



City of Grand Island

Tuesday, April 12, 2022

Council Session

Item F-2

#9878 - Consideration of Vacation of Public Drainage Easement in Lots 1-20 of Copper Creek Seventeenth Subdivision- (The Guarantee Group, LLC)

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director- Engineering

Meeting: April 12, 2022

Subject: Consideration of Vacation of Public Drainage Easement in Lots 1-20 of Copper Creek Seventeenth Subdivision- (The Guarantee Group, LLC)

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

Background

A drainage easement within Copper Creek Seventeenth Subdivision was filed with Hall County Register of Deeds on February 4, 2021 as Document No. 202100944.

Discussion

The current property owner of Lots 1-20 in Copper Creek Seventeenth Subdivision is requesting to vacate such dedicated easement to allow for development of the area. An 8” pipe has been installed in the easement which will drain the surface water away from the area. Vacation of the drainage easement will allow for decks to be installed in the backyards of the subject lots. The homeowners association will own and maintain the drainage pipe.

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 drainage easement in Lots 1-20 of Copper Creek Seventeenth Subdivision- (The Guarantee Group, LLC).

Sample Motion

Move to pass an ordinance vacating the easements.

ORDINANCE NO. 9878

An ordinance to vacate existing 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 10' drainage easement located in Lots 1-20 of Copper Creek Seventeenth Subdivision, in the City of Grand Island, Hall County, Nebraska 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.

Approved as to Form	▣ _____
April 7, 2022	▣ City Attorney

ORDINANCE NO. 9878 (Cont.)

Enacted: April 12, 2022

Attest:

Roger G. Steele, Mayor

RaNae Edwards, City Clerk

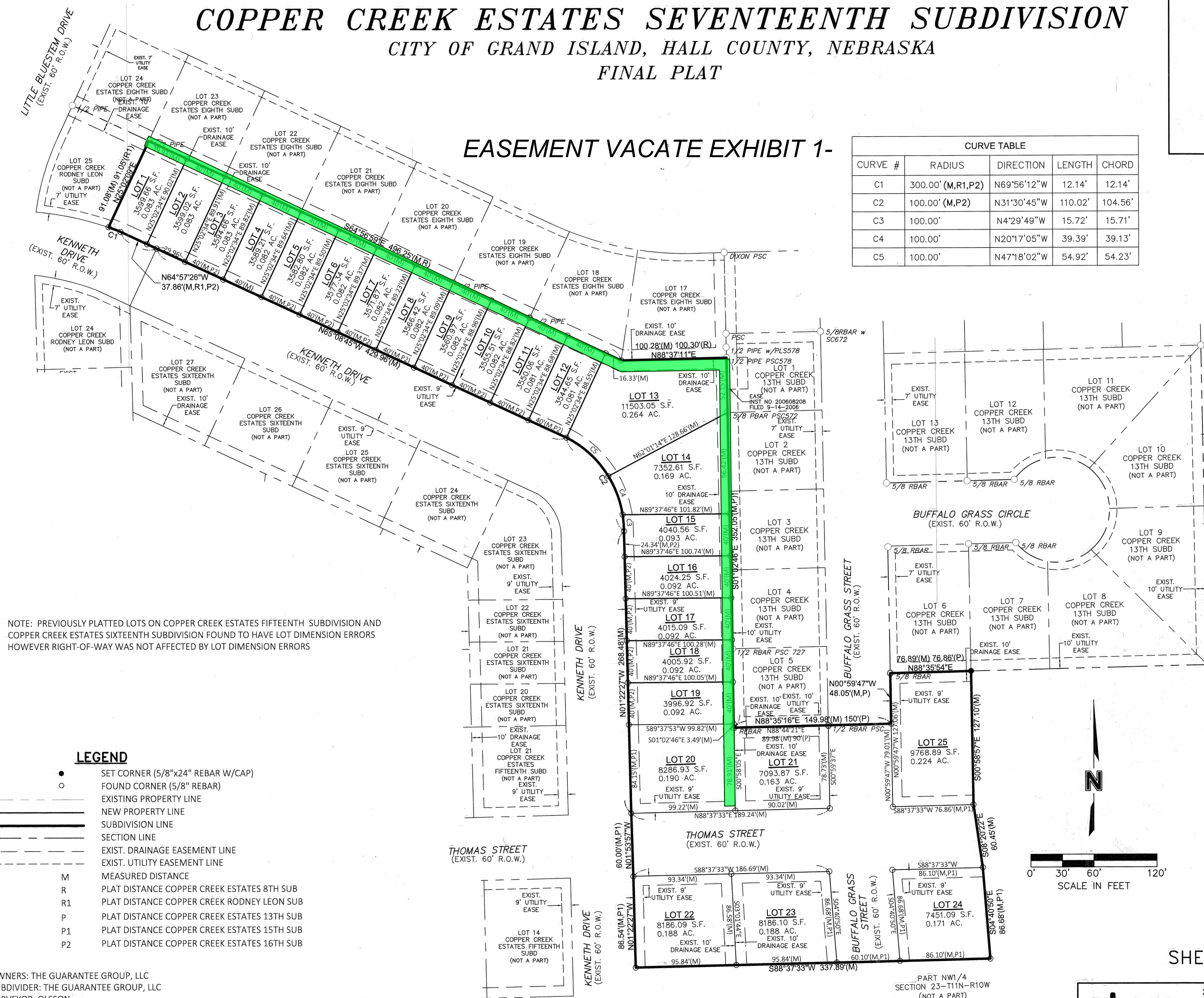
COPPER CREEK ESTATES SEVENTEENTH SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

EASEMENT VACATE EXHIBIT 1-

CURVE TABLE				
CURVE #	RADIUS	DIRECTION	LENGTH	CHORD
C1	300.00' (M,R1,P2)	N69°56'12"W	12.14'	12.14'
C2	100.00' (M,P2)	N31°30'45"W	110.02'	104.56'
C3	100.00'	N4°29'49"W	15.72'	15.71'
C4	100.00'	N20°17'05"W	39.39'	39.13'
C5	100.00'	N47°18'02"W	54.92'	54.23'



NOTE: PREVIOUSLY PLATTED LOTS ON COPPER CREEK ESTATES FIFTEENTH SUBDIVISION AND COPPER CREEK ESTATES SIXTEENTH SUBDIVISION FOUND TO HAVE LOT DIMENSION ERRORS HOWEVER RIGHT-OF-WAY WAS NOT AFFECTED BY LOT DIMENSION ERRORS

LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (5/8" REBAR)
- EXISTING PROPERTY LINE
- NEW PROPERTY LINE
- SUBDIVISION LINE
- SECTION LINE
- - - EXIST. DRAINAGE EASEMENT LINE
- - - EXIST. UTILITY EASEMENT LINE
- - - MEASURED DISTANCE
- M PLAT DISTANCE COPPER CREEK ESTATES 8TH SUB
- R PLAT DISTANCE COPPER CREEK RODNEY LEON SUB
- R1 PLAT DISTANCE COPPER CREEK ESTATES 13TH SUB
- P PLAT DISTANCE COPPER CREEK ESTATES 15TH SUB
- P1 PLAT DISTANCE COPPER CREEK ESTATES 16TH SUB
- P2

OWNERS: THE GUARANTEE GROUP, LLC
SUBDIVIDER: THE GUARANTEE GROUP, LLC
SURVEYOR: OLSSON
ENGINEER: OLSSON
NUMBER OF LOTS: 25

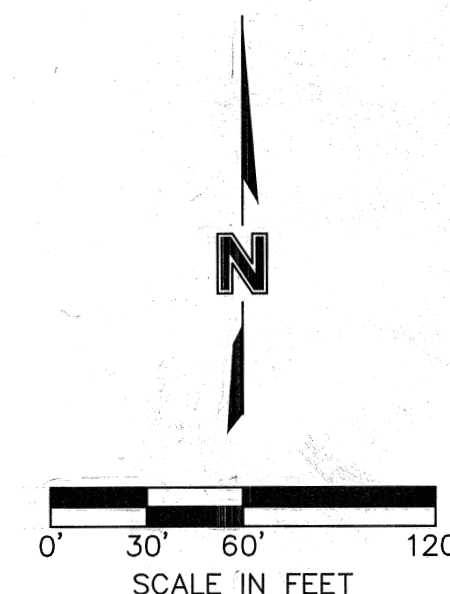
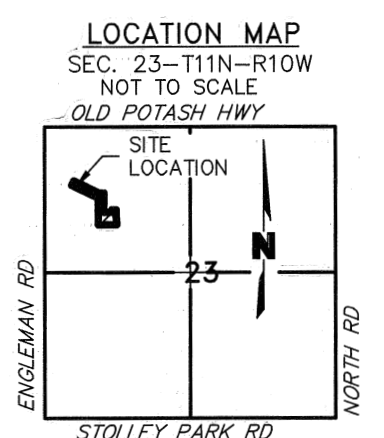
SHEET 1 OF 2

olsson

201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2020-0378
GUARANTEE GROUP
SURVEY
FB

202105318
STATE OF NEBRASKA
COUNTY OF HALL
2021 JUN 24 AM 10:06
KRISTI WOLD
ASSR/REGISTER OF DEEDS



COPPER CREEK ESTATES SEVENTEENTH SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOTS 15, 16, 17, 18, 19, AND 20, COPPER CREEK ESTATES FIFTEENTH SUBDIVISION AND ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND 19, COPPER CREEK ESTATES SIXTEENTH SUBDIVISION, ALL IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 130801.03 SQUARE FEET OR 3.003 ACRES.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON April 12th, 2021, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A REPLAT OF ALL OF LOTS 15, 16, 17, 18, 19, AND 20, COPPER CREEK ESTATES FIFTEENTH SUBDIVISION AND ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND 19, COPPER CREEK ESTATES SIXTEENTH SUBDIVISION, ALL IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

Jai Jason Andrist
JAI JASON ANDRIST, REGISTERED LAND SURVEYOR, NUMBER LS 630



APPROVAL

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA,

THIS 27th DAY OF April, 2020.

Chad M. Aaker
PLANNING DIRECTOR

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT THE GUARANTEE GROUP, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "COPPER CREEK ESTATES SEVENTEENTH SUBDIVISION" A REPLAT OF ALL OF LOTS 15, 16, 17, 18, 19, AND 20, COPPER CREEK ESTATES FIFTEENTH SUBDIVISION AND ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND 19, COPPER CREEK ESTATES SIXTEENTH SUBDIVISION, ALL IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; AND THAT THE FOREGOING SUBDIVISION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT Grand Island, NEBRASKA THIS 10 DAY OF June, 2021.

Sean P. O'Connor
SEAN P. O'CONNOR, A MEMBER
THE GUARANTEE GROUP, LLC, A NEBRASKA LIMITED LIABILITY COMPANY

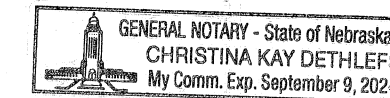
ACKNOWLEDGMENT

STATE OF NEBRASKA SS
COUNTY OF HALL

ON THIS 10 DAY OF June, 2021, BEFORE ME Christina Kay Dethlefs A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED SEAN P. O'CONNOR, A MEMBER, THE GUARANTEE GROUP, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES September 9, 2024

Christina Kay Dethlefs
NOTARY PUBLIC



SHEET 2 OF 2

OWNERS: THE GUARANTEE GROUP, LLC
SUBDIVIDER: THE GUARANTEE GROUP, LLC
SURVEYOR: OLSSON
ENGINEER: OLSSON
NUMBER OF LOTS: 26

olsson

201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2020-0378
GUARANTEE GROUP
SURVEY
FB