



City of Grand Island

Tuesday, July 28, 2020

Council Session

Item F-3

**#9778 - Consideration of Vacation of Utility Easement at 3551
North U.S. Highway 281 - Grone's/Tilleys**

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 #9778 - Consideration of Vacation of Utility Easement – 3551 North U.S. Highway 281- Grones/Tilleys

Presenter(s): Timothy Luchsinger, Utilities Director

Background

A 16-foot power easement was platted on the original plat of Pulte Subdivision and remained after the re-subdividing into Pulte Second Subdivision. Grones (3551 North U.S. Highway 281) was being fed by the overhead primary electric line which resided in the 16-foot power easement.

Discussion

The overhead primary electrical line that went through Lot Three (3), Pulte Second Subdivision (Grones at 3551 North U.S. Highway 281), has been converted to underground and relocated to the front of the lot. The portion of the remaining easement consists of overhead and underground lines and appurtenances. The vacation of this easement will allow the business owner to proceed with future building expansion.

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 easement be vacated.

Sample Motion

Move to approve the Ordinance and vacate the utility easements as described in Document No. 90101955 (Exhibit A) in the City of Grand Island, Hall County, Nebraska.

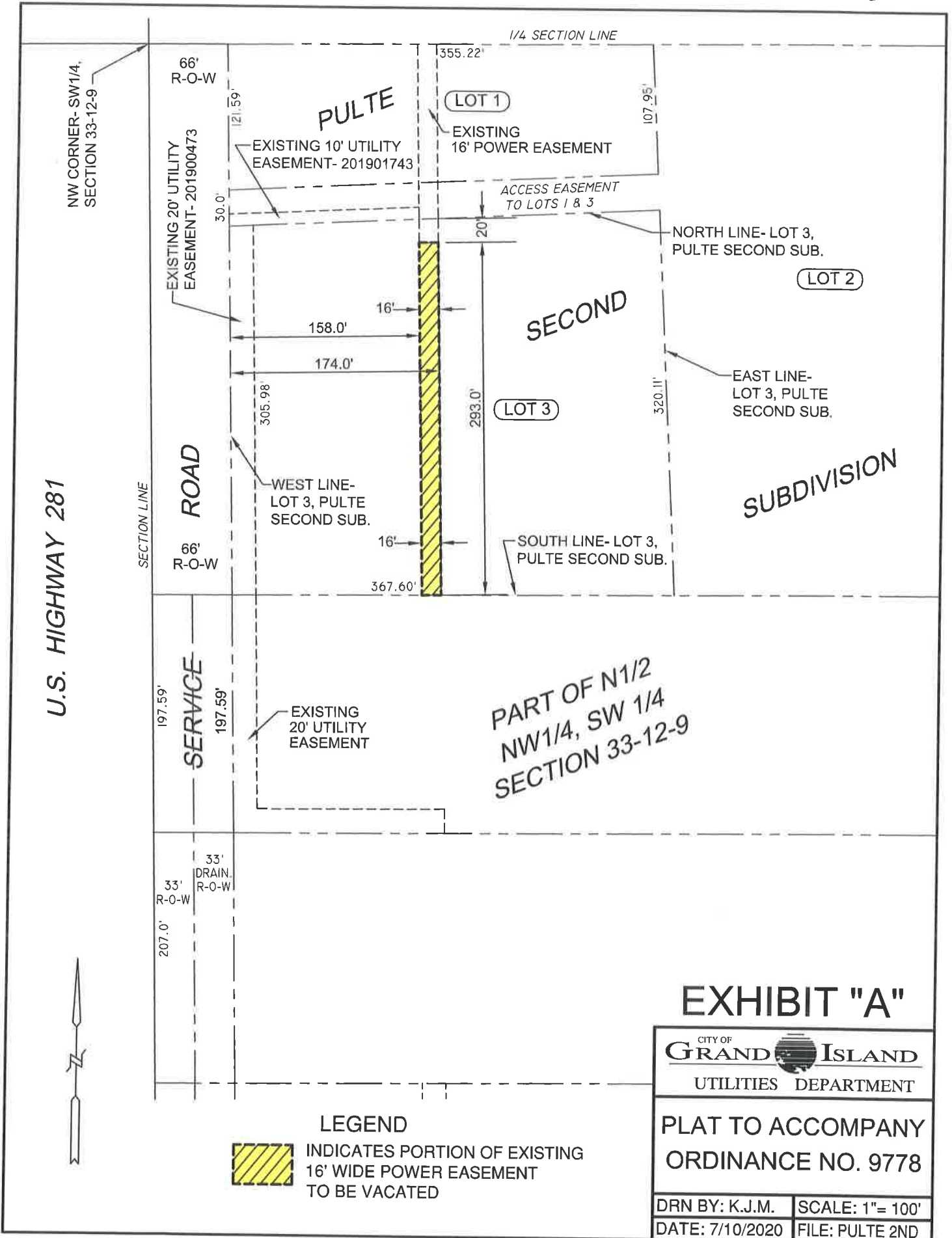


EXHIBIT "A"

CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
ORDINANCE NO. 9778**

DRN BY: K.J.M.	SCALE: 1" = 100'
DATE: 7/10/2020	FILE: PULTE 2ND

ORDINANCE No. 9778

An ordinance to vacate a utility easements recorded in the Register of Deeds Office, Hall County, Nebraska as Document No. 9010955, and recorded in the Hall County, Nebraska Register of Deeds Office and originally located in part of Pulte 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.

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

SECTION 1. That the sixteen (16.0) foot wide easement and right-of-way tract originally platted in Pulte Subdivision, now located in part of Lot Three (3), Pulte Second Subdivision, in the City of Grand Island, Hall County, Nebraska to be vacated being more particularly described as follows:

The easterly sixteen (16.0) feet of the westerly one hundred seventy-four (174.0) feet of the southerly two hundred and ninety-three (293.0) feet of Lot Three (3), Pulte Second Subdivision.

Such Utility Easement to be vacated as shown on Exhibit "A" attached hereto dated 7/10/2020 and incorporated herein by reference.

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

ORDINANCE NO. 9778(Cont.)

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