



City of Grand Island

Tuesday, November 9, 2021

Council Session

Item E-5

**Public Hearing on Acquisition of Public Easement in Lake
Heritage Second Subdivision- 2009 W US Highway 34 (Brian T. &
Lori L. Fausch)**

Council action will take place under Consent Agenda item G-11.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: November 9, 2021

Subject: Public Hearing on Acquisition of Public Easement in Lake Heritage Second Subdivision- 2009 W US Highway 34 (Brian T. & Lori L. Fausch)

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

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

Relocation of the existing septic utility easement at 2009 W US Highway 34 is necessary for construction of a new building at such location. A sketch is attached to show the easement area.

Discussion

To allow for construction of a new building at 2009 W US Highway 34 it is requested that the City of Grand Island acquire a new location for the septic utility easement, according to the attached sketch. At tonight's meeting vacation of a current septic utility easement is also requested.

There will be no cost of such action to the City.

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 acquisition of the septic utility easement.

Sample Motion

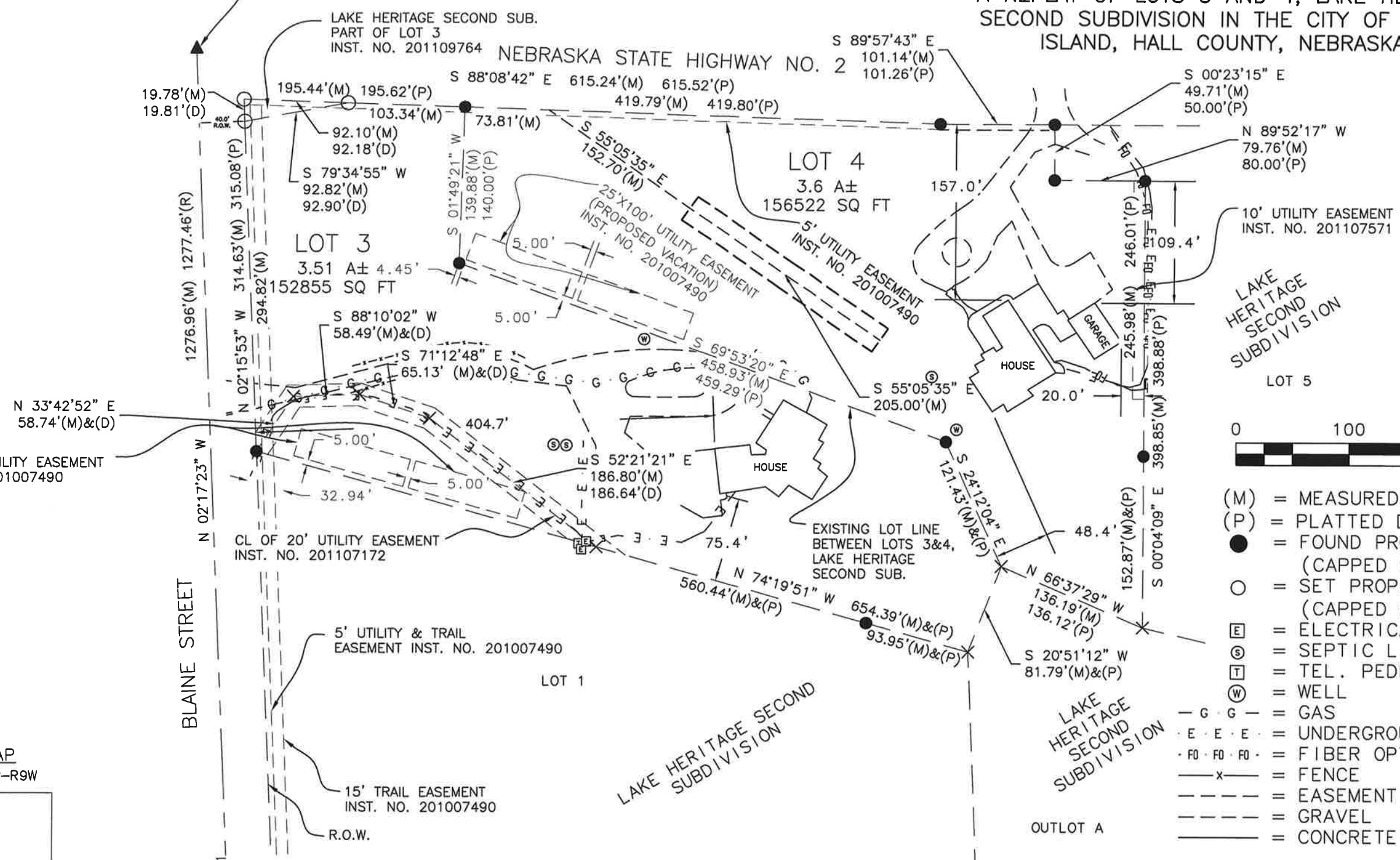
Move to approve the resolution.

"EASEMENT VACATION & RELOCATION EXHIBIT"

LAKE HERITAGE FIFTH SUBDIVISION

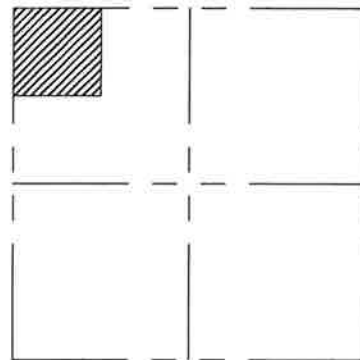
A REPLAT OF LOTS 3 AND 4, LAKE HERITAGE SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

NW COR., NW1/4 SEC. 33-11-09



- (M) = MEASURED DISTANCE
- (P) = PLATTED DISTANCE
- = FOUND PROPERTY CORNER (CAPPED 5/8" IRON ROD)
- = SET PROPERTY CORNER (CAPPED 5/8" X 24" REBAR)
- E = ELECTRICAL BOX
- S = SEPTIC LID
- T = TEL. PEDESTAL
- W = WELL
- G - G - = GAS
- E - E - E - = UNDERGROUND ELECTRIC
- FO - FO - FO - = FIBER OPTIC
- x - = FENCE
- - - - = EASEMENT
- - - - = GRAVEL
- - - - = CONCRETE

LOCATION MAP
SECTION 33-T11N-R9W



SW COR., NW1/4 NW1/4 SEC. 33-11-09

LEGAL DESCRIPTION

A tract of land being all of lots three (3) and four (4), Lake Heritage Second Subdivision, in the City of Grand Island, Hall County, Nebraska.

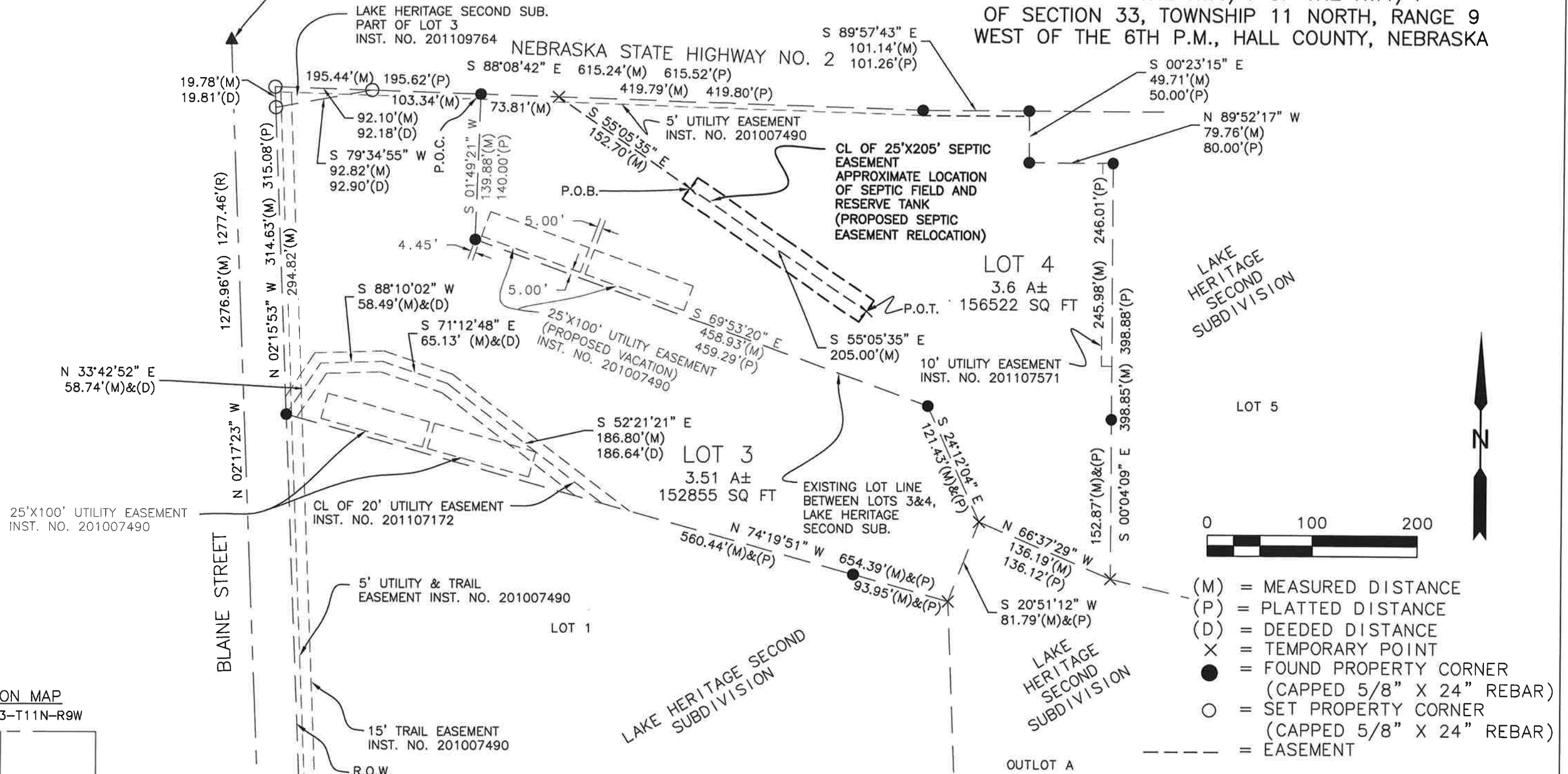
| LTS1&2-L.H.5THSUB | | |
|-------------------|----------|--------------------|
| DRAWN | DATE | 818 LAND SURVEYING |
| DJC | 10/20/21 | 4153 ARIZONA AVE |
| APPROVED | DATE | G.I., NE 68803 |
| DJC | 10/21/21 | (308)991-3943 |
| SCALE | SHEET | PROJECT NO. |
| 1:100 | 1-1 | |

NW COR., NW1/4 SEC. 33-11-09

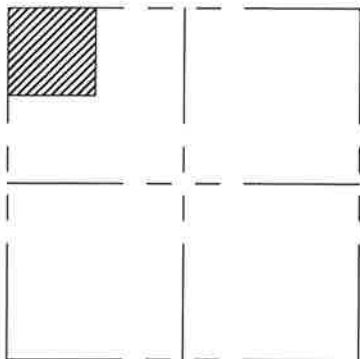
"EASEMENT VACATION & RELOCATION PLAT"

LAKE HERITAGE SECOND SUBDIVISION

PART OF THE NW1/4 OF THE NW1/4
OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 9
WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA



LOCATION MAP
SECTION 33-T11N-R9W



SW COR., NW1/4
NW1/4 SEC. 33-11-09

| LTS3&4-L.H.2NDSUB | | |
|-------------------|------------------|---|
| DRAWN DJC | DATE 11/02/21 | 818 LAND SURVEYING 4153 ARIZONA AVE G.I., NE 68803 (308)991-3943 |
| APPROVED DJC | DATE 11/02/21 | |
| SCALE 1:100 | SHEET 1-2 | PROJECT NO. |

"EASEMENT VACATION & RELOCATION LEGAL DESCRIPTIONS"
 LAKE HERITAGE SECOND SUBDIVISION
 PART OF THE NW1/4 OF THE NW1/4
 OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 9
 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA

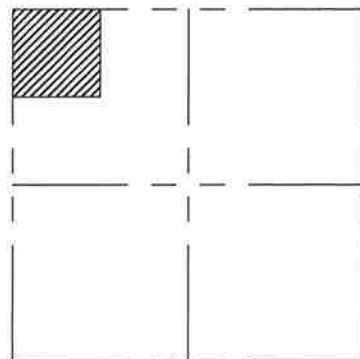
LEGAL DESCRIPTION (25' X 100' UTILITY EASEMENT VACATION)

Two (2) tracts of land being 25 feet wide by 100 feet in length located in Lot four (4), Lake Heritage Second Subdivision, in the City of Grand Island, Hall County, Nebraska, as show on a plat filed in the office of the Hall County Register of Deeds, Instrument Number 0201007490, the two (2) 25 feet by 100 feet strips of land, lying 5.00 feet northerly of the following described sideline: COMMENCING at a 1/2" pipe at the Northwest corner of said Lot four (4); thence S 01°49'21" W on the West line of said Lot four (4), and all bearings contained herein are relative thereto, a distance of 139.88 feet to a 1/2" pipe; thence S 69°53'20" E, a distance of 4.45 feet to the POINT OF BEGINNING of said sideline for tract (1); thence S 69°53'20" E a distance of 100.00 feet to the end of the first tract of land; thence S 69°53'20" E, a distance of 5.00 feet to the POINT OF BEGINNING of said sideline for tract two (2); thence S 69°53'20" E, a distance of 100.00 feet to the end of tract two (2).
 The above described tracts of land being using for a Utility Easement containing a total of 0.11 Acres more of less.

LEGAL DESCRIPTION (SEPTIC UTILITY EASEMENT)

A strip of land being 25 feet wide septic utility easement located in Lot four (4), Lake Heritage Second Subdivision, in the City of Grand Island, Hall County, Nebraska, the center line of which is more particularly described as follows: COMMENCING at a 1/2" pipe at the Northwest corner of said Lot four (4); thence S 88°08'42" E on the North line of said Lot four (4), and all bearings contained herein are relative thereto, a distance of 73.81 feet to a point on the North line of said Lot four (4); thence S 55°05'35" E a distance of 152.70 feet to the POINT OF BEGINNING; thence S 55°05'35" E a distance of 205.00 feet to the POINT OF TERMINATION.
 The above described easement containing a total of 0.12 Acres more of less.

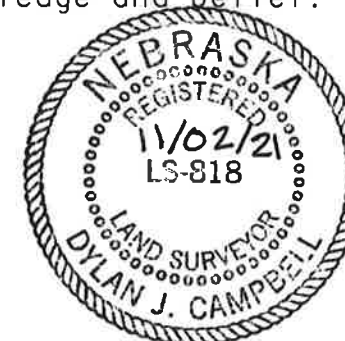
LOCATION MAP
 SECTION 33-T11N-R9W



SURVEYOR'S CERTIFICATE

I, Dylan Campbell, Nebraska Registered Land Surveyor No. 818, do hereby certify that on September 22, 2021, I surveyed the above platted and described tract of land using known and record monuments. All information shown hereon is true and correct to the best of my knowledge and belief.


 Dylan Campbell
 Nebraska R.L.S. No. 818



| LTS3&4-L.H.2NDSUB | | |
|-------------------|------------------|---|
| DRAWN DJC | DATE 11/02/21 | 818 LAND SURVEYING 4153 ARIZONA AVE G.I., NE 68803 (308)991-3943 |
| APPROVED DJC | DATE 11/02/21 | PROJECT NO. |
| SCALE 1:100 | SHEET 2-2 | |