



# City of Grand Island

Tuesday, July 25, 2017

Council Session

## Item F-1

**#9637 - Consideration of Vacation of Utility Easement - 2241 N.  
Diers Avenue**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director  
Stacy Nonhof, Assistant City Attorney

**Meeting:** July 25, 2017

**Subject:** Ordinance #9637 - 2241 North Diers Avenue - Vacation  
of Utility Easement – Part of Lot One (1) – Menard  
Eighth Subdivision

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

There is an existing sixteen (16.0) foot wide easement that was dedicated for utility usage across part of Lot One (1), Menard Eighth Subdivision, in City of Grand Island, Hall County, Nebraska.

## **Discussion**

A new easement was completed to reroute the underground high voltage primary electrical for a new Discount Tire Store at 2241 N. Diers Avenue. This easement now needs to be vacated so they can construct their new building at that location.

## **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 Ordinance #9637, and that the above described easement be vacated.

## **Sample Motion**

Move to approve Ordinance #9637 and vacate the utility easement and right-of-way in part Lot One (1), Menard Eighth Subdivision, in the City of Grand Island, Hall County, Nebraska.

THIS SPACE RESERVED FOR REGISTER OF DEEDS

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ORDINANCE NO. 9637

An ordinance to vacate a sixteen (16.0) foot utility easement in part of Lot One (1), Menard Eighth Subdivision, Grand Island, Hall County, Nebraska, and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; and to provide for the 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 the easement and right-of-way to be vacated being more particularly described as follows:

The southerly sixteen (16.0) feet of the northerly thirty one and one tenth (31.1) feet of Lot One (1), Menard Eighth Subdivision in the City of Grand Island, Hall County, Nebraska; except the westerly sixteen (16.0) feet thereof to be retained as easement.

Such easement to be vacated as shown and particularly described on Exhibit "A" attached hereto dated July 12, 2017 and incorporated herein by reference.

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 21, 2017	☐ City Attorney

ORDINANCE NO. 9637 (Con't)

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 approval, and publication, without plat, within fifteen days, in one issue of the Grand Island Independent as by law provided.

Enacted: July 25, 2017.

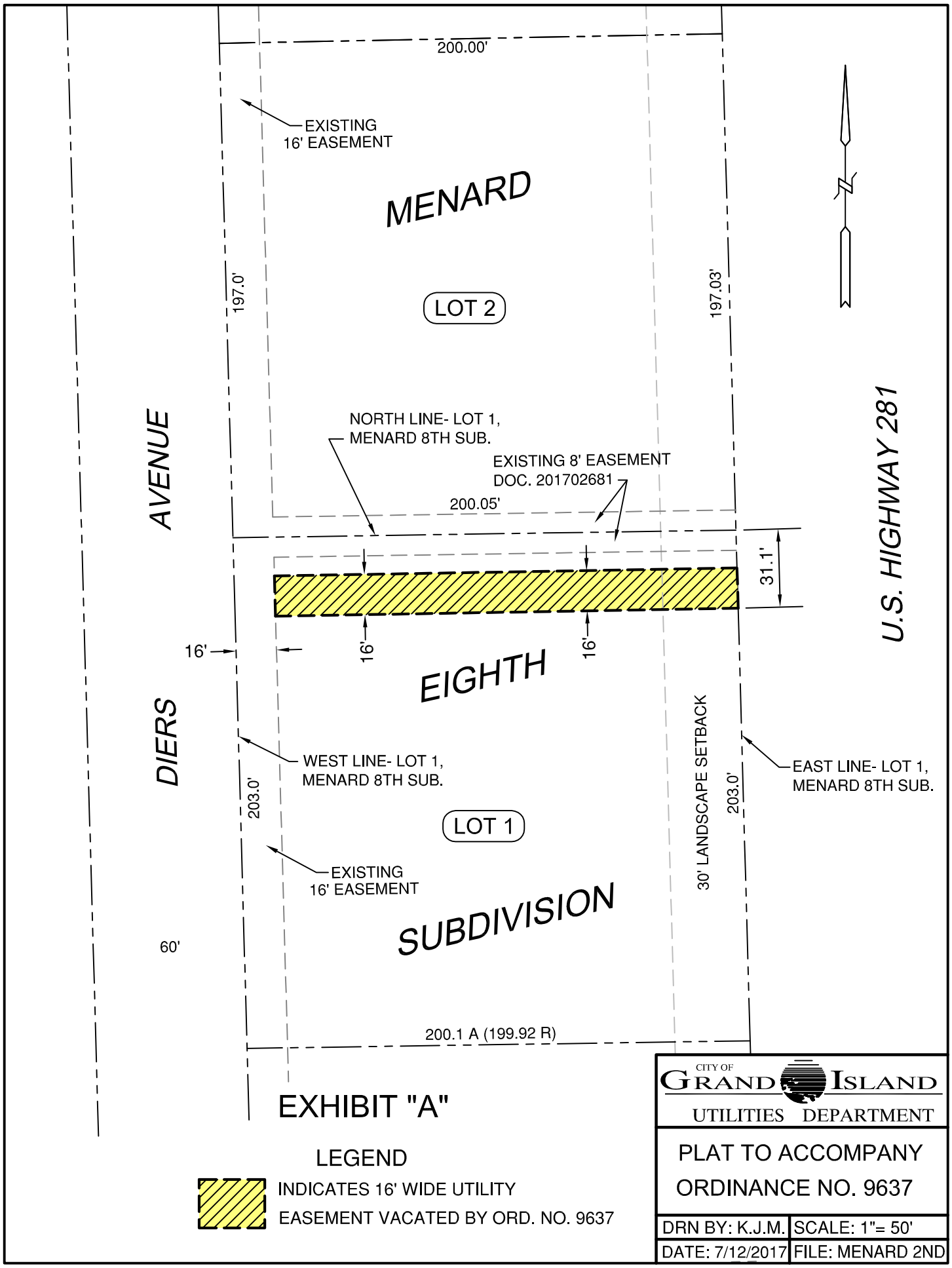
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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk



CITY OF <b>GRAND ISLAND</b>	
UTILITIES DEPARTMENT	
PLAT TO ACCOMPANY ORDINANCE NO. 9637	
DRN BY: K.J.M.	SCALE: 1"= 50'
DATE: 7/12/2017	FILE: MENARD 2ND