



# City of Grand Island

Tuesday, March 14, 2023

Council Session

## Item F-3

**#9921 - Consideration of Vacation of Access Easements in Legacy 34 Second Subdivision; West of Prairieview Street, North of Husker Highway (Innate 3, LLC / Innate 4, LLC / Innate 5, LLC / Innate 6, LLC)**

Staff Contact: Keith Kurz PE, Interim Public Works Director

# **Council Agenda Memo**

**From:** Keith Kurz PE, Interim Public Works Director

**Meeting:** March 14, 2023

**Subject:** Consideration of Vacation of Access Easements in Legacy 34 Second Subdivision; West of Prairieview Street, North of Husker Highway (Innate 3, LLC / Innate 4, LLC / Innate 5, LLC / Innate 6, LLC)

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

## **Background**

Access easements within Legacy 34 Second Subdivision were filed with Hall County Register of Deeds on October 28, 2022 as Document No. 202207675.

## **Discussion**

The request at this time is to vacate five (5) of the access easements within the original Legacy 34 Second Subdivision. The current property owners have worked with the Planning Department to replat Legacy 34 Second Subdivision and will be dedicating access easements within the new plat for further development of this area. The attached sketch details the referenced easements to be vacated.

## **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 access easements in Legacy 34 Second Subdivisions; West of Prairieview Street, North of Husker Highway (Innate 3, LLC / Innate 4, LLC / Innate 5, LLC / Innate 6, LLC).

## **Sample Motion**

Move to pass an ordinance vacating the access easements.

ORDINANCE NO. 9921

An ordinance to vacate existing access easements 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 access easements located in Legacy 34 Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

*AN EASEMENT VACATION OF ALL ACCESS EASEMENTS IN ALL OF OUTLOT D, OUTLOT E, OUTLOT G, OUTLOT H, AND OUTLOT J, ALL IN LEGACY 34 SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.*

is hereby vacated. Such easements to be vacated are shown and more particularly described on Access Easement Vacation 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.

Approved as to Form	▣ _____
March 10, 2023	▣ City Attorney

ORDINANCE NO. 9921 (Cont.)

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.

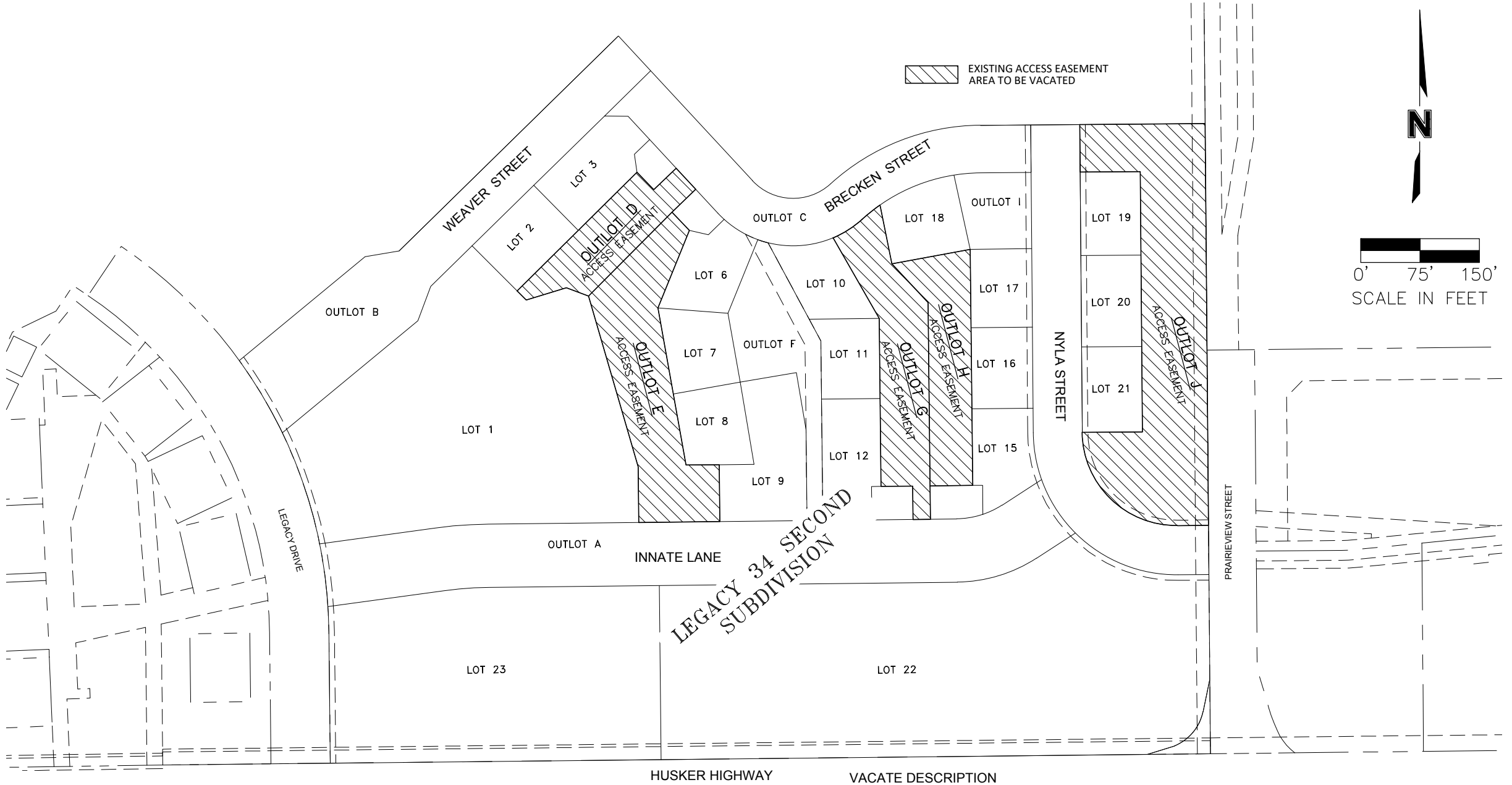
Enacted: March 14, 2023

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

Attest:

\_\_\_\_\_  
Jill Granere, Deputy City Clerk

DWG: F:\2022\01001-01500\022-01265\40-Design\Survey\SRVY\Sheets\V\_FPLAT 2ND\_02201265.dwg USER: jjimenez  
DATE: Mar 02, 2023 2:53pm XREFS: V\_XRWAY\_LDP\_02201265



VACATE DESCRIPTION  
AN EASEMENT VACATION OF ALL ACCESS EASEMENTS IN ALL OF OUTLOT D,  
OUTLOT E, OUTLOT G, OUTLOT H, AND OUTLOT J, ALL IN LEGACY 34 SECOND  
SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

PROJECT NO:	2022-01265
DRAWN BY:	JMJ
DATE:	2023-03-02

ACCESS EASEMENT VACATION  
Council Session - 3/14/2023



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EXHIBIT