



City of Grand Island

Tuesday, July 26, 2016

Council Session

Item F-2

**#9592 - Consideration of Vacation of Montana Avenue and
Utility/Drainage Easements; West of North Road, South of
Nebraska Highway 2**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 26, 2016

Subject: Consideration of Vacation of Montana Avenue and Utility/Drainage Easements; West of North Road, South of Nebraska Highway 2

Presenter(s): John Collins PE, Public Works Director

Background

Montana Avenue was dedicated with the Northview Sixth Subdivision plat and filed as Instrument No. 0200706618 on August 2, 2007, while the Utility/Drainage easements were dedicated with Northview Second Subdivision and filed as Instrument No. 200600967 on February 3, 2006 with the Hall County Register of Deeds.

Discussion

The property owner is requesting vacation of Montana Avenue, as well as the utility/drainage easements to allow for a replat of this area. Such vacations will allow for Lot 1 of Northview Sixth Subdivision and the unplatted area addressed as 3010 North North Road to become one large lot. A sketch is attached to detail the proposed vacations.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve vacating Montana Avenue and Utility/Drainage easements; west of North Road, South of Nebraska Highway 2 as requested.

Sample Motion

Move to approve the ordinance.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9592

An ordinance to vacate an existing right of way and easements and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That an existing right of way of Montana Avenue and Utility/Drainage easements, more particularly described as follows:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, NORTHVIEW SEVENTH SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N00°22'16"E, ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH ROAD, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE N89°05'09"W A DISTANCE OF 176.39 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 47°55'08", A RADIUS OF 180.00 FEET, AND CHORD BEARING OF N65°07'36"W A CHORD DISTANCE OF 146.19 FEET; THENCE N41°10'02"W A DISTANCE OF 37.53 FEET; THENCE N48°49'58"E A DISTANCE OF 60.00 FEET; THENCE S41°10'02"E A DISTANCE OF 37.53 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 47°55'08", A RADIUS OF 120.00 FEET, AND A CHORD BEARING OF S65°07'35"E A CHORD DISTANCE OF 97.46 FEET; THENCE S89°05'09"E A DISTANCE OF 175.82 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF NORTH ROAD; THENCE S00°22'16"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 20,345.37 SQUARE FEET OR 0.467 ACRES MORE OR LESS.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the abutting properties.

Approved as to Form	▣ _____
July 22, 2016	▣ City Attorney

ORDINANCE NO. 9592 (Cont.)

SECTION 3. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

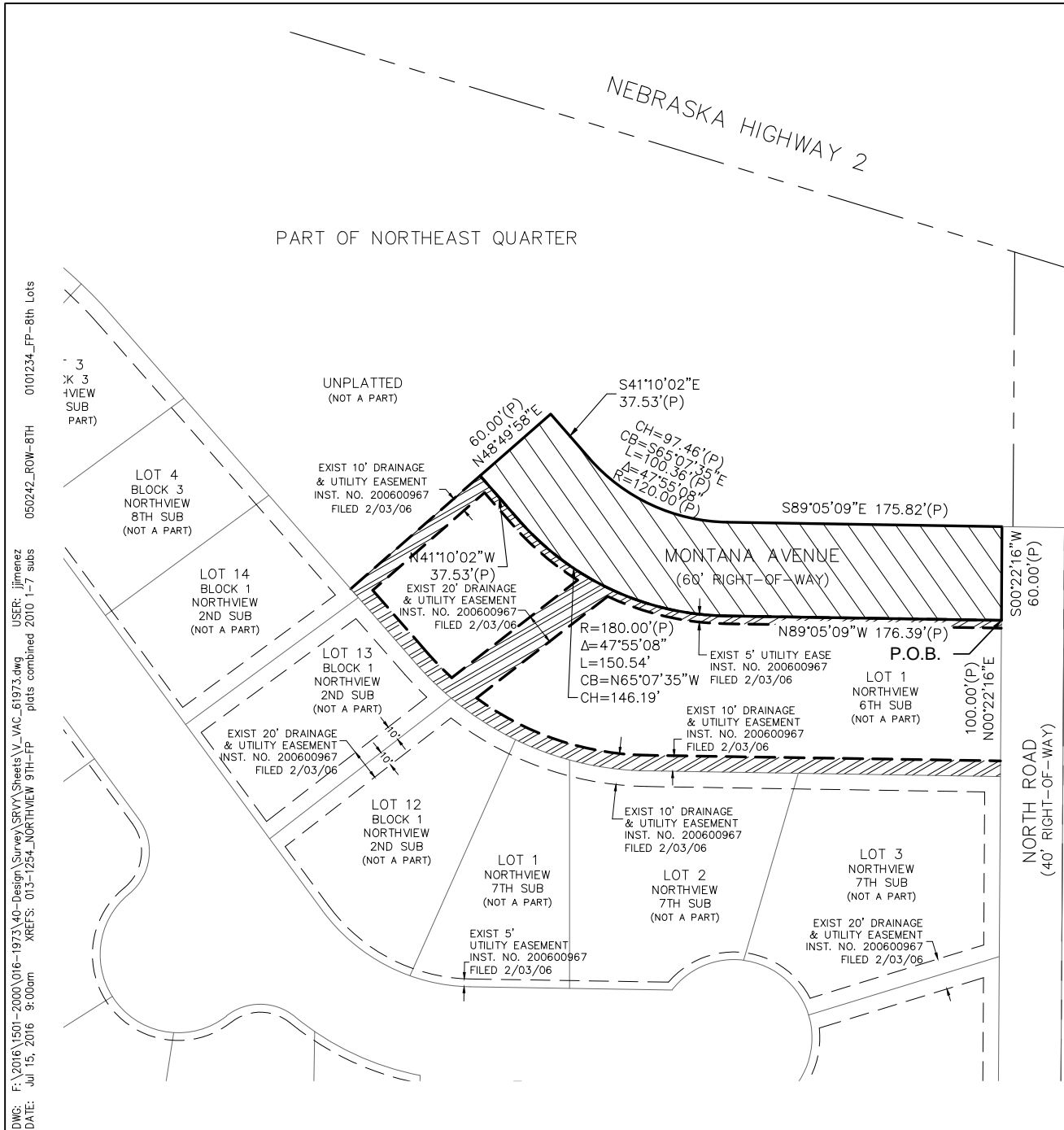
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plate, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: July 26, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



VACATE DESCRIPTION

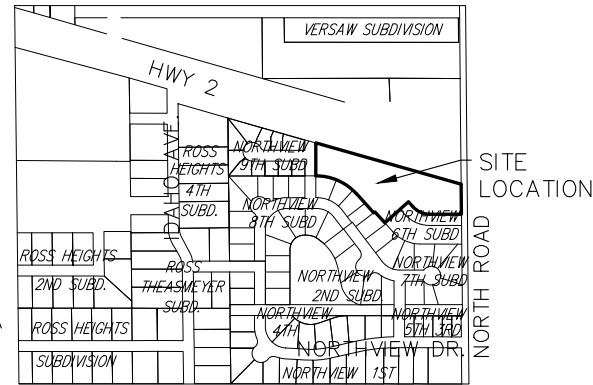
A TRACT OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, NORTHVIEW SEVENTH SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N00°22'16"E, ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH ROAD, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE N89°05'09"W A DISTANCE OF 176.39 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 47°55'08", A RADIUS OF 180.00 FEET, AND CHORD BEARING OF N65°07'36"W A CHORD DISTANCE OF 146.19 FEET; THENCE N41°10'02"W A DISTANCE OF 37.53 FEET; THENCE N48°49'58"E A DISTANCE OF 60.00 FEET; THENCE S41°10'02"E A DISTANCE OF 37.53 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 47°55'08", A RADIUS OF 120.00 FEET, AND A CHORD BEARING OF S65°07'35"E A CHORD DISTANCE OF 97.46 FEET; THENCE S89°05'09"E A DISTANCE OF 175.82 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF NORTH ROAD; THENCE S00°22'16"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 20,345.37 SQUARE FEET OR 0.467 ACRES MORE OR LESS.



LOCATION MAP

SEC. 2 T11N, R10W
NOT TO SCALE



LEGEND

- SECTION LINE
- PROPERTY LINE
- ROW LINE
- LOT LINE
- VACATE AREA
- EASEMENT VACATE AREA
- P PLATTED DISTANCE