

# Policy Briefing Summary

## City Council



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<b>Regarding:</b>	<b>Ordinance to vacate Clarke Court, a City-maintained street (2nd reading)</b>
<b>Staff Contact(s):</b>	Matthew Alfele, City Planner, John Maddux, City Attorney
<b>Presenter:</b>	<b>Matthew Alfele, City Planner, John Maddux, City Attorney</b>
<b>Date of Proposed Action:</b>	December 15, 2025

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### Issue

The Jefferson Scholars Foundation (Applicant) is requesting the vacation of Clarke Court, which is a City maintained street. The request is part of the Applicant's long range Strategic Plan to evaluate facilities needed to support current and future programs. Applicant has stated the vacation would provide flexibility for anticipated long term needs. All properties that utilize Clarke Court for access are owned by Applicant.

On November 3, 2025, following a public hearing, the City Council authorized the City Attorney to enter into negotiations with the Applicant to determine whether mutually acceptable terms could be reached. Pursuant to those negotiations, the Applicant has agreed to pay the City 750,000 dollars in exchange for the City's agreement to vacate the right of way while retaining necessary utility easements. With those terms established, the matter is now before the City Council for consideration.

### Background / Rule

Historically, it was City policy to permit the vacation of public right of way through agreement among all abutting property owners. In the fall of 2019, this policy was updated to ensure appropriate consideration by City Council, to allow for compensation where warranted, and to ensure that City right of way is not needed for access or other public purposes.

State law authorizes municipalities to vacate rights of way upon application by any person. When a vacation is conditioned upon the applicant meeting specified requirements, such as providing compensation to the City, the vacation may not be recorded until those conditions have been satisfied.

### Analysis

Following the City Council's action on November 3, the City Attorney's Office initiated negotiations and requested a valuation from the City Assessor for the Clarke Court right of way. The Assessor determined a fair market value of 530,500 dollars if the property were conveyed with an agreement preserving the on street parking spaces, and 618,000 dollars without such an agreement. The Applicant expressed a preference for an arrangement that did not preserve the parking spaces. After further discussion, the City and the Applicant agreed to terms under which the City would vacate the right of way conditioned upon preservation of existing utility easements and payment of 750,000 dollars to the City.

Clarke Court is a cul de sac that serves only property owned by the Applicant. Although the City will lose five on street parking spaces, staff believes the negotiated terms represent a fair exchange given that the compensation exceeds the assessed market value of the right of way.

**Financial Impact**

Vacating Clarke Court under the negotiated terms will result in payment to the City of 750,000 dollars.

**Recommendation**

Staff recommends that, if the City Council is amenable to vacating Clarke Court, that it do so pursuant to the negotiated terms outlined above.

**Recommended Motion (if Applicable)**

I move that the City Council approve the ordinance prepared by staff vacating Clarke Court pursuant to the application submitted by the Jefferson Scholars Foundation provided that no vacation be recorded until all conditions agreed upon by the Applicant have been met.

**Attachments**

1. Deed Plat
2. Application
3. Ordinance - Clarke Court