



"...meeting community needs...enhancing quality of life."

DEPARTMENT OF PUBLIC WORKS

Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474
FAX (920) 832-6489

TO: Municipal Services Committee

FROM: Danielle Block, Director of Public Works
Kurt W. Craanen, Inspections Supervisor
Darrin Glad, Assistant City Attorney

SUBJECT: Lease agreement for fence - 31-1-6501-30 / 2302 E. Glenhurst Lane

DATE: November 11, 2022

When the property at 2302 E. Glenhurst Lane was constructed in 2016, a fence was erected along the property line between this property and a city owned lot (31-1-6501-30). When the property was recently surveyed, it was revealed that the private fence encroached on the city lot. The area of this encroachment has been determined by the City Surveyor to be 932 square feet. The encroachment is approximately two feet onto City-owned property adjacent to a retention pond and is of minimal economic value.

City staff from the Inspections Department, Legal Services Department, Economic and Community Development, and the Assessor's Office worked to find a reasonable and fair resolution to the encroachment without permanently losing any property rights of the City. Rather than forcing the owners to move the fence two feet and at great expense, the City determined that leasing the area to the owners for a reasonable time was a viable option.

Recommendation: City staff recommend that Council approve the City leasing the property to the current owners for a period of ten years. After this time, the fence would need to be removed. The property owners have already indicated agreement to the price negotiated by the parties based on fair market value and the ten-year limit to the lease.