



City of Grand Island

Tuesday, October 11, 2016

Council Session

Item F-1

**#9607 - Consideration of Vacation of Public Right-of-Way in
Summerfield Estates 5th Subdivision - 3819 & 3820 Warbler Road**

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: October 11, 2016

Subject: Consideration of Vacation of Public Right-of-Way in Summerfield Estates 5th Subdivision – 3819 & 3820 Warbler Road

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

Background

Public right-of-way was dedicated to the City of Grand Island by Little B's Corporation on June 11, 2013 and filed with Hall County Register of Deeds as Instrument No. 201304659.

Discussion

The new property owner is requesting vacation of such right-of-way as development of this area has changed. The additional right-of-way is longer needed to allow for a cul-de-sac radius. 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. 9607

An ordinance to vacate existing right of way 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 existing right of way within Summerfield Estates 5th Subdivision, more particularly described as follows:

A TRACT OF LAND CONSISTING OF PART OF LOT 6, BLOCK 1 OF SUMMERFIELD ESTATES 5TH SUBDIVISION, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W ½, SW ¼) OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF WARBLER ROAD AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89 51'51"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 37.08 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 34 27'31", AN ARC LENGTH OF 21.05 FEET, A RADIUS OF 35.00 FEET AND A CHORD BEARING N72 54'24"E FOR A DISTANCE OF 20.73 TO A POINT OF REVERSE CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 18 19'43", AN ARC LENGTH OF 19.19 FEET, A RADIUS OF 60.00 FEET AND A CHORD BEARING N64 50'30"E FOR A DISTANCE OF 19.11 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE S00 08'09"W ALONG SAID EAST LINE A DISTANCE OF 14.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 225.44 SQUARE FEET MORE OR LESS.

AND,

Approved as to Form ☐ _____
October 7, 2016 ☐ City Attorney

ORDINANCE NO. 9607 (Cont.)

A TRACT OF LAND CONSISTING OF PART OF LOT 8, BLOCK 2 OF SUMMERFIELD ESTATES 5TH SUBDIVISION, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W ½, SW ¼) OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00 08'09"W ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 30.00 FEET; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 90 00'00", AN ARC LENGTH OF 47.12 FEET, A RADIUS OF 30.00 FEET AND A CHORD BEARING N44 51'51"W FOR A DISTANCE OF 42.43 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 8, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF WARBLER ROAD; THENCE S89 51'51"E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 193.14 SQUARE FEET MORE OR LESS.

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

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: October 11, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

