



City of Grand Island

Tuesday, November 10, 2020

Council Session

Item F-3

**#9801 - Consideration of Vacation of Utility Easements at 2208
North Webb Road**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: November 10, 2020

Subject: Ordinance #9801 - Consideration of Vacation of Utility Easements – 2208 N. Webb Road

Presenter(s): Timothy Luchsinger, Utilities Director

Background

There are two unoccupied sixteen (16.0) foot wide utility easements located in part of Lot One (1), Grand Island Mall Nineteenth Subdivision, in the City of Grand Island, Hall County, Nebraska that need to be vacated.

Discussion

The Northwest Commons Business Condominiums (former Shopko) located at 2208 North Webb Road is in the process of being remodeled. A new electrical service has been installed west of the building in a newly acquired easement. The old electrical service has been removed from the two easements to be vacated. The vacation of these two easements will allow the owner/developer to proceed with future development.

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. 202004330 (Exhibit A).

ORDINANCE No. 9801

An ordinance to vacate two existing sixteen (16.0) foot wide Utility Easements as shown on the recorded plat in Instrument Number 202004330, being Grand Island Mall Nineteenth Subdivision, recorded in the Hall County, Nebraska Register of Deeds Office, 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 two sixteen (16.0) foot wide utility easements and right-of-way tracts located in part of the Grand Island Mall Nineteenth Subdivision, in the City of Grand Island, Hall County, Nebraska to be vacated being more particularly described as follows:

TRACT 1

The easterly sixteen (16.0) feet of the westerly sixty-two and two hundredths (62.2) feet of the southerly two hundred sixty-eight and seventy-eight hundredths (268.78) feet of Lot One (1), Grand Island Mall Nineteenth Subdivision, in the City of Grand Island, Hall County, Nebraska.

TRACT 2

The northerly line of a sixteen (16.0) foot wide tract being more particularly described as follows:

Approved as to Form	☐ _____
November 6, 2020	☐ City Attorney

ORDINANCE NO. 9801 (Cont.)

Beginning at a point on the southerly line of Lot One (1), Grand Island Mall Nineteenth Subdivision, in the City of Grand Island, Hall County, Nebraska, said point also being the Northeast corner of Lot Two (2), Grand Island Mall Sixteenth Subdivision; thence running in a northwesterly direction, a distance of three hundred twenty-eight and seventy-four hundredths (328.74) feet more or less, to a point on the easterly line of the previously described easement being vacated as TRACT 1, said point also being the Southwest corner of an existing building. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of said Lot One (1).

Such Utility Easement to be vacated as shown on Exhibit "A" attached hereto dated 10/27/2020 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: November 10, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

