

**AN ORDINANCE TO (I) APPROVE THE REMOVAL OF A PORTION OF GARASCHESS LANE FROM THE OFFICIAL CITY MAP AND (II) ACCEPT THE DEDICATION OF AN UNNAMED CITY STREET BETWEEN SOUTH WALNUT STREET AND GARASCHESS LANE AND ADD IT TO THE OFFICIAL CITY MAP**

**#4596**

**Sponsor:**

**Council  
Member  
Harlee**

**WHEREAS**, the City of Wilmington is authorized to establish and revise plans of streets and alleys by the provisions of Sections 1-101, 2-306, and 5-400 of the City Charter, such actions to be done in accordance with applicable provisions of State law and Section 42-11 of the City Code; and

**WHEREAS**, Riverfront Development Corporation (the “Applicant”) has requested that (i) a portion of Garasches Lane be removed from the Official City Map, as illustrated on Exhibit “A” attached hereto and made a part hereof and (ii) a new public right-of-way connecting Garasches Lane with South Walnut and South Market Streets at a new signalized intersection located just north of where South Walnut and South Market Streets divide be dedicated and that the street be added to the Official City Map, as illustrated on Exhibit “A” attached hereto and made a part hereof; and

**WHEREAS**, the City of Wilmington currently holds title to two separate sections of the street bed beneath the portion of the Garasches Lane right-of-way proposed to be removed and after extensive research the Department of Public Works has concluded that ownership of the remaining areas of the Garasches Lane street bed cannot be determined; and

**WHEREAS**, the proposed street removal will not negatively affect any existing utility easements, and all rights of access by the City will remain unchanged; and

**WHEREAS**, there are no findings to suggest that the removal of the portion of Garasches Lane would create a detriment to the surrounding properties, the general public, or public safety; and

**WHEREAS**, the new city street would be located on two existing parcels (Tax parcel #2605700053 and #2605700052) connecting Garasches Lane with South Walnut and South Market Streets at a new signalized intersection located just north of where South Walnut and South Market Streets divide and once the new street is built to all City standards and all requirements of the Department of Public Works, it will be conveyed to the City; and

**WHEREAS**, the City Planning Commission has adopted Planning Commission Resolution 21-18, which recommended approval of the Applicant’s request to remove the proposed portion of Garasches Lane from the Official City Map and dedicate a new public right-of-way connecting Garasches Lane with South Walnut and South Market Streets at a new signalized intersection located just north of where South Walnut and South Market Streets divide be dedicated and that the street be added to the Official City Map; and

**WHEREAS**, the City Council deems it necessary and appropriate to approve: (i) a portion of Garasches Lane be removed from the Official City Map, as illustrated on Exhibit “A” attached hereto and made a part hereof and (ii) a new public right-of-way connecting Garasches Lane with South Walnut and South Market Streets at a new signalized intersection located just north of where South Walnut and South Market Streets divide be dedicated and that the street be added to the Official City Map, as illustrated on Exhibit “A” attached hereto;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** The removal from the Official City Map of the portion of Garasches Lane, which is illustrated as the beige color coded section on Exhibit “A” attached hereto, is hereby approved, and the Official City Map is hereby amended to reflect such removal.

**SECTION 2.** The dedication of the new public right-of-way, which is illustrated as the green color coded section on Exhibit “A” attached hereto, is hereby approved, and the Official City Map is hereby amended to reflect such addition.

**SECTION 3.** All City departments are hereby authorized to take any and all necessary actions required for the (i) proposed removal of said portion of Garasches Lane from the Official City Map and (ii) proposed dedication of the new public right-of-way and its addition to the Official City Map.

**SECTION 4.** This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading ..... November 15, 2018  
Second Reading ..... November 15, 2018  
Third Reading .....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance authorizes the removal of a portion of Garasches Lane from the Official City Map. This Ordinance also accepts the dedication of an unnamed City street between South Walnut Street and Garasches Lane and adds it to the Official City Map.

**FISCAL IMPACT:** This Ordinance has no significant anticipated fiscal impact.



REVISIONS

DESCRIPTION	DATE

SHEET TITLE

RIGHT-OF-WAY

DRAWN

SJS

CHK'D/DESIGNER

ZJS

DISCIPLINE

CIVIL

PROJECT NO.

RW.02