



City of Grand Island

Tuesday, July 13, 2021

Council Session

Item F-2

**#9837 - Consideration of Vacation of Public Drainage Easement in
Prairie Commons Fourth Subdivision; 3490 Ewoldt Street
(Tabitha Grand Island, Inc.)**

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: July 13, 2021

Subject: Consideration of Vacation of Public Drainage Easement in Prairie Commons Fourth Subdivision; 3490 Ewoldt Street (Tabitha Grand Island, Inc.)

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

Background

A public utility easement within Prairie Commons Fourth Subdivision was filed with Hall County Register of Deeds on March 18, 2020 as Document No. 202001702.

Discussion

Public easements were dedicated with the original plat of Prairie Commons Fourth Subdivision, before site design was complete. The initial location of the drainage easement was estimated and needs to be relocated, therefore City Council is being asked at tonight's meeting to vacate the initial easement and acquire a new one in the appropriate location. A sketch is attached to show the easement areas.

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 drainage easement in Prairie Commons Fourth; 3490 Ewoldt Street (Tabitha Grand Island, Inc.).

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9837

An ordinance to vacate an existing public drainage easement and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; to repeal any ordinance or parts of ordinances 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 existing public drainage easement located in Prairie Commons Fourth Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

THE VACATION OF A 20 FT. WIDE DRAINAGE EASEMENT LOCATED IN PART OF LOT 1, PRAIRIE COMMONS FOURTH SUBDIVISION, IN THE CITY OF GRAND ISLAND AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE CENTERLINE OF A 20 FT. WIDE EASEMENT BEING 10 FT. ON BOTH SIDES OF SAID DESCRIBED CENTERLINE; COMMENCING AT THE NORTHWEST CORNER OF LOT 1, PRAIRIE COMMONS FOURTH SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N88°19'49"E, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 80.00 FEET; THENCE S02°03'02"E A DISTANCE OF 91.52 FEET TO A POINT ON THE EAST LINE OF AN EXISTING 50' TRAIL, DRAINAGE, UTILITY EASEMENT AND ALSO BEING THE POINT OF BEGINNING; THENCE N54°29'47"E, ALONG THE CENTERLINE OF A 20 FT. WIDE EASEMENT BEING 10 FT. ON BOTH SIDES OF SAID EASEMENT, A DISTANCE OF 56.60 FEET; THENCE N88°19'37"E, ALONG SAID CENTERLINE, A DISTANCE OF 126.62 FEET; THENCE S34°33'19"E, ALONG SAID CENTERLINE, A DISTANCE OF 130.52

Approved as to Form	▣ _____
July 9, 2021	▣ City Attorney

ORDINANCE NO. 9837 (Cont.)

FEET; THENCE S14°53'41"E, ALONG SAID CENTERLINE, A DISTANCE OF 175.01 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF EWOLDT STREET AND ALSO BEING THE POINT OF TERMINATION. SAID 20 FT. DRAINAGE EASEMENT VACATION CONTAINS A CALCULATED AREA OF 9778.85 SQUARE FEET OR 0.224 ACRES MORE OR LESS

is hereby vacated. Such easement to be vacated is shown and more particularly described on Easement Vacate Exhibit 1 attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate upon which the easement is located.

SECTION 3. This ordinance is directed to be filed, with the drawing, in the office of the Register of Deeds of Hall County, Nebraska.

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

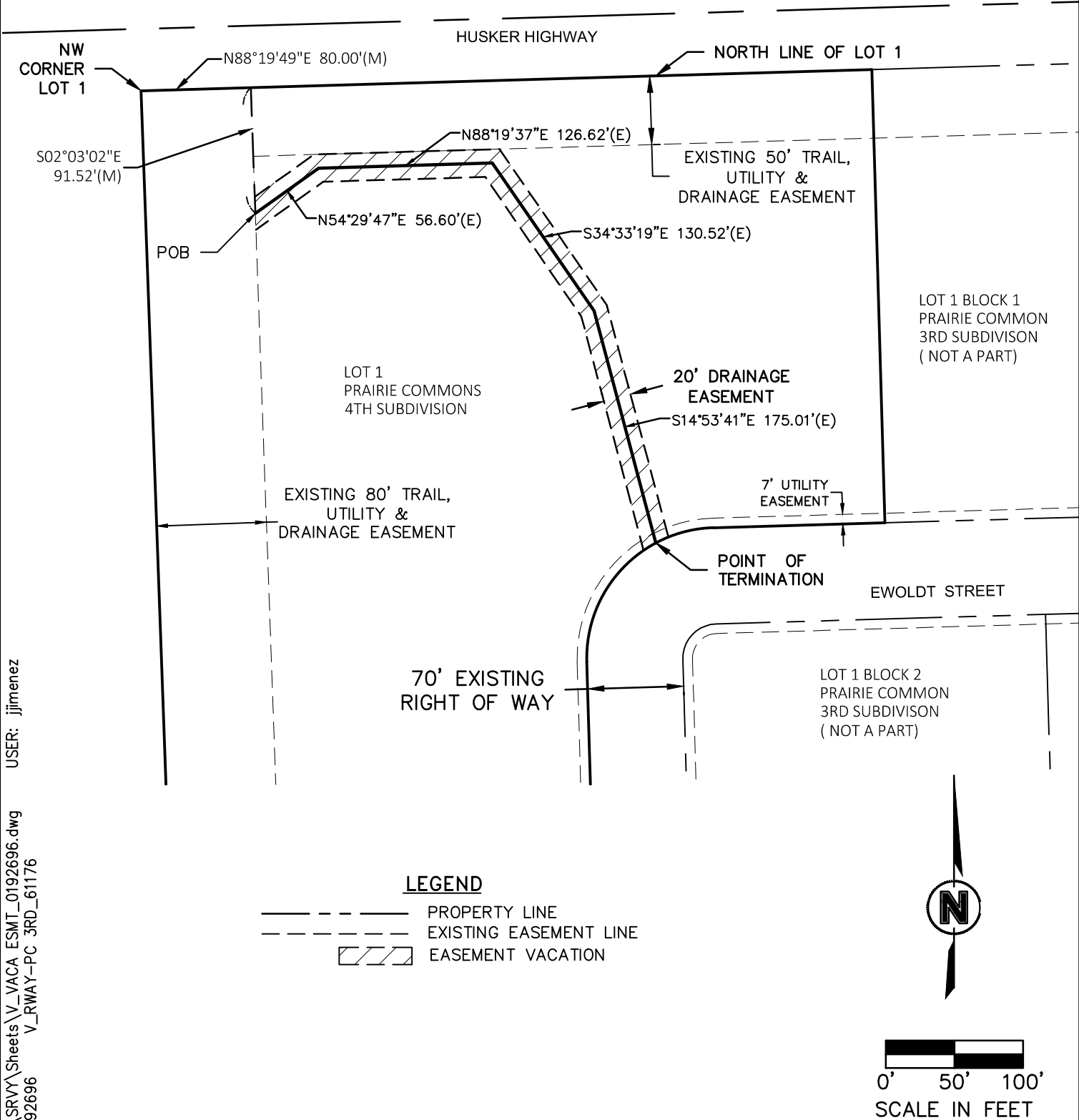
Enacted: July 13, 2021

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

DRAINAGE EASEMENT VACATION



THE VACATION OF A 20 FT. WIDE DRAINAGE EASEMENT LOCATED IN PART OF LOT 1, PRAIRIE COMMONS FOURTH SUBDIVISION, IN THE CITY OF GRAND ISLAND AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE CENTERLINE OF A 20 FT. WIDE EASEMENT BEING 10 FT. ON BOTH SIDES OF SAID DESCRIBED CENTERLINE; COMMENCING AT THE NORTHWEST CORNER OF LOT 1, PRAIRIE COMMONS FOURTH SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N88°19'49"E, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 80.00 FEET; THENCE S02°03'02"E A DISTANCE OF 91.52 FEET TO A POINT ON THE EAST LINE OF AN EXISTING 50' TRAIL, DRAINAGE, UTILITY EASEMENT AND ALSO BEING THE POINT OF BEGINNING; THENCE N54°29'47"E, ALONG THE CENTERLINE OF A 20 FT. WIDE EASEMENT BEING 10 FT. ON BOTH SIDES OF SAID EASEMENT, A DISTANCE OF 56.60 FEET; THENCE N88°19'37"E, ALONG SAID CENTERLINE, A DISTANCE OF 126.62 FEET; THENCE S34°33'19"E, ALONG SAID CENTERLINE, A DISTANCE OF 130.52 FEET; THENCE S14°53'41"E, ALONG SAID CENTERLINE, A DISTANCE OF 175.01 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF EWOLDT STREET AND ALSO BEING THE POINT OF TERMINATION. SAID 20 FT. DRAINAGE EASEMENT VACATION CONTAINS A CALCULATED AREA OF 9778.85 SQUARE FEET OR 0.224 ACRES MORE OR LESS.

PROJECT NO: 2019-2696	DRAINAGE EASEMENT VACATION		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: JMJ				1
DATE: 2021-03-24				