



City of Grand Island

Tuesday, September 27, 2016

Council Session

Item F-2

#9605 - Consideration of Vacation of Sanitary Sewer Easement in Miracle Valley Second Subdivision (Joseph M & Lori J Brown – 2807 N Engleman Road & Randall J & Brenda S Skarka – 2819 N Engleman Road)

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: September 27, 2016

Subject: Consideration of Vacation of Sanitary Sewer Easement in Miracle Valley Second Subdivision
(Joseph M & Lori J Brown – 2807 N Engleman Road & Randall J & Brenda S Skarka – 2819 N Engleman Road)

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

Background

A sanitary sewer easement was dedicated with the plat of Miracle Valley Second Subdivision and filed with Hall County Register of Deeds on May 29, 2009 as Document No. 200904160. This sanitary sewer easement is no longer needed.

Discussion

The property owners, Joseph M & Lori J Brown, are requesting to vacate such dedicated sanitary sewer easement within Miracle Valley Second Subdivision. There are no utilities currently within this easement that will be affected by the vacation. The attached sketch details the referenced easement to be vacated.

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 pass an ordinance vacating the sanitary sewer easement located in Miracle Valley Second Subdivision.

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9605

An ordinance to vacate an existing sanitary sewer easement and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; to repeal any ordinance or parts of ordinances in conflict herewith, 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 existing sanitary sewer easement located in Miracle Valley Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Lot 1-

Beginning at the northwest corner of Lot One (1), Miracle Valley Second Subdivision, point being Thirty Five (35.0) feet east and Twenty (20.0) feet south to an existing easement and being the point of beginning; thence south and parallel with the west line and Thirty Five (35.0) feet east of said Lot One (1) a distance of One Hundred Thirteen and Five Tenths (113.5); thence east along the south line of said Lot One (1) a distance of Twenty (20.0) feet, thence northerly a distance of One Hundred Thirteen and Five Tenths (113.5) feet to a point on the southerly line of a Twenty (20.0) foot easement, thence west a distance of Twenty (20.0) feet to the point of beginning.

Lot 2-

Beginning at the northwest corner of Lot Two (2), Miracle Valley Second Subdivision; thence easterly and along the north line of Lot Two (2) a distance of Thirty Five (35.0) feet to the point

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| Approved as to Form ✕ _____ September 23, 2016 ✕ City Attorney |
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ORDINANCE NO. 9605 (Cont.)

of beginning; thence south and parallel with the west line and Thirty Five (35.0) feet east of said Lot Two (2) a distance of Two Hundred Sixty Eight and Twenty Four Hundredths (268.24) feet to an existing Eight (8.0) foot easement; thence east along the north line of the existing Eight (8.0) foot easement distance of Twenty (20.0) feet, thence north parallel to the west line of said Lot Two (2) a distance of Two Hundred Sixty Eight and Twenty Four Hundredths (268.24) feet to the north line of said Lot Two (2), thence west Twenty (20.0) feet to the point of beginning.

is hereby vacated. Such easement to be vacated is shown and more particularly described on Easement Vacation Exhibit 1 attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate upon which the easement is located.

SECTION 3. This ordinance is directed to be filed, with the drawing, 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, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: September 27, 2016

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

