

# **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:

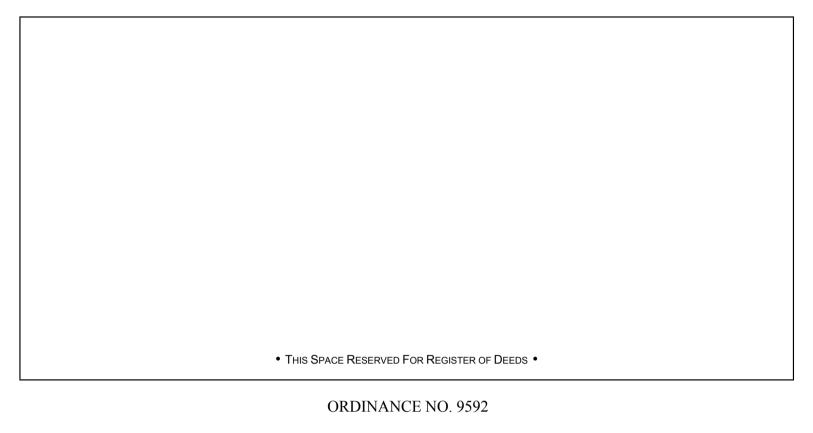
- 1. Move to approve
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

# 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.



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 \$65°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-0F-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.

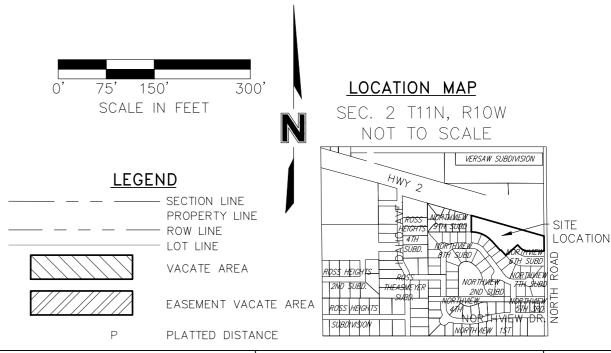
	Jeremy L. Jensen, Mayor	
Attest:		

#### NEBRASKA HIGHWAY 2 PART OF NORTHEAST QUARTER Ж 3 UNPLATTED S41"10'02"E HVIEW (NOT A PART) 37.53'(P) SUB PART) EXIST 10' DRAINAGE LOT 4 & UTILITY EASEMENT BLOCK 3 INST. NO. 200600967 NORTHVIEW S89°05'09"E 175.82'(P) FILED 2/03/06 (NOT A PART) USER: jjimenez 2010 1-7 subs MONTANA AVENUE 41°10'02"W LOT 14 37.53'(P) EXIST 20' DRAINAGE BLOCK 1 NORTHVIEW & UTILITY EASEMENT INST\_NO\_200600967 2ND SUB FILED 2/03/06 R=180.00'(P N89°05'09"W 176.39'(P (NOT A PART) Δ=47°55'08" LOT 13 P.O.B. EXIST 5' UTILITY EASE VAC\_61973.dwg plats combin L=150.54' BLOCK 1 INST. NO. 200600967 LOT 1 CB=N65°07'35"W FILED 2/03/06 NORTHVIEW NORTHVIEW 2ND SUB -CH=146.19' 6TH SUB (NOT A PART) FXIST 10' DRAINAGE (NOT A PART) & UTILITY EASEMENT EXIST 20' DRAINAGE & UTILITY EASEMENT (NST. NO. 200600967) NST. NO. 200600967 1973\40-Design\Survey\SRVY\Sheets\V\_ XREFS: 013-1254\_NORTHVIEW 9TH-FP FILED 2/03/06 FILED 2/03/96 LOT 12 프높 EXIST 10' DRAINAGE BLOCK 1 & UTILITY EASEMENT NORT 40' RIG NORTHVIEW INST. NO. 200600967 2ND SUB FILED 2/03/06 LOT 3 LOT 1 (NOT A PART NORTHVIEW NORTHVIEW LOT 2 7TH SUB NORTHVIEW 7TH SUB (NOT A PART) (NOT A PART) 7TH SUB (NOT A PART) EXIST 20' DRAINAGE & LITHLITY FASEMENT UTILITY EASEMENT INST. NO. 200600967 INST. NO. 200600967 FILED 2/03/06 FILED 2/03/06 PROJECT NO: 2016-1973

#### 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 NO0°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 SO0°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



DRAWN BY: JMJ Grand Island DATE: 07.13.2016

MIUNIANA AVENUE AND EASEMEN VACAIIUN Council Session - 7/26/2016



201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750

**EXHIBIT**