

ABANDONMENT REQUEST
FOR
EASEMENTS ALONG THE REAR OF THE LOTS
ON THE EAST SIDE OF HEATHER CIRCLE

Overview

The properties along Heather Circle within the R1-10 Zoning District were exchanged from the United States Forest Service to private property owners in 1973. As a part of the federal land exchange process easements are created to insure adequate access is available to all properties exchanged. It is common practice to reserve a 27, 30, or 33 foot wide roadway easement around the perimeter of the property. Once the property is developed and other adequate access provided, these easements can be eliminated.

Abandonment Request

In February, 1973 the property on the south end of Heather Circle was exchanged from the United States Forest Service into private ownership. Included with that exchange was a 27 foot wide roadway easement along the east, south and west side of the property. This request is to abandon the 27 foot wide road way easement along the rear of the lots on the east side of Heather Circle. The abandonment request does not include the southerly 27 feet of the property at 1101 N. Heather Circle since that would affect an easement extending to Tyler Parkway.

Abandonment Process

In accordance with Town of Payson Ordinance No. 606, the abandonment process requires notification of the proposed abandonment to all utility companies, affected Town of Payson Department Heads, and property owners within 300 feet of the easements to be abandoned. A letter containing information concerning this request was either mailed or hand delivered to each of the required parties. This letter stated that a response was requested by February 18, 2015 and that if no comment was received by that date, it would be assumed that the particular entity was not opposed to the abandonment. All contacted utility companies and department heads responded with approval for the abandonment

Responses to Request

We have received responses from all of the utility companies and required Town of Payson Departments. All responses received have supported the abandonment. No comments or responses have been received from any of the notified property owners.

Recommendation

Staff recommendation is that the Planning and Zoning Commission recommend approval of this abandonment request to the Payson Town Council.

Possible Motion

I move to recommend to the Town Council approval of the abandonment of the 27 foot wide roadway easement located on the east 27 feet of the North 1293 feet of West one-half of the Southeast one quarter of the Southwest one quarter of Section 26, T 11 N, R 10 E, G&SRM.

Attachments

The following items concerning this abandonment are attached:

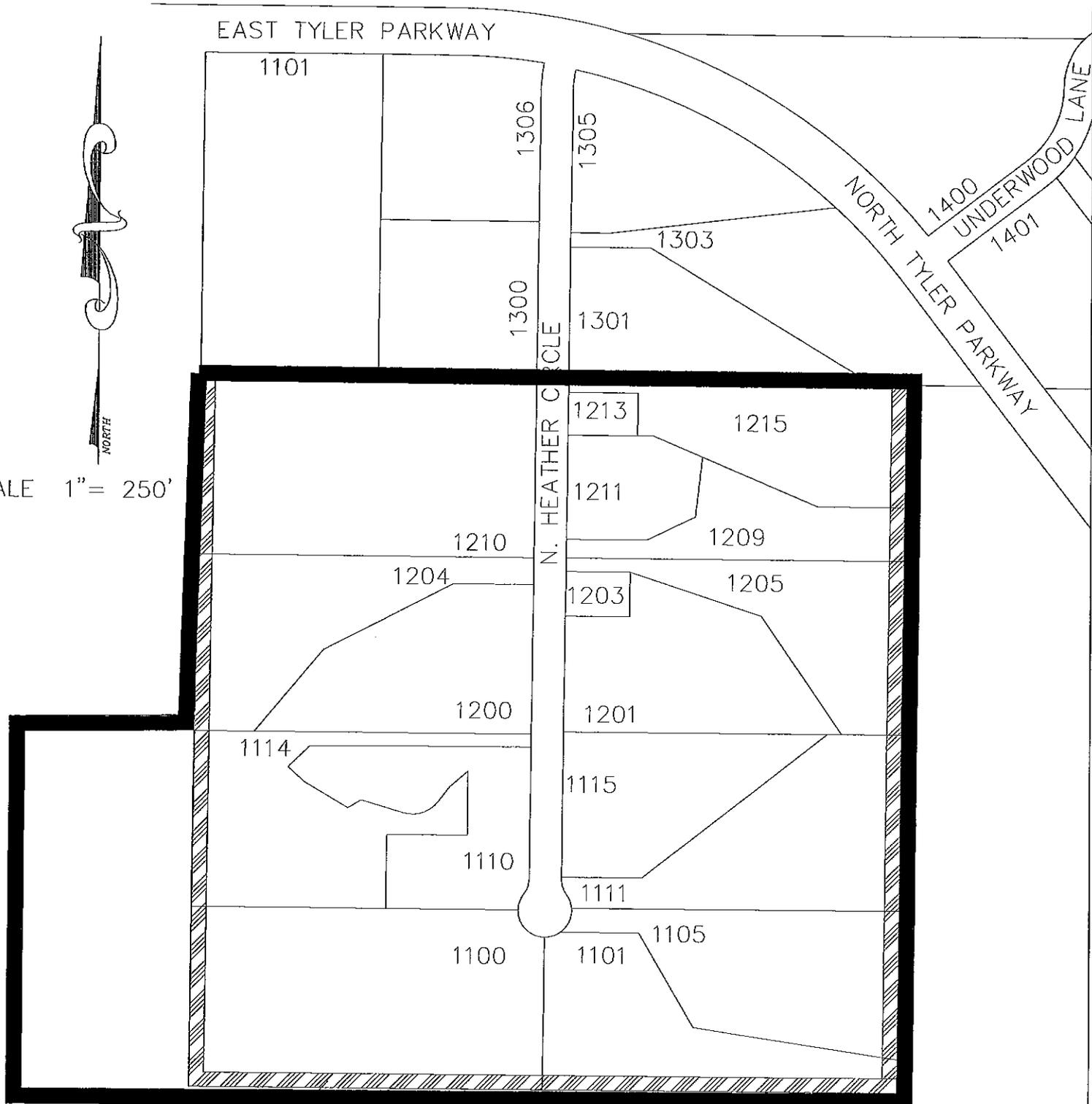
Abandonment Application

Drawing showing easements granted with the land exchange

Drawing showing easement requested to be abandoned



SCALE 1" = 250'

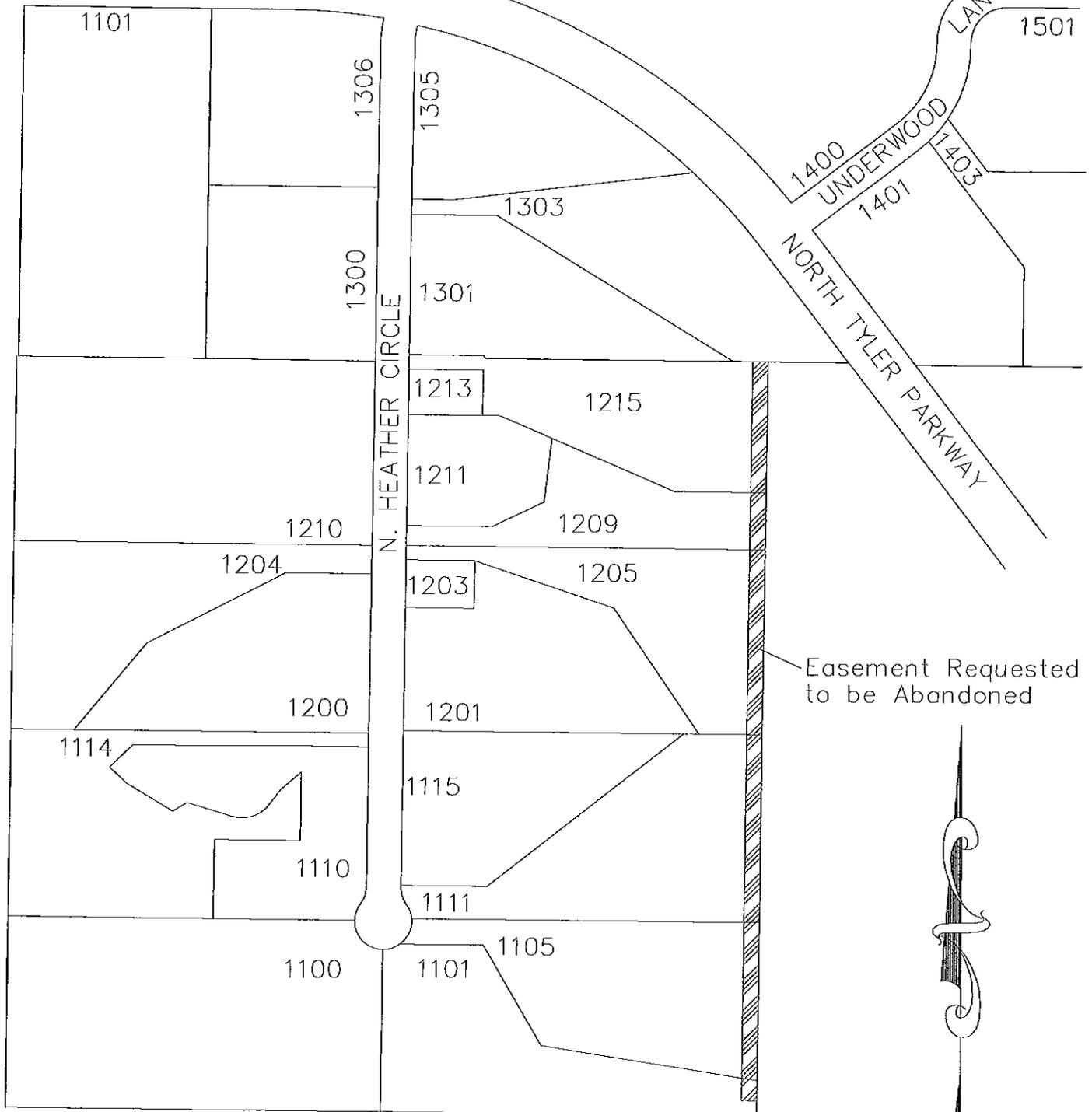


Easement Created Through Exchange Process

Property Exchanged in 1973

EXHIBIT 1 PROPERTY EXCHANGED IN 1973

EAST TYLER PARKWAY



Easement Requested to be Abandoned



SCALE 1" = 250'

REQUESTED EASEMENT ABANDONMENT HEATHER CIRCLE