



City of Grand Island

Tuesday, August 14, 2018

Council Session

Item F-1

**#9698 - Consideration of Vacation of Utility Easements - Lot 2,
CBC Subdivision - 2405 S. North Road - Chief Industries**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: August 14, 2018

Subject: Ordinance #9698 - Consideration of Vacation of Utility Easements – Lot Two (2), CBC Subdivision – 2405 S. North Road – Chief Industries, Inc.

Presenter(s): Timothy Luchsinger, Utilities Director

Background

There is an existing sixteen (16.0) foot wide electric easement and a twenty (20.0) foot wide utility easement located in part of Lot Two (2), CBC Subdivision, in the City of Grand Island, Hall County, Nebraska. Parts of both easements need to be vacated for expanded development at this location.

Discussion

In 1980, the electrical easement was originally dedicated by the owner to provide service for the increased power needs of the manufacturing facility. Since that time, the area has been re-subdivided with changes made to the lot configuration and additional utility easements were provided.

As the area has undergone development and the property modified, usage of parts of the easements are no longer required. This Ordinance will clean-up the area by vacating unused sections of the electric and utility easements within Lot Two (2).

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 the Ordinance, and that the above described easements be vacated.

Sample Motion

Move to approve the Ordinance and vacate the electric and utility easements and in part Lot Two (2), CBC Subdivision, in the City of Grand Island, Hall County, Nebraska.

THIS SPACE RESERVED FOR REGISTER OF DEEDS

ORDINANCE NO. 9698

An ordinance to vacate a sixteen (16.0) foot wide utility easement and a twenty (20.0) foot utility easement in part of Lot Two (2), CBC Subdivision, in the City of 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:

TRACT 1 – ELECTRIC EASEMENT

Part of a sixteen (16.0) foot wide acquired Electric Easement recorded in Document 81-000204, in the Register of Deeds Office, Hall County, Nebraska, originally being located in part of Lot Thirteen (13), Hayman's Subdivision, Grand Island, Hall County, Nebraska and as currently shown as an existing Electric Easement on the plat of CBC Subdivision, Lot Two (2) thereof, Grand Island, Hall County, Nebraska. The southerly line of the Electric Easement vacated by this ordinance being more particularly described as follows:

Commencing at a Southwest (SW) corner of Lot Two (2), CBC Subdivision; thence northerly along the westerly line of said Lot Two (2), a distance of One Hundred sixteen and one hundredth (116.01) feet to the Southwest corner of a sixteen (16.0) foot wide Electric Easement; thence easterly along the southerly line of said Electric Easement, a distance of Sixty-Five (65.0) feet to the ACTUAL Point of Beginning of Tract 1; thence easterly, a distance five hundred thirty-three and eight tenths (533.8) feet to a point being sixteen (16.0) feet west of the Easterly line of said Lot Two (2), CBC Subdivision is hereby vacated.

Approved as to Form	by _____
August 10, 2018	City Attorney

TRACT 2 – UTILITY EASEMENT

Part of a twenty (20.0) foot wide Utility Easement originally dedicated with the plat of Hayman's Second Subdivision, Lot One (1) thereof, Grand Island, Hall County, Nebraska; and as currently shown as an existing Utility Easement on the plat of CBC Subdivision, Lot Two (2) thereof, Grand Island, Hall County, Nebraska. The exterior boundary line of the Utility Easement vacated by this ordinance being adjacent to the property line of Lot Two (2) and more particularly described as follows:

Commencing at the Southwest (SW) corner of said Lot Two (2), CBC Subdivision; thence N88°36'32"E along a southerly line of said Lot Two (2), a distance of two hundred forty and eighty seven hundredths (240.87) feet to the ACTUAL Point of Beginning of Tract 2; thence S01°23'28"E along a westerly line of said Lot Two (2), a distance of seventy four and forty hundredths (74.40) feet; thence N88°36'32"E along a southerly line of said Lot Two (2), a distance of forty five and sixty hundredths (45.60) feet; thence S01°23'28"E along a westerly line of said Lot Two (2), a distance of thirty one and seventy hundredths (31.70) feet; thence N88°36'32"E along a southerly line of said Lot Two (2), a distance of three hundred twenty seven and eighty six hundredths (327.86) feet; thence N01°20'29"W along an easterly line of said Lot Two (2), a distance of one hundred six and one tenth (106.1) feet to the point of termination, is hereby vacated.

SECTION 2. This Ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 3. 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 14, 2018.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

