



# City of Grand Island

Tuesday, January 25, 2022

Council Session

## Item F-5

**#9872 - Consideration of Vacation of Public Right-of-Way in Roberts Subdivision; Roberts Court (South of Roberts Street)**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** January 25, 2022

**Subject:** Consideration of Vacation of Public Right-of-Way in Roberts Subdivision; Roberts Court (South of Roberts Street)

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

## **Background**

The section of Roberts Court, south of Roberts Street has been requested for vacation by the adjacent property owner.

## **Discussion**

The adjacent property owner is working with the Planning Department to replat the six (6) lots they own on either side of Roberts Court into two (2) lots in CGI Subdivision. The area of Roberts Court serves no useful purpose as it has no destination points. The utilities within this area will become private with this vacation. The attached sketch details the referenced area.

Ownership of the vacated right-of-way 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 Roberts Subdivision; Roberts Court (south of Roberts Street).

## **Sample Motion**

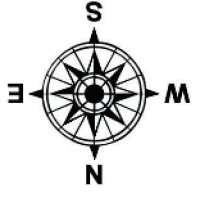
Move to pass an ordinance vacating the public right-of-way.

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ORDINANCE NO. 9872

An ordinance to vacate 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 an existing right-of-way known as Roberts Court, south of Roberts Street, more particularly described as follows:

THAT PORTION OF STREET RIGHT-OF-WAY LOCATED GENERALLY BETWEEN LOTS 1, 2, 3, 4, 5, AND 6, ROBERTS SUBDIVISION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

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 revert to the adjacent owner, and all utilities in the area vacated shall become private.

SECTION 3. 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 4. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

Approved as to Form	☐ _____
January 21, 2022	☐ City Attorney

ORDINANCE NO. 9872 (Cont.)

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: January 25, 2022.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk