



**Council  
Communication**  
Office of the City Manager

**Date**

October 23, 2006

**Agenda Item No.** 19

**Roll Call No.** 06-

**Communication No.** 06-662

**Submitted by:** Larry Hulse, Community  
Development Director

**AGENDA HEADING:**

Accepting Warranty Deed for property in the 300 block of E. Kenyon Avenue to be dedicated as street right-of-way for the widening of E. Kenyon Avenue.

**SYNOPSIS:**

Recommend acceptance of the conveyance of land for the future widening of E. Kenyon Avenue. This type of dedication of street right-of-way typically happens with approval of a plat. In this case, a plat of survey was approved for land in the 300 block of E. Kenyon Avenue, subject to certain conditions that are required with a plat. One of the conditions was this conveyance of land for the widening of E. Kenyon Avenue. There is no current plan to widen this street. However, in anticipation of a future need based on planned development in the area, the City required conveyance of this land for street right-of-way.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

The land is owned by the Estate of Angelina Scavo, deceased, and Patricia Shumate, Marilyn Hennesy, Anthony N. Scavo, Paul and Sheila Scavo, and Charles and Sandra Scavo. This action is the last step for the property owners in conforming to all of the conditions required for the administrative approval of the Plat of Survey for the land in the 300 block of E. Kenyon Avenue. The owners were also required to provide a Declaration of Covenants, which Council accepted on July 10, 2006.

**PREVIOUS COUNCIL ACTION(S):**

Date: July 10, 2006

Roll Call Number: [06-1323](#)

Action: [Accepting](#) Declaration of Covenants required for City approval of a plat of survey to Patricia Shumate, Marilyn Hennesy, Anthony Scavo, Paul Scavo and Charles Scavo for property in the 300 block of E. Kenyon Avenue. Moved by Hensley to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Date: May 4, 2006

Roll Call Number: N/A

Action: Plan and Zoning Commission voted 12-1-1 in support of a motion to sustain the staff decision to deny approval of the plat of survey as then presented. The plat of survey was subsequently amended to conform to the requirements of the subdivision regulations and was administratively approved subject to providing a Declaration of Covenants and the dedication of land for the widening of E. Kenyon Avenue.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**