



City of Grand Island

Tuesday, April 26, 2022

Council Session

Item F-1

**#9879 - Consideration of Vacation of Public Utility Easement in
Lot 2 of Pedcor Subdivision- (City of Grand Island)**

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

Council Agenda Memo

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

Meeting: April 26, 2022

Subject: Consideration of Vacation of Public Utility Easement in Lot 2 of Pedcor Subdivision- (City of Grand Island)

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

Background

A utility easement within Pedcor Subdivision was filed with Hall County Register of Deeds on February 28, 2003 as Document No. 200302371.

Discussion

Due to the construction of a new sanitary sewer buffer tank that will extend the useful life of existing Lift Station No. 28 by effectively improving its peak capacity, an easement vacation is necessary. Lift Station No. 28 is located northeast of the intersection of Husker Highway/James Road. The easement vacation area is depicted on the attached sketch.

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 utility easement in Lot2 of Pedcor Subdivision- (City of Grand Island).

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9879

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. Vacating a portion of an existing easement in Lot 2, Pedcor as recorded in Instrument No. 200302371, filed February 28, 2003 at the Hall County Register of Deeds, as described as follows:

COMMENCING AT A SOUTHWEST CORNER OF LOT 2, PEDCOR SUBDIVISION AND ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF JAMES ROAD; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, ALONG SAID EAST RIGHT-OF-WAY LINE OF JAMES ROAD, HAVING A DELTA OF 4°14'17", A RADIUS OF 270.64' A CHORD BEARING OF N01°31'57"E, AND A CHORD DISTANCE OF 20.01 FEET; THENCE N89°21'17"E A DISTANCE OF 149.29 FEET TO A POINT 20 FEET WEST OF THE EAST LINE OF SAID LOT 2, PEDCOR SUBDIVISION; THENCE S00°38'55"E, PARALLEL AND 20 FEET WEST OF SAID EAST LINE OF LOT 2, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH LINE OF EXISTING EASEMENT DOCUMENT NO. 93-105819, FILED JULY 1993; THENCE S89°21'17"W A DISTANCE OF 150.05 FEET TO THE POINT OF BEGINNING. SAID VACATED EASEMENT CONTAINS A CALCULATED AREA OF 2995.89 SQUARE FEET MORE OR LESS.

Approved as to Form	by _____
April 22, 2022	City Attorney

ORDINANCE NO. 9879 (Cont.)

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: April 26, 2022

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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