



# City of Grand Island

Tuesday, October 22, 2019

Council Session

## Item F-3

**#9753 - Consideration of Vacation of Public Utility and Drainage Easements in Prairie Commons Third Subdivision; South of Husker Highway and West of US Highway 281 (Prataria Ventures, LLC)**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** October 22, 2019

**Subject:** Consideration of Vacation of Public Utility and Drainage Easements in Prairie Commons Third Subdivision; South of Husker Highway and West of US Highway 281 (Prataria Ventures, LLC)

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

## **Background**

Public utility and drainage easements were dedicated with the plat of Prairie Commons Third Subdivision and filed with Hall County Register of Deeds on April 12, 2019 as Document No. 201902065.

## **Discussion**

The current property owner/developer of Prairie Commons Third Subdivision is requesting to vacate such dedicated easements that currently lie within Lot Two (2), Block One (1) of such subdivision. There are no utilities currently or proposed within these easements that will be affected by the vacation. The attached sketch details the referenced easements to be vacated.

## **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**

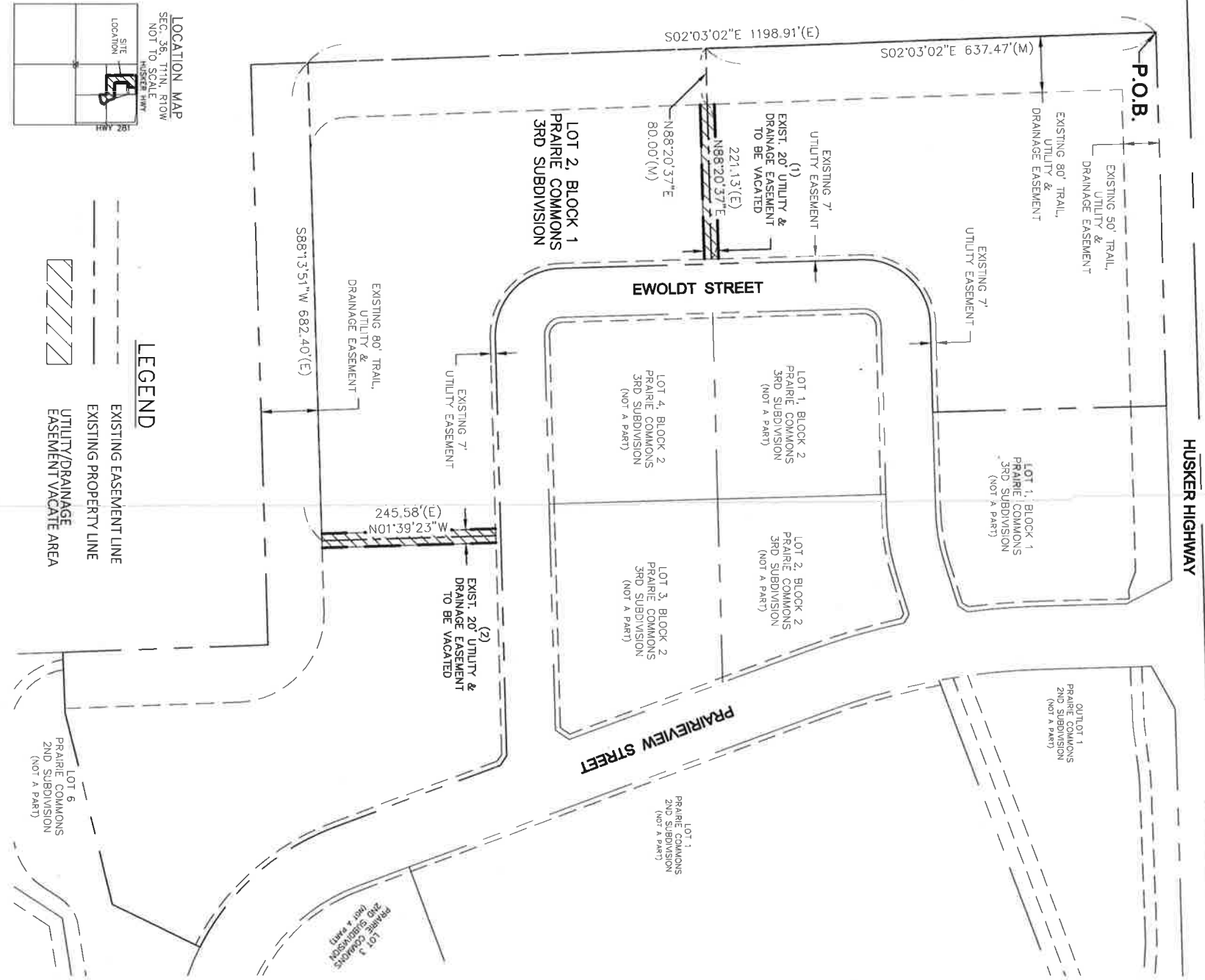
City Administration recommends that the Council pass an ordinance vacating the public utility and drainage easements in Prairie Commons Third Subdivision (Prataria Ventures, LLC).

## **Sample Motion**

Move to pass an ordinance vacating the easements.

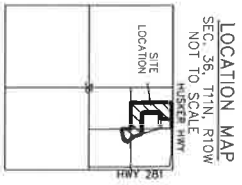


SCALE IN FEET



**LEGEND**

- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
- UTILITY/DRAINAGE EASEMENT VACATE AREA



**(1) VACATE DESCRIPTION – 20' UTILITY & DRAINAGE EASEMENT**

A 20 FT. UTILITY AND DRAINAGE EASEMENT LOCATED IN LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S02°03'02"E, ALONG THE WEST LINE OF SAID LOT 2, BLOCK 1, A DISTANCE OF 637.47 FEET; THENCE N88°20'37"E A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE CENTERLINE OF A 20 FT. UTILITY AND DRAINAGE EASEMENT; THENCE N88°20'37"E A DISTANCE OF 22.13 FEET TO THE WEST LINE OF AN EXISTING 7' UTILITY EASEMENT AND ALSO BEING THE POINT OF TERMINATION. SAID 20 FT. UTILITY AND DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 4422.56 SQUARE FEET OR 0.102 ACRES MORE OR LESS.

**(2) VACATE DESCRIPTION – SOUTH 20' UTILITY & DRAINAGE EASEMENT**

A 20 FT. UTILITY AND DRAINAGE EASEMENT LOCATED IN LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S02°03'02"E, ALONG THE WEST LINE OF SAID LOT 2, BLOCK 1, A DISTANCE OF 1198.91 FEET; THENCE N88°13'51"E A DISTANCE OF 682.40 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE CENTERLINE OF A 20 FT. UTILITY AND DRAINAGE EASEMENT; THENCE N01°39'23"W A DISTANCE OF 245.58 FEET TO THE SOUTH LINE OF AN EXISTING 7' UTILITY EASEMENT AND ALSO BEING THE POINT OF TERMINATION. SAID 20 FT. UTILITY AND DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 4911.59 SQUARE FEET OR 0.113 ACRES MORE OR LESS.

PROJECT NO: 2019-2696		EASEMENT VACATE	olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT 1
DRAWN BY: JMJ					
DATE: 09.05.2019					

ORDINANCE NO. 9753

An ordinance to vacate existing public utility and drainage easements and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; to repeal any ordinance or parts of ordinances in conflict herewith, 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 public utility and drainage easements located in Prairie Commons Third Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

*A TWENTY (20) FOOT UTILITY AND DRAINAGE EASEMENT LOCATED IN LOT TWO (2), BLOCK ONE (1), PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1), PRAIRIE COMMONS THIRD SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S02°03'02"E, ALONG THE WEST LINE OF SAID LOT 2, BLOCK 1, A DISTANCE OF 637.47 FEET; THENCE N88°20'37"E A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE CENTERLINE OF A TWENTY (20) FOOT UTILITY AND DRAINAGE EASEMENT; THENCE N88°20'37"E A DISTANCE OF 221.13 FEET TO THE WEST LINE OF AN EXISTING SEVEN (7) FOOT EASEMENT AND ALSO BEING THE POINT OF TERMINATION. SAID TWENTY (20) FEET UTILITY AND DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 4422.56 SQUARE FEET OR 0.102 ACRES MORE OR LESS.*

Approved as to Form	☐ _____
October 18, 2019	☐ City Attorney

ORDINANCE NO. 9753 (Cont.)

AND

*A TWENTY (20) FOOT UTILITY AND DRAINAGE EASEMENT LOCATED IN LOT TWO (2), BLOCK ONE (1), PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1), PRAIRIE COMMONS THIRD SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S02°03'02"E, ALONG THE WEST LINE OF SAID LOT TWO (2) BLOCK ONE (1), A DISTANCE OF 1198.91 FEET; THENCE N88°13'5"E A DISTANCE OF 682.40 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE CENTERLINE OF A TWENTY (20) FOOT UTILITY AND DRAINAGE EASEMENT; THENCE N01°39'23"W A DISTANCE OF 245.58 FEET TO THE SOUTH LINE OF AN EXISTING SEVEN (7) FOOT UTILITY EASEMENT AND ALSO BEING THE POINT OF TERMINATION. SAID TWENTY (20) FOOT UTILITY AND DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 4911.59 SQUARE FEET OR 0.113 ACRES MORE OR LESS.*

is hereby vacated. Such easements to be vacated are shown and more particularly described on Easement Vacate Exhibit 1 attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate upon which the easement is located.

SECTION 3. This ordinance is directed to be filed, with the drawing, 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, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: October 22, 2019

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk