



City of Grand Island

Tuesday, August 9, 2022

Council Session

Item F-1

#9891 - Consideration of Vacation of Public Utility Easement in Lot One (1), L.J. & R.A. Toner Properties Subdivision- (Titan Machinery, Inc.)

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Interim Public Works Director

Meeting: August 9, 2022

Subject: Consideration of Vacation of Public Utility Easement in Lot One (1), L.J. & R.A. Toner Properties Subdivision- (Titan Machinery, Inc.)

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

A public utility easement within L.J. & R.A. Toner Properties Subdivision was filed with Hall County Register of Deeds on November 29, 1974 in Book 104B, Page 125.

Discussion

The current property owner of Lots One (1) in L.J. & R.A. Toner Properties Subdivision is requesting to vacate such dedicated easement to allow for expansion of the facility. The appropriate City departments have reviewed the vacation request and have no objections, as there are no City utilities within the easement.

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 Lot One (1) of L.J. & R.A. Toner Properties Subdivision- (Titan Machinery, Inc.).

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9891

An ordinance to vacate existing public utility 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 eight (8) foot public utility easement located in Lot One (1) of L.J. & R.A. Toner Properties 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	▣ _____
September 19, 2022	▣ City Attorney

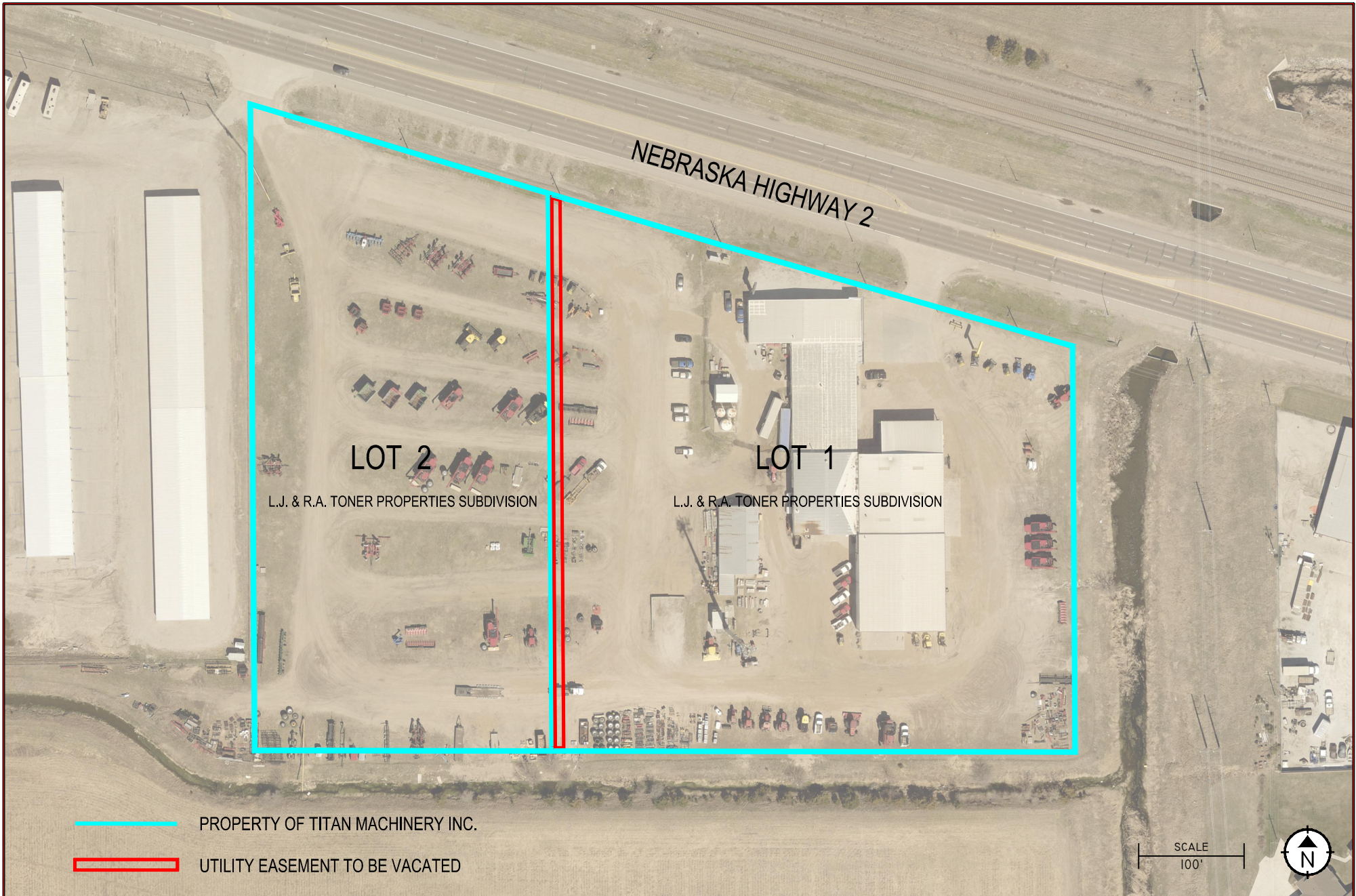
ORDINANCE NO. 9891 (Cont.)

Enacted: August 9, 2022

Attest:

Roger G. Steele, Mayor

RaNae Edwards, City Clerk



UTILITY EASEMENT VACATION