



City of Grand Island

Tuesday, May 24, 2022

Council Session

Item E-6

Public Hearing on Acquisition of Property commonly known as Kaufman Plaza

Council action will take place under Consent Agenda item G-14 and G-15.

Staff Contact: Stacy Nonhof, Interim City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Interim City Attorney

Meeting: May 24, 2022

Subject: Public Hearing on Acquisition of Property commonly known as Kaufman Plaza

Presenter(s): Stacy R. Nonhof, Interim City Attorney

Background

The area commonly known as Kaufman Plaza was designated as Road Right-of-Way on the original plat. The right-of-way was vacated in 2021 as that property is not needed as right-of-way nor was it being used as right-of-way.

Upon vacation of the right-of-way, that property reverted back to the adjacent property owners. Amur Real Estate I, LLC and Panthera Investment Group, LLC own the properties immediately adjacent to the plaza. An agreement was reached with Amur Real Estate I, LLC and Panthera Investment Group, LLC to have the properties deeded back to the City of Grand Island for use as a plaza.

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

Discussion

Railside BID, the Finance Department and the Legal Department have worked with the property owners, Amur Real Estate I LLC, and Panthera Investment Group, LLC who have each agreed to a purchase price of \$0.00 for the City's acquisition. These transfers will allow for the continued use of this property as a Plaza and the continued uses of the Railside BID.

Amur has retained as part of this transfer ingress and egress easements. The retained easements are for:

1. Entry upon and ingress and egress over, and across for persons, and the movement of material, supplies, equipment, furniture, furnishing and appliances;
2. Maintenance, inspection, painting, repair and replacement of buildings, structures, landscaping, and sidewalks; and

3. Use, operation, maintenance, inspection, repair and replacement of all plumbing, drainage, electrical, phone, television, sewage, gas, domestic water, and other piping lines, ducts, conduits, cables, and all other facilities whatsoever now or later located in or upon said easement area.

The property is conveyed to and accepted by the City subject to the condition that no buildings shall be erected thereon and that the land shall not be used for any other purpose than for pedestrian right-of-way and for beautifying the city, to which end the City shall establish and maintain thereon a public plaza with landscaping and that the City will enact ordinances to provide for its use and maintenance.

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 conduct a Public Hearing and approve acquisition of property commonly known as Kaufman Plaza.

Sample Motion

Move to approve.