



City of Grand Island

Tuesday, June 22, 2021

Council Session

Item F-1

#9830 - Consideration of Vacation of Utility Easements - 3625 Old Potash Highway - Hornady Manufacturing

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: June 22, 2021

Subject: Ordinance #9830 - Consideration of Vacation of Utility Easements – 3625 Old Potash Highway

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Two utility easement tracts were acquired by the City of Grand Island located in part of the Northwest Quarter of the Northeast Quarter (NW ¼, NE ¼) of Section Twenty-Four (24), Township Eleven (11) North, Range Ten (10) West, as described in Miscellaneous Book W-1, page 297, recorded in the Hall County Register of Deeds Office on August 23, 1972. Hornady Manufacturing has requested the vacation of two unoccupied utility easements located at their manufacturing plant located at 3625 Old Potash Highway.

Discussion

Hornady Manufacturing has added on to their existing building and has relocated their existing electrical service into a newly acquired easement. The old electrical service has been removed from the two easement tracts 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 easement tracts be vacated.

Sample Motion

Move to approve the Ordinance and vacate the utility easements as described.

ORDINANCE NO. 9830

This ordinance is to vacate two easement tracts that were acquired by the City of Grand Island located in part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West, as described in Miscellaneous Book W-1, page 297, recorded in the Hall County Register of Deeds Office on August 23, 1972, 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.

Easement Tract No. 1 of the previously described document shall be retained. Easement Tract No. 2 and Easement Tract No. 3 to be vacated being more particularly described as follows:

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

SECTION 1. That the two utility easements and right-of-way acquired by the City of Grand Island located in part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West, Hall County, Nebraska, as described in Miscellaneous Book W-1, page 297, recorded in the Hall County, Register of Deeds Office on August 23 to be vacated being more particularly described as follows:

Approved as to Form	☐ _____
June 17, 2021	☐ City Attorney

TRACT NO. 2

A tract of land lying eight (8.0) feet to the right and left of a line described as beginning at a point one hundred eighty three (183.0) feet south of and three hundred forty (340.0) feet east of the northwest corner of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West; thence southerly on a line parallel with and three hundred forty (340.0) feet east of the west line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4), a distance of five hundred six and five tenths (506.5) feet, said point being six hundred eighty nine and five tenths (689.5) feet south of the north line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4); thence deflecting right and running westerly on a line six hundred eighty nine and five tenths (689.5) feet south of and parallel with the north line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) to a point sixty five (65.0) feet east of the west line of the said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4), said Tract No. 2 containing 0.28 acres, more or less.

TRACT NO. 3

A tract of land beginning at a point sixty five (65.0) feet east of and two hundred thirty seven and five tenths (237.5) feet south of the northwest corner of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4); thence easterly on a line two hundred thirty seven and five tenths (237.5) feet south of and parallel with the north line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) to a point two hundred sixteen and twenty five hundredths (216.25) feet east of the west line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4); thence deflecting right and running southerly on a line two hundred sixteen and twenty five hundredths (216.25) feet east of and parallel with the west line of the said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) for a distance of thirty two (32.0) feet; thence deflecting right and running westerly on a line two hundred sixty nine and five tenths (269.5) feet south of and parallel with the north line of the said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) for a distance of nineteen (19.0) feet; thence deflecting right and running northerly on a line one hundred ninety seven and five tenths (197.5) feet east of and parallel with the west line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) for a distance of sixteen (16.0) feet; thence deflecting left and running westerly on a line two hundred fifty three and five tenths (253.5) feet south of and parallel with the north line of the said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) to a point sixty five (65.0) feet east of the west line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4); thence northerly on a line sixty five (65.0) feet east of and parallel with the west line of said Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) to the said Point of Beginning, said Tract No. 3 containing 0.06 acres, more or less.

Such Utility Easements to be vacated as shown on Exhibit "A" attached hereto dated 6/2/2021 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.

ORDINANCE NO. 9830 (Cont.)

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: June 22, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

