

AGENDA REPORT

DATE: September 21, 2004

ITEM: Trade of vacated portion of Henderson Park for Street right-of-way

INITIATED BY: City County Planning

ACTION REQUESTED: Set Public Hearing

PREPARED AND PRESENTED BY: Jerry Sepich, Park & Recreation Director

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**RECOMMENDATION:**

Staff recommends the City Commission set a public hearing for October 19, 2004 to consider the trade of a vacated portion of Henderson Park for street right-of-way.

**MOTION:**

"I move the City Commission set a public hearing for 7:00 p.m. October 19, 2004 to consider the trade of a vacated portion of Henderson Park for street right-of-way."

**SYNOPSIS:**

The City desires to trade the vacated portion of Henderson Park to Mr. Jerome H. Sprague in exchange for his interest in the pipeline crossing of 5<sup>th</sup> Street NE, 29<sup>th</sup> Avenue NE, 30<sup>th</sup> Avenue NE and Skyline Drive. Mr. Sprague owns the property abutting the vacated parkland and proposes the City trade this property, thus allowing him to "square out" the parcel and eliminate the current fractional ownership.

Mr. Sprague intends to re-plat two lots he currently owns to incorporate abutting segments of the pipeline corridor and vacated park property into the same.

**BACKGROUND:**

Through a Quick Claim Deed, dated August 4, 2000, Harvest Village, Inc. deeded to Mr. Sprague segments of the un-platted pipeline corridor through Henderson Heights Addition including the street crossings of Skyline Drive, 30<sup>th</sup> Avenue NE, 29<sup>th</sup> Avenue NE and 5<sup>th</sup> Street NE.

On September 7, 2004 the City Commission approved Resolution 9441. This resolution vacated a 1820 square foot unimproved portion of dedicated parkland (Henderson Park) at the Southwest corner of the intersection of 5<sup>th</sup> Street NE and 30<sup>th</sup> Avenue NE in Henderson Heights Addition.

Chapter 3.04 OCCGF requires a public hearing before final consideration of the trade of City property and further allows the City to trade or exchange for property of like kind with equal or greater value without involving a bidding process.

The Park and Recreation Board at its' August 9, 2004 meeting approved the vacation of this unimproved portion of Henderson Park and further recommended that if the park dedication is vacated that the City trade the property for street right-of-way.