



City of Grand Island

Tuesday, July 14, 2020

Council Session

Item F-4

#9776 - Consideration of Vacation of Public Utility Easement in Kings Crossing Subdivision; 228 Lake Street (Grand Island Hotel, LLC)

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: July 14, 2020

Subject: Consideration of Vacation of Public Utility Easement in Kings Crossing Subdivision; 228 Lake Street (Grand Island Hotel, LLC)

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

Background

A public utility easement within Kings Crossing Subdivision was dedicated with the original plat, filed with Hall County Register of Deeds on October 25, 2018 as Document No. 201807069.

Discussion

The current property owner of 228 Lake Street is requesting to vacate such dedicated easement to allow for further development of the area. There is no utility currently or proposed within this easement that will be affected by the vacation. The attached sketch details the referenced easement 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 easement in Kings Crossing Subdivision; 228 Lake Street (Grand Island Hotel, LLC).

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9776

An ordinance to vacate an existing public utility easement 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 easement located in Kings Crossing Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, KINGS CROSSING SUBDIVISION, ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°47'28"E ALONG THE NORTH LINE OF LOT 1 A DISTANCE OF 20.00 FEET; THENCE S00°12'32"E A DISTANCE OF 163.54 FEET; THENCE S89°47'28"W A DISTANCE OF 20.00 FEET TO POINT ON THE EAST LINE OF SAID LOT 3; THENCE N00°12'32"W ALONG SAID EAST LINE A DISTANCE OF 163.54 FEET TO THE POINT OF BEGINNING, SAID PORTION OF VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3270.76 SQUARE FEET OR 0.075 ACRES MORE OR LESS.

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

Approved as to Form	☐ _____
July 10, 2020	☐ City Attorney

ORDINANCE NO. 9776 (Cont.)

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.

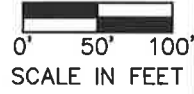
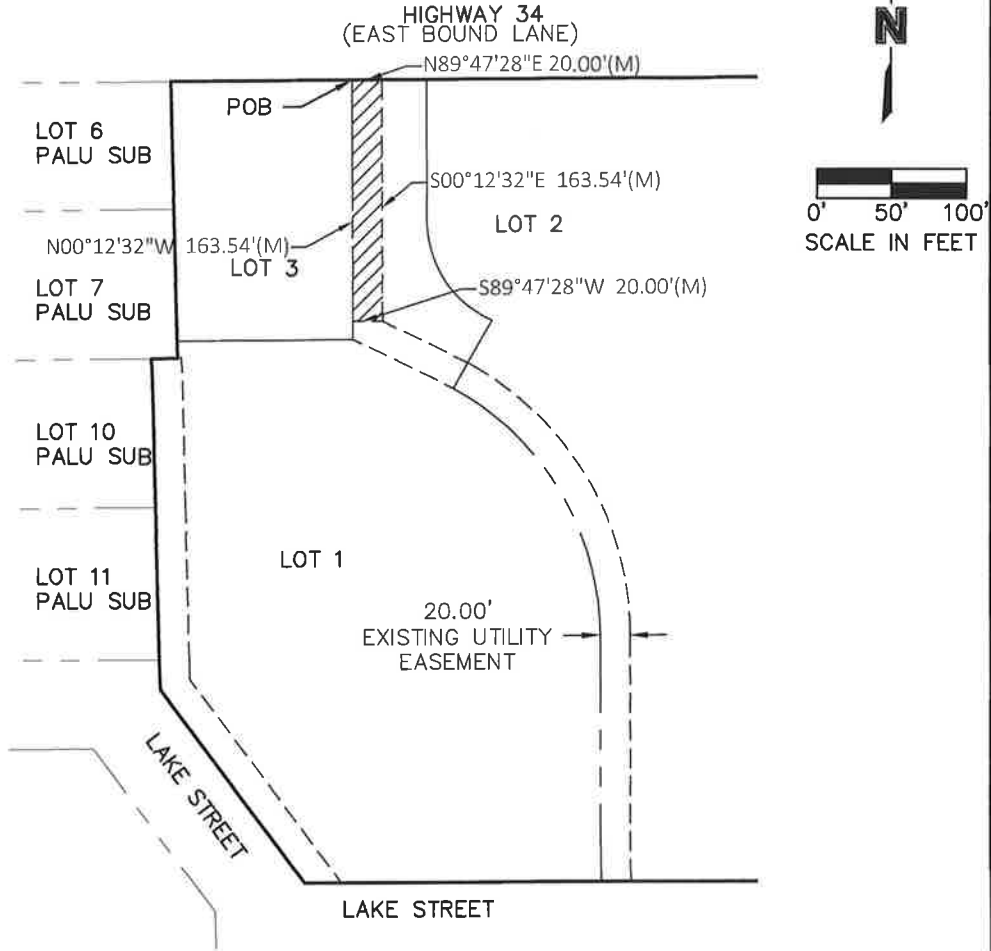
Enacted: July 14, 2020

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

UTILITY EASEMENT VACATION



LEGEND

- EASEMENT LINE
- ▨ UTILITY VACATION AREA

EASEMENT VACATION DESCRIPTION

VACATION OF A PORTION OF A 20.00 FOOT UTILITY EASEMENT LOCATED IN PART OF LOT 1, KINGS CROSSING SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, KINGS CROSSING SUBDIVISION, ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°47'28"E ALONG THE NORTH LINE OF LOT 1 A DISTANCE OF 20.00 FEET; THENCE S00°12'32"E A DISTANCE OF 163.54 FEET; THENCE S89°47'28"W A DISTANCE OF 20.00 FEET TO POINT ON THE EAST LINE OF SAID LOT 3; THENCE N00°12'32"W ALONG SAID EAST LINE A DISTANCE OF 163.54 FEET TO THE POINT OF BEGINNING. SAID PORTION OF VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3270.76 SQUARE FEET OR 0.075 ACRES MORE OR LESS.

DWG: F:\2018\1001-1500\018-1201\40-Design\Exhibits\V_XEASE_VACATE_0181201.dwg USER: bpeters
 DATE: Jun 23, 2020 1:23pm XREFS: V_XTPO_81201 V_RWAY_81201 C_PRWAY_81241

PROJECT NO:	2018-1201
DRAWN BY:	BDP
DATE:	6-22-2020

UTILITY EASEMENT
VACATION



201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750

EXHIBIT
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