



# City of Grand Island

Tuesday, August 8, 2017

Council Session

## Item F-2

**#9639 - Consideration of Vacation of Utility Easement - 2220 N. Webb Road - Part of Lot Six (6) Grand Island Mall Eighteenth Subdivision**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

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

**Meeting:** August 8, 2017

**Subject:** Ordinance #9639 - 2220 North Webb Road - Vacation of  
Utility Easement – Part of Lot Six (6), Grand Island Mall  
Eighteenth Subdivision

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

## **Background**

There is an existing twenty (20.0) foot wide easement for utility usage across part of Lot Six (6) Grand Island Mall Eighteenth Subdivision, in the City of Grand Island, Hall County, Nebraska. This easement now needs to be vacated for construction of a new building at this location.

## **Discussion**

An electrical easement was dedicated by the owner during the redevelopment of the Grand Island Mall area in 2014. Subsequent to that action and prior to the development of the area, the property was re-subdivided in 2015 as Grand Island Mall Eighteenth Subdivision. The re-subdividing made changes to lot sizes and configuration and additional easements were provided.

The revisions resulted in overlapping easements across the southerly side of Lot Six (6). Ordinance 9639 will clean-up the area by vacating an unused electrical easement while retaining the southerly 20' wide electrical easement.

## **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 #9639, and that the above described easement be vacated.

## **Sample Motion**

Move to approve Ordinance #9639 and vacate the utility easement and right-of-way in part Lot Six (6), Grand Island Mall Eighteenth Subdivision, in the City of Grand Island, Hall County, Nebraska.

THIS SPACE RESERVED FOR REGISTER OF DEEDS

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### ORDINANCE NO. 9639

An ordinance to vacate a twenty (20.0) foot utility easement in part of Lot Six (6), Grand Island Mall Eighteenth 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 portion of the easement and right-of-way described as an electrical easement dedicated on the plat of Grand Island Mall Seventeen Subdivision, as shown across part of Lot Two (2) and Lot Three (3) thereof, now lying entirely within the boundaries of Lot Six (6), Grand Island Mall Eighteen Subdivision, in the City of Grand Island, Hall County, Nebraska is hereby vacated;

and the easement dedicated on the plat of Grand Island Mall Eighteenth Subdivision in the City of Grand Island, Hall County, Nebraska across the south twenty (20.0) feet of Lot Six (6) thereof shall be retained as an electrical easement.

Such easement to be vacated and retained as shown on Exhibit "A" attached hereto, dated July 25, 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	by _____
August 4, 2017	City Attorney

ORDINANCE NO. 9639 (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 approval, and publication, without plat, within fifteen days, in one issue of the Grand Island Independent as by law provided.

Enacted: August 8, 2017.

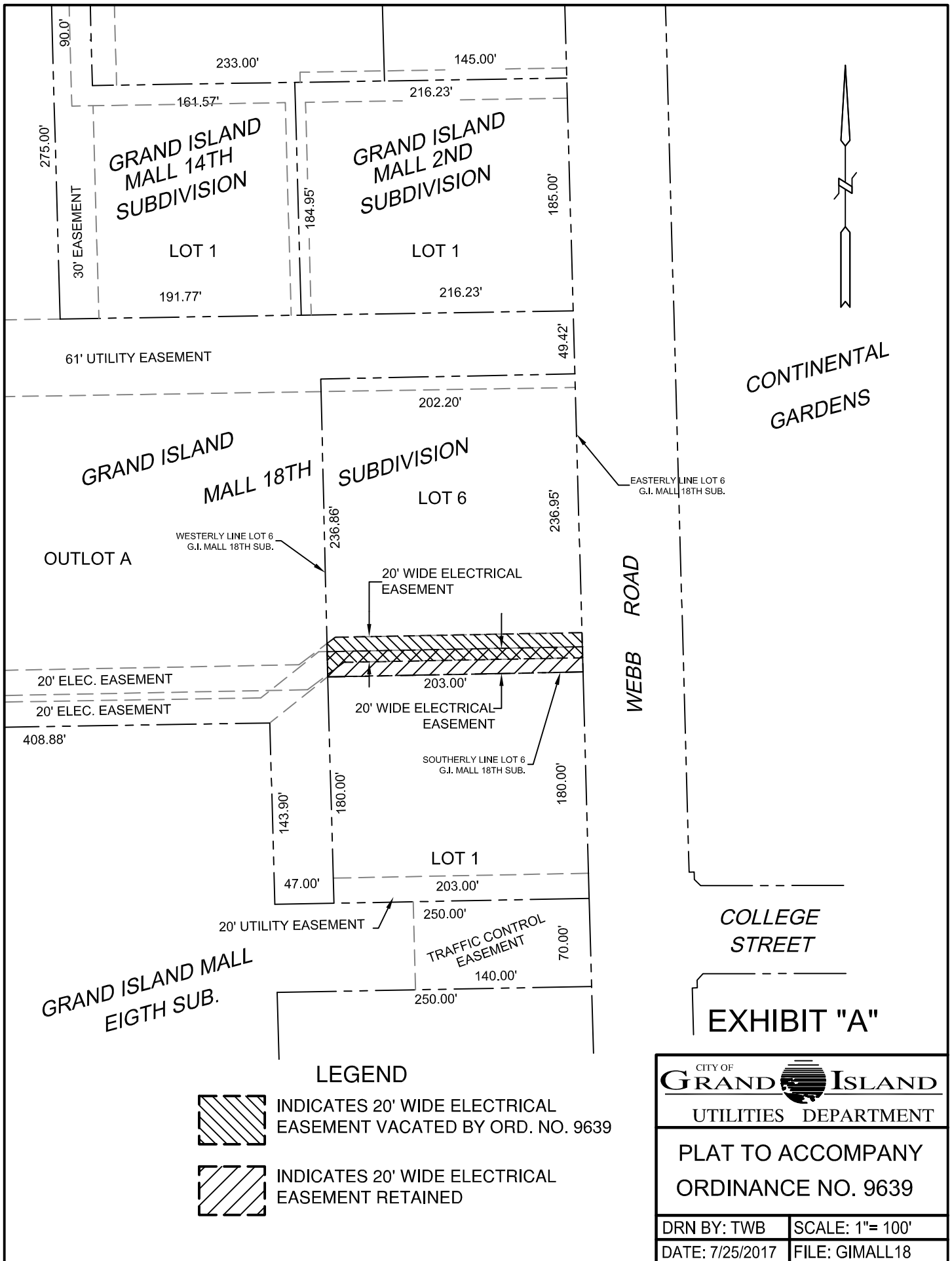
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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk



### LEGEND



INDICATES 20' WIDE ELECTRICAL EASEMENT VACATED BY ORD. NO. 9639



INDICATES 20' WIDE ELECTRICAL EASEMENT RETAINED

CITY OF <b>Grand Island</b>	
UTILITIES DEPARTMENT	
PLAT TO ACCOMPANY ORDINANCE NO. 9639	
DRN BY: TWB	SCALE: 1"= 100'
DATE: 7/25/2017	FILE: GIMALL18