



City of Grand Island

Tuesday, July 28, 2020

Council Session

Item F-2

#9777 - Consideration of Vacation of Utility Easements at 3860 S. Locust Street - Hooker Bros. Sand & Gravel, Inc.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: July 28, 2020

Subject: Ordinance #9777 - Consideration of Vacation of Utility Easements – Hooker Bros. Sand & Gravel, Inc. – 3860 S. Locust Street

Presenter(s): Timothy Luchsinger, Utilities Director

Background

There are two existing twenty (20) foot wide utility easements located on the plat of the Northeast Quarter (NE ¼), Southeast Quarter (SE ¼) of Section Thirty-three (33), Township Eleven (11) North, Range Nine (9) West, in Hall County, Nebraska. The existing electrical easements were acquired in 2000 and 2011.

Discussion

Hooker Bros. Sand & Gravel, Inc. is putting on an addition to their maintenance building located at 3860 South Locust Street. An existing pad-mount transformer has been relocated to accommodate the addition. The existing two 20' easements need to be vacated and a new 20' utility easement will be acquired for the existing underground electric service.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

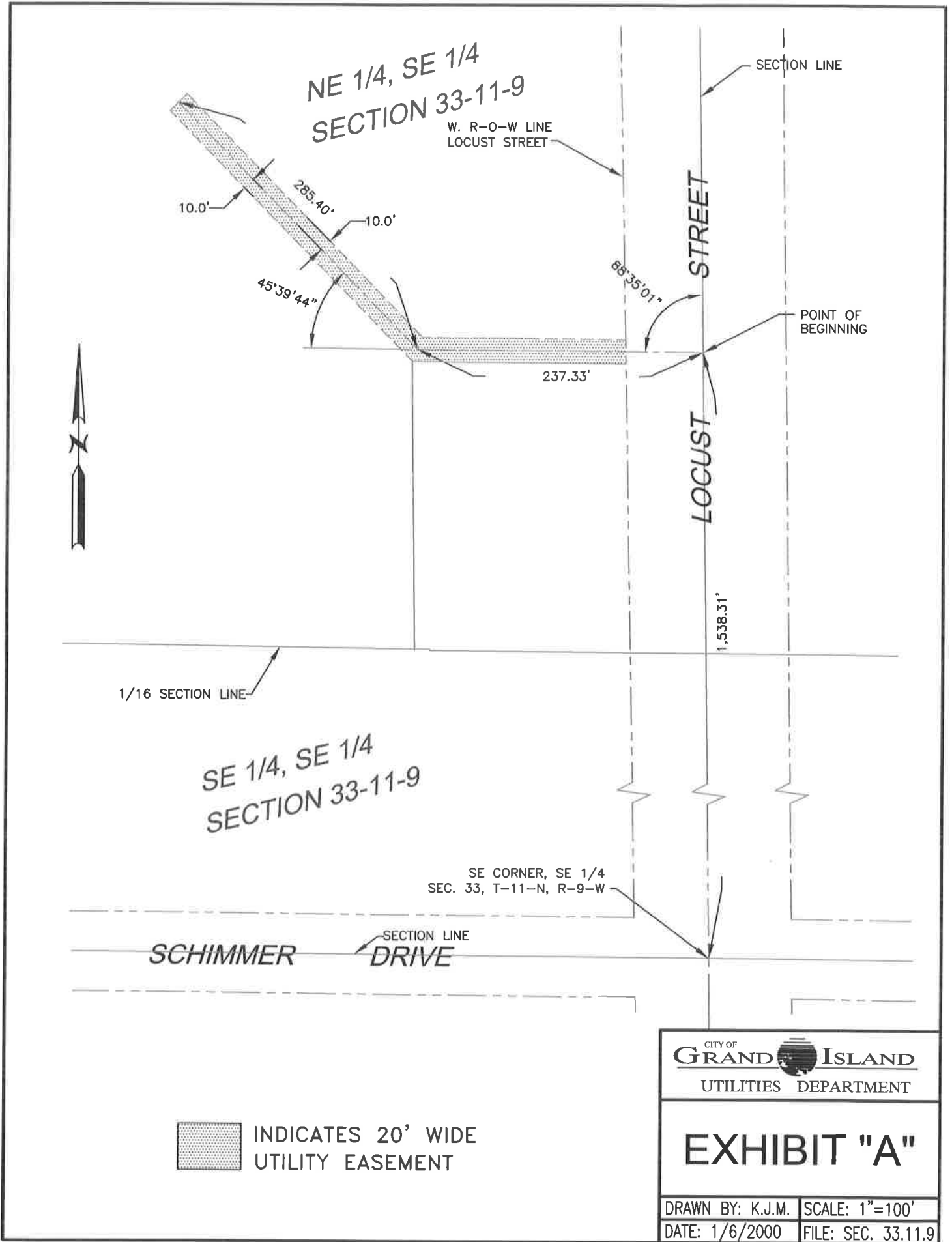
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

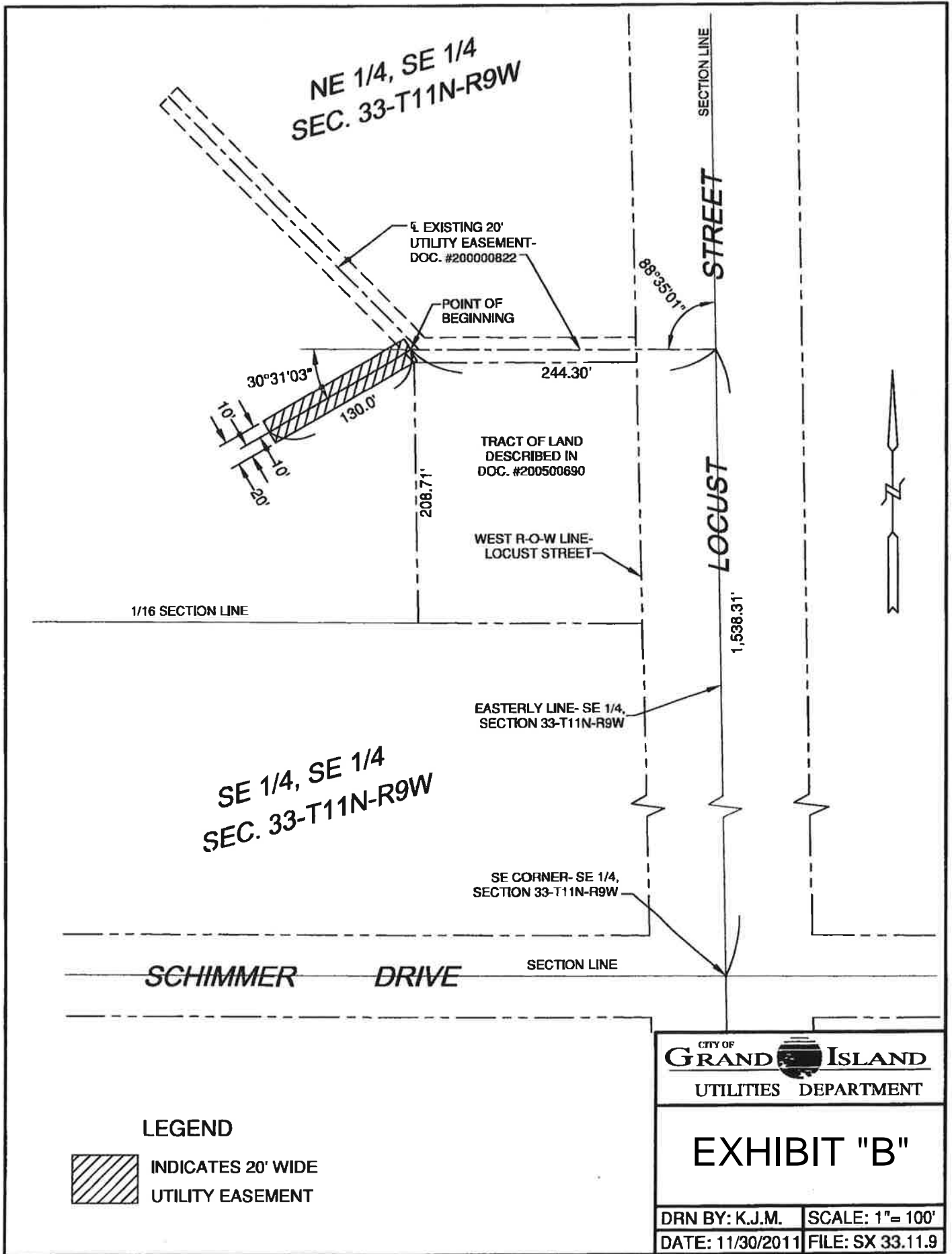
City Administration recommends that the Council approve the Ordinance, and that the described easements be vacated.

Sample Motion

Move to approve the Ordinance and vacate the utility easements as described in Document No. 200000822 (Exhibit A) and Document No. 201109576 (Exhibit B), originally a part of the Northeast Quarter (NE ¼), Southeast Quarter (SE ¼) of Section Thirty-three (33), Township Eleven (11) North, Range Nine (9) West of the 6th PM, in Hall County, Nebraska.



CITY OF GRAND ISLAND	
UTILITIES DEPARTMENT	
EXHIBIT "A"	
DRAWN BY: K.J.M.	SCALE: 1"=100'
DATE: 1/6/2000	FILE: SEC. 33.11.9



ORDINANCE No. 9777

An ordinance to vacate utility easements recorded in the Register of Deeds Office, Hall County, Nebraska as Document No. 200000822 and Instrument No. 201109576, and recorded in the Hall County, Nebraska Register of Deeds Office and originally located in part of the Northeast Quarter of the Southeast Quarter (NE ¼, SE ¼), of Section Thirty-Three (33), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., 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.

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

SECTION 1. That the easement and right-of way tracts to be vacated being more particularly described as follows:

EXHIBIT “A” (Instrument Number 200000822):

The centerline of a twenty (20.0) foot wide easement and right-of-way tract being more particularly described as follows:

Commencing at the Southeast corner of the Southeast (SE1/4), of Section Thirty Three (33), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of said Southeast Quarter (SE1/4), a distance of one thousand five hundred thirty eight and thirty one hundredths (1,538.31) feet to the Actual Point of Beginning; thence deflecting left 88°35’01” and running westerly, a distance of two hundred thirty seven and thirty three hundredths (237.33) feet;

Approved as to Form	☐ _____
July 24, 2020	☐ City Attorney

ORDINANCE NO. 9777(Cont.)

thence deflecting right $45^{\circ}39'44''$ and running northwesterly, a distance of two hundred eighty five and forty hundredths (285.40) feet to the point of termination, excepting a certain tract of land deeded to Hall County, as described in Warranty Deed Number 98-102364, as recorded in the Deeds Office, Hall County, Nebraska.

EXHIBIT "B" (Instrument Number 201109576):

The centerline of a twenty (20.0) foot wide easement and right-of-way tract being more particularly described as follows:

Commencing at the Southeast corner of the Southeast (SE1/4), of Section Thirty Three (33), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of said Southeast Quarter (SE1/4), a distance of one thousand five hundred thirty eight and thirty one hundredths (1,538.31) feet; thence deflecting left $88^{\circ}35'01''$ and running westerly along the centerline of an existing easement described in Document 200000822 recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of two hundred forty four and thirty hundredths (244.30) feet to the Actual Point of Beginning; thence deflecting left $30^{\circ}31'03''$ and running southwesterly, a distance of one hundred thirty (130.0) feet to the point of termination.

Such Utility Easements to be vacated as shown on Exhibit "A" and Exhibit "B" attached hereto dated 1/6/2000 and 11/30/2011 and incorporated herein by reference.

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

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in force and take effect from and after its passage and publication within fifteen (15) days in one issue of the Grand Island Daily Independent as provided by law.

Enacted: July 28, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk