizes the quitclaim abandonment of right-of-way and temporary construction easement on property owned by Ala VI, LLC, as described herein.

Committee Action:

Committee	Finance 9/14/2020	Action	Approval
For	Unanimous	Against	
Remarks:			