



# City of Grand Island

Tuesday, June 14, 2022

Council Session

## Item F-2

**#9883 - Consideration of Correction to Ordinance No. 9879  
Relative to Vacation of Public Utility Easement in Lot 2 of Pedcor  
Subdivision- (City of Grand Island)**

Staff Contact: Keith Kurz PE, Interim Public Works Director

# **Council Agenda Memo**

**From:** Keith Kurz PE, Interim Public Works Director  
**Meeting:** June 14, 2022  
**Subject:** Correction to Ordinance No. 9879 Relative to Vacation of Public Utility Easement in Lot 2 of Pedcor Subdivision- (City of Grand Island)  
**Presenter(s):** Keith Kurz PE, Interim 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.

On May 10, 2022, via Ordinance No. 9879, City Council approved the vacation of such easement.

## **Discussion**

An error was discovered upon filing of Ordinance No. 9879 with Hall County Register of Deeds. The referenced ordinance had a scrivener's error and referred to the easement as a drainage easement, rather than a utility easement. If adopted, the ordinance will correct this error and allow for filing of the correction. 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 approve the correction to Ordinance No. 9879 relative to vacation of public utility easement in Lot 2 of Pedcor Subdivision- (City of Grand Island).

## **Sample Motion**

Move to approve the ordinance.

202203466

STATE OF NEBRASKA  
COUNTY OF HALL

2022 MAY 11 AM 11:18

REGISTER OF DEEDS  
HALL COUNTY REGISTER

CASH CHECK 22.00

REFUNDS:  
CASH CHECK  
CHECK



202203466

This Space Reserved for Register of Deeds

22.00

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.

Return to:  
RaNae Edwards  
City Clerk  
100 East 1st Street  
Grand Island NE 68801

Approved as to Form  May 9, 2022  City Attorney

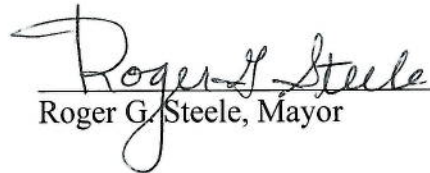
ORDINANCE NO. 9879 (Cont.)

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: May 10, 2022

  
\_\_\_\_\_  
Roger G. Steele, Mayor

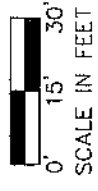
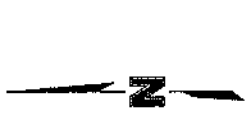
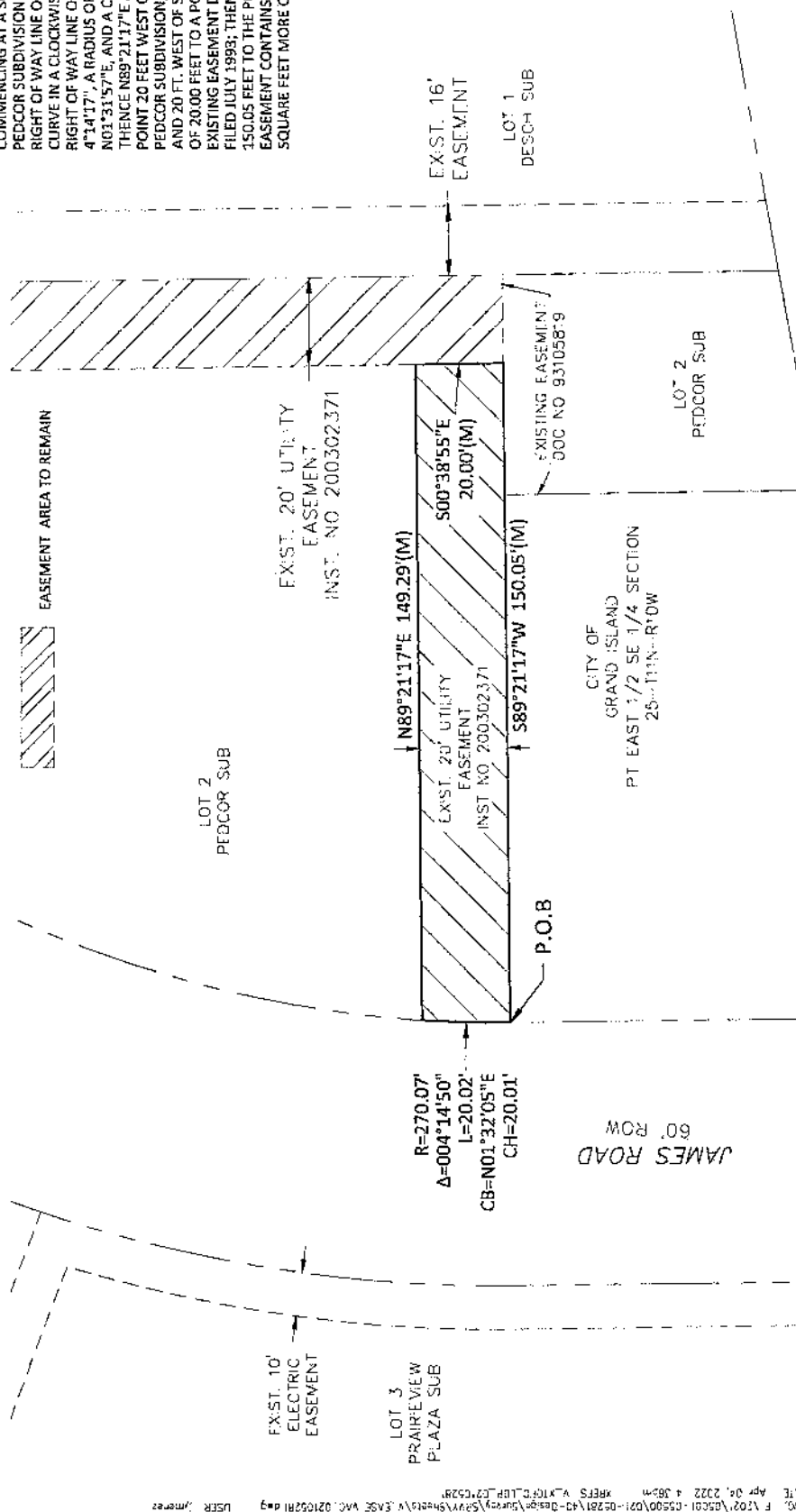
Attest:

  
\_\_\_\_\_  
RaNae Edwards, City Clerk



**EASEMENT VACATE DESCRIPTION:**  
 VACATING A PORTION OF AN EXISTING EASEMENT IN LOT 2, PEDCOR SUBDIVISION AS RECORDED IN INSTRUMENT NUMBER 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 N03°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, AND 20 FT. 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 NUMBER 99-105819, FILED JULY 1999; 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.



DATE: Apr 04, 2022 4:56:39 PM  
 USER: jmerer  
 PROJECT NO: 2021-05281  
 DRAWN BY: CWM  
 DATE: 2022-04-04  
 EXHIBIT 1  
 201 East 2nd Street  
 Grand Island, NE 68801  
 TEL 308.384.8750  
**Olsson**  
**EASEMENT VACATE**

ORDINANCE NO. 9883

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Approved as to Form	▣ _____
June 10, 2022	▣ City Attorney

ORDINANCE NO. 9883 (Cont.)

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Enacted: June 14, 2022




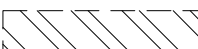
\_\_\_\_\_  
Roger G. Steele, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

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 XREFS: V\_XT0FO\_LDP\_02105281

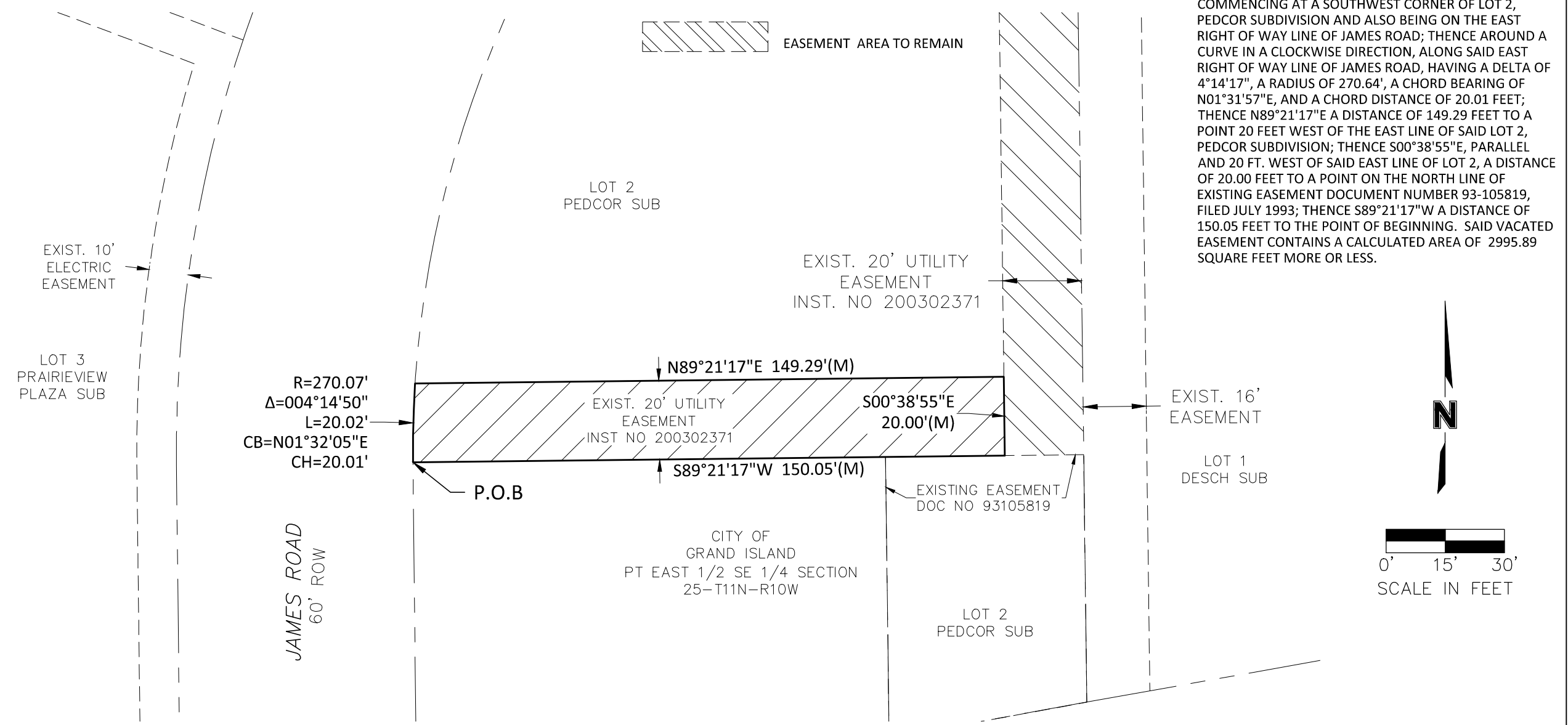
**LEGEND**

-  PROPERTY LINE
-  EASEMENT LINE
-  EASEMENT VACATE AREA
-  EASEMENT AREA TO REMAIN

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PROJECT NO:	2021-05281
DRAWN BY:	CWM
DATE:	2022-04-04

**EASEMENT VACATE**  
 Council Session - 6/14/2022

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

EXHIBIT	1
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