



City of Grand Island

Tuesday, August 14, 2018

Council Session

Item F-2

**#9699 - Consideration of Vacation of Utility Easement - 3134 West
U.S. Highway 34 - Central Community College**

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 #9699 - Consideration of Vacation of Utility Easement – 3134 U. S. Highway 34 – Central Community College

Presenter(s): Timothy Luchsinger, Utilities Director

Background

There is an existing sixteen (16.0) foot wide utility easement located at the Central Community College campus, 3134 U. S. Highway 34. The property is part of the SE ¼ of the SW ¼ of Section Twenty-nine (29), Township Eleven (11) North, Range Nine (9) West, in the City of Grand Island, Hall County, Nebraska. Part of the easement is no longer required and needs to be vacated for a building expansion at this location.

Discussion

An easement was originally dedicated in 1990 by Central Community College for electrical service for the buildings on the northerly side of the campus. They are in the process of remodeling an area for a Center for Health and Technical Sciences. The expansion requires the electrical power infrastructure to be relocated to accommodate their project. Vacating the section of the easement no longer required will allow the work to proceed.

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 easement be vacated.

Sample Motion

Move to approve the Ordinance and vacate the utility easement in part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Twenty-nine (29), Township Eleven (11) North, Range Nine (9) West, in the City of Grand Island, Hall County, Nebraska (3134 U.S. Highway 34).

THIS SPACE RESERVED FOR REGISTER OF DEEDS

ORDINANCE NO. 9699

An ordinance to vacate a sixteen (16.0) foot wide utility easement in part of Lot Thirty-three (33), Brentwood Third 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.

Part of an acquired sixteen (16.0) foot wide Easement recorded in Document 90-102855, in the Register of Deeds Office, Hall County, Nebraska. The centerline of the Easement vacated by this ordinance being more particularly described as follows:

Commencing at the Southeast corner of Lot Thirty Three (33), Brentwood Third Subdivision, Grand Island, Hall County, Nebraska; thence running southerly along the West line of the Southeast Quarter of the Southwest Quarter (SE1/4,SW1/4), Section Twenty Nine (29), Township Eleven (11) North, Range Nine (9) West of the 6th PM on an assumed bearing of S01°28'30"E, a distance of four hundred fifty and two tenths (450.2) feet; thence N88°21'50E, along the centerline of an existing sixteen (16.0) foot wide easement described in said Document 90-102855, a distance of three hundred thirty and four hundredths (330.04) feet to the ACTUAL Point of Beginning; thence continuing N88°21'50E, a distance of three hundred sixty four and ninety six hundredths (364.96) feet to the point of termination.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

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

Approved as to Form	□
August 10, 2018	□ City Attorney

ORDINANCE No. 9699 (Cont.)

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

