

June 4, 2008

Public Works

Memorandum:

To: City Manager

From: Public Works Director

Subj: Request for Direction to City-Initiate Public ROW Vacation on Lorinda Court and the Upper Portion of Lorinda Lane

Purpose:

Obtain direction from City Council to commence City-initiated ROW vacation for Lorinda Court and the Upper Portion of Lorinda Lane.

Background:

Lorinda Lane has been constructed in phases as Le Chevalier has been developed. The first portion of Lorinda Lane was constructed as part of the Barrington Heights Phase VII development and was shown on the first page of the plat, recorded in 1994, as a private street, though the dedicatory language on page three of the plat was confusing. The second and smallest portion of Lorinda Lane was constructed in conjunction with Partition Plat (PP-1999-141) that added two lots. The final portion of Lorinda Lane and Lorinda Court were constructed in conjunction with the Le Chevalier plat filing. All through the planning process the intention was that streets within the Le Chevalier plat would be private streets like the previously platted portions of Lorinda Lane; however, in the dedicatory statement the roadway was erroneously dedicated to the public.

Staff Evaluation:

- The streets in Le Chevalier (Ghiglieri Court, Lorinda Lane, Lorinda Court) were all intended to be private and were allowed to be built to less than City standards.
- Currently the City is responsible for maintenance of a street to which it has no legal access.
- The residents of Le Chevalier have been contacted and a majority support the vacation of the public ROW to private ownership.
- The dedication of the upper portion of Lorinda Court and the upper portion of Lorinda Lane to the public should be corrected.
- A City-initiated rights-of-way vacation is appropriate as the City will benefit from correcting the mistake.

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Summary:

Staff believes it in the City's best interest to initiate a vacation of the upper portion of Lorinda Lane and Lorinda Court.

Options:

1) Direct City Manager to commence City-initiated ROW vacation.

Advantages: City is released from maintenance and repair responsibility for area of the public rights-of-way to which it has no legal access. It removes sections of the street inventory that do not meet City standards.

Disadvantages: Staff time will be involved in processing the vacation request and some expense will be realized in obtaining a legal description for the vacation.

2) Not direct the City-initiated ROW vacation.

Advantages: No further staff time devoted to this effort.

Disadvantages: City retains maintenance and repair responsibility for Lorinda Court and the upper portion of Lorinda Lane.

Recommendation:

- Staff recommends Option #1.

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