



City of Grand Island

Tuesday, June 22, 2021

Council Session

Item F-4

#9833 - Consideration of Vacation of Public Right-of-Way in Baker's Addition; Between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 22, 2021

Subject: Consideration of Vacation of Public Right-of-Way in Baker's Addition; Between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30

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

Background

The section between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30 has been requested for vacation by the adjacent property owner.

Discussion

The adjacent property owner plans to replat the five (5) lots they own in the area of 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30 into two (2) lots. The alley serves no useful purpose as it has no destination points. Due to several utilities being in this area a public utility easement will be retained over the complete section. The attached sketch details the referenced area.

Ownership of the vacated alley will revert to the adjacent property owner.

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 right-of-way in Baker's Addition; 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30, with easement retained.

Sample Motion

Move to pass an ordinance vacating the public right-of-way and retaining easement.

ORDINANCE NO. 9833

An ordinance to vacate a portion of an existing right-of-way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinance 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 a portion of an existing right-of-way between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30, more particularly described as follows:

THAT PORTION OF ALLEY LOCATED GENERALLY BETWEEN LOTS 1, 2, 9 AND 10 OF BLOCK 9, BAKER'S ADDITION TO THE CITY OF GRAND ISLAND EXCEPTING THEREFROM TRACTS PREVIOUSLY DEDICATED FOR CITY RIGHT-OF-WAY PURPOSES BEING MORE PARTICULARLY DESCRIBED AND RECORDED IN MISCELLANEOUS BOOK P- PAGE 651 & INSTRUMENT 89-105183 OF THE HALL COUNTY, NEBRASKA REGISTER OF DEEDS OFFICE.

is hereby vacated. Such right-of-way to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The property vacated by Section 1 shall be retained as public utility easement by City of Grand Island, Nebraska.

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

ORDINANCE NO. 9833 (Cont.)

SECTION 3. The title to the property vacated by Section 1 of this Ordinance shall revert to City of Grand Island, Nebraska.

SECTION 4. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 5. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: June 22, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



LEGEND

- PORTION OF ALLEY TO BE VACATED
- PROPERTY LINES
- LOT LINES

VACATION OF ALLEY LEGAL DESCRIPTION

THAT PORTION OF ALLEY LOCATED GENERALLY BETWEEN LOTS 1, 2, 9 AND 10 OF BLOCK 9, BAKER'S ADDITION TO THE CITY OF GRAND ISLAND EXCEPTING THEREFROM TRACTS PREVIOUSLY DEDICATED FOR CITY RIGHT-OF-WAY PURPOSES BEING MORE PARTICULARLY DESCRIBED AND RECORDED IN MISCELLANEOUS BOOK P - PAGE 65I & INSTRUMENT 89-105183 OF THE HALL COUNTY, NEBRASKA REGISTER OF DEEDS OFFICE.

VACATION OF ALLEY

PART OF BLOCK 9, BAKER'S ADDITION
GRAND ISLAND, NEBRASKA

