



# City of Grand Island

Tuesday, June 9, 2020

Council Session

## Item F-2

**#9771 – Consideration of Vacating Westgate Ninth Subdivision and Retaining Certain Easements**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Department  
**Meeting:** June 9, 2020  
**Subject:** Request to Vacate Westgate Ninth Subdivision  
**Presenter(s):** Chad Nabity AICP, Regional Planning Director

## Background

The prospective owners of Westgate Ninth Subdivision with the approval of the owners have requested that the City vacate the Westgate Night Subdivision and allow it to revert back to Lot 10 of Westgate Subdivision. The new owners intend to submit a plat to divide this property zoned for manufacturing uses into two lots. Westgate Ninth subdivision platted Copper Road and 9 lots on this 8.9 acres. The plat was approved in 2007 and no improvements have been made on the property since that time.

## Discussion

This request was made to facilitate the sale and likely replatting of this property. It will not create any conflicts with installed utilities or existing streets. The lots have been marketed for more than 12 years without any interest.

Staff is suggesting that the City retain the utility easements on the north and west sides of the property. The utility easements overlay the drainage easements dedicated with the original plat.

## 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 to vacate Westgate Ninth Subdivision retaining the easements shown on Exhibit A of the ordinance as requested.

## **Sample Motion**

Move to approve as recommended.

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 9771

An ordinance to vacate the plat for Westgate Ninth Subdivision; to provide for the recording of 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 the plat dated and approved by the City of Grand Island, Nebraska, on June 12, 2007 for Westgate Ninth Subdivision is hereby vacated along with all easements and rights-of-way dedicated with and/or shown on this plat except those Utility and Drainage easements as shown on Exhibit A attached hereto which shall be retained by the City.

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

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

Approved as to Form    ☐ \_\_\_\_\_  
June 5, 2020            ☐ City Attorney

ORDINANCE NO. 9771 (Cont.)

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 June 9, 2020.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

Exhibit A

