

## Memorandum

To: Infrastructure Committee  
From: Paul Nicklas, Assistant City Solicitor  
Date: November 25, 2014  
Re: Discontinuance of First Street Extension

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First Street in Bangor currently ends where it meets Davis Court. The City owns a right-of-way for another 120 feet beyond Davis Court. This right-of-way was accepted by the City in 1890, but has never been used or built.

Staff proposes discontinuing this unused and unnecessary right-of-way. By statute, the right-of-way would revert to the abutters on either side.

Staff asks that the Committee recommend discontinuing First Street Extension to the City Council. Discontinuance will require two Council Orders, the first directing staff to begin the discontinuance process and notify neighbors, the second accepting the report of the City Engineer and discontinuing the right-of-way and removing it from the official City map.

**COUNCIL ACTION**

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**Item No. \_\_\_\_\_**

**Date:** December 8, 2014

**Item/Subject:** Order, Authorizing the City Engineer to Begin the Process of Discontinuing First Street Extension

**Responsible Department:** Engineering

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**Commentary:**

The Order attached would begin the process to discontinue First Street Extension. While this street has been accepted as a public way, it is not used by the general public or needed for public purposes. Under 23 M.R.S.A. § 3026, the City would discontinue First Street Extension for its length of approximately 120 feet.

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John M. Theriault, P.E.  
Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** Order, Memo, and Location Map

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

Passage  
 First Reading  
 Referral

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Assigned to Councilor

# CITY OF BANGOR

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**(TITLE.)** Order, Authorizing the City Engineer to Begin the Process of Discontinuance of First Street Extension.

**WHEREAS**, the 120 foot +/- section of First Street Extension located was accepted by the City in 1890; and

**WHEREAS**, the City discontinue the 120 +/- foot right-of-way; and

**WHEREAS**, said portion of First Street Extension is no longer necessary to serve the public as a right-of-way;

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

**the City Engineer is hereby authorized and directed to begin the process of discontinuing the approximate 120 foot section of First Street Extension in accordance with the provisions of 23 M.R.S.A. §3026 and to submit a written report to the City Council for further action.**

