



City of Grand Island

Tuesday, September 24, 2013

Council Session

Item G-16

#2013-321 - Approving Acquisition of Public Utility Easement in Sterling Estates Second Subdivision (TS12, LLC)

This item relates to the aforementioned Public Hearing item E-4.

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

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

PUBLIC UTILITY EASEMENT

TS12, LLC, a Nebraska Limited Liability Company, herein called the Grantor, in consideration of ONE DOLLAR (\$1.00) and other consideration, receipt of which is hereby acknowledged, hereby grant and convey unto the

CITY OF GRAND ISLAND, NEBRASKA,

a municipal corporation in Hall County, State of Nebraska, herein called the Grantee, a permanent and perpetual easement to construct, operate, maintain, extend, repair, replace, and remove public utilities, including but not limited to surface markers, and other appurtenances, upon, over, along, across, in, underneath and through a tract of land within Sterling Estates Second Subdivision, City of Grand Island, Hall County, Nebraska, more particularly described as follows:

A utility easement located in Lot 1 of Sterling Estates Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 157.00 feet to the point of intersection of said west line and the south line of an existing 30 foot ingress/egress and utility easement located in said lot 1; thence S89°00'34"E along said south line a distance of 82.00 feet to the point of intersection of said south line and the east line of an existing 37 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing

S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 100.00 feet to a point on the north line of an existing 20 foot utility easement located in said Lot 1; thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 100.00 feet to the point of beginning. Said utility easement contains 800.00 square feet more or less.

A utility easement located in Lot 1 of Sterling Estates Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 277.00 feet; thence S89°00'34"E a distance of 82.00 feet to the point of intersection of the east line of and existing 37 foot utility easement located in said Lot 1 and the south line of an existing 20 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 173.00 feet to a point on the north line of an existing 30 foot utility easement located in said lot 1; thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 173.00 feet to the point of beginning. Said utility easement contains 1384.00 square feet more or less.

A utility easement located in Lot 1 of Sterling Estates Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 480.00 feet; thence S89°00'34"E a distance of 82.00 feet to the point of intersection of the east line of an existing 37 foot utility easement located in said Lot 1 and the south line of an existing 30 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 114.00 feet to a point on the north line of and existing 15 foot drainage and utility easement located in said Lot 1; thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 114.00 feet to the point of beginning. Said utility easement contains 912.00 square feet more or less.

Together with the following rights, namely, unrestricted ingress and egress under, over, and across such land for the purpose of exercising the rights herein granted, to excavate and refill ditches and trenches, and the right to clear and keep clear of structures that might interfere with the location, trees, roots, brush, hedges, undergrowth, and other obstructions from the surface of such tracts interfering with the location, construction, inspection, repair, replacement, removal, and maintenance of such public utilities. Any such utility and appurtenances placed upon, over, and under such tracts of land shall remain the property of the Grantee and may be removed or

replaced at any time.

The Grantors, for themselves, their heirs, executors, administrators, successors, and assigns, hereby covenant that no buildings, fences, or structures shall be erected or permitted within the easement area and that the easement herein granted shall run with the title to such tract of land and be binding upon the Grantors, their successors and assigns.

DATED: _____, 2013

GRANTOR:

TS12, LLC
A Nebraska Limited Liability Company

BY _____
Jerry Slusky, Member Manager

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On this _____ day of _____, 2013 before me, the undersigned, a Notary Public in and for said County and State, personally appeared JERRY SLUSKY, MEMBER MANAGER, to me known to be the identical persons who signed the foregoing Public Utility Easement and acknowledge the execution thereof to be their voluntary act and deed as such officer on behalf of said company for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

Notary Public

RESOLUTION 2013-321

WHEREAS, public utility easements are required by the City of Grand Island, from TS12, LLC in Sterling Estates Second Subdivision, Hall County, Nebraska and more particularly described as follows:

A utility easement located in Lot 1 of Sterling Estates Second Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 157.00 feet to the point of intersection of said west line and the south line of an existing 30 foot ingress/egress and utility easement located in said lot 1; thence S89°00'34"E along said south line a distance of 82.00 feet to the point of intersection of said south line and the east line of an existing 37 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 100.00 feet to a point on the north line of an existing 20 foot utility easement located in said Lot 1; thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 100.00 feet to the point of beginning. Said utility easement contains 800.00 square feet more or less.

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Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 277.00 feet; thence S89°00'34"E a distance of 82.00 feet to the point of intersection of the east line of and existing 37 foot utility easement located in said Lot 1 and the south line of an existing 20 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 173.00 feet to a point on the north line of an existing 30 foot utility easement located in said lot 1; thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 173.00 feet to the point of beginning. Said utility easement contains 1384.00 square feet more or less.

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Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of S00°59'26"W along the west line of said lot 1 a distance of 480.00 feet; thence S89°00'34"E a distance of 82.00 feet to the point of intersection of the east line of an existing 37 foot utility easement located in said Lot 1 and the south line of an existing 30 foot utility easement located in said Lot 1, said point also being the point of beginning; thence continuing S89°00'34"E along said south line a distance of 8.00 feet; thence S00°59'26"W a distance of 114.00 feet to a point on the north line of and existing 15 foot drainage and utility easement located in said Lot 1;

Approved as to Form	□
September 20, 2013	□ City Attorney

thence N89°00'34"W along said north line a distance of 8.00 feet to the point of intersection of said north line and the east line of an existing 37 foot utility easement located in said Lot 1; thence N00°59'26"E along said east line a distance of 114.00 feet to the point of beginning. Said utility easement contains 912.00 square feet more or less.

WHEREAS, an Agreement for the public utility easements has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Agreement for the public utility easements on the above described tract of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreements on behalf of the City of Grand Island.

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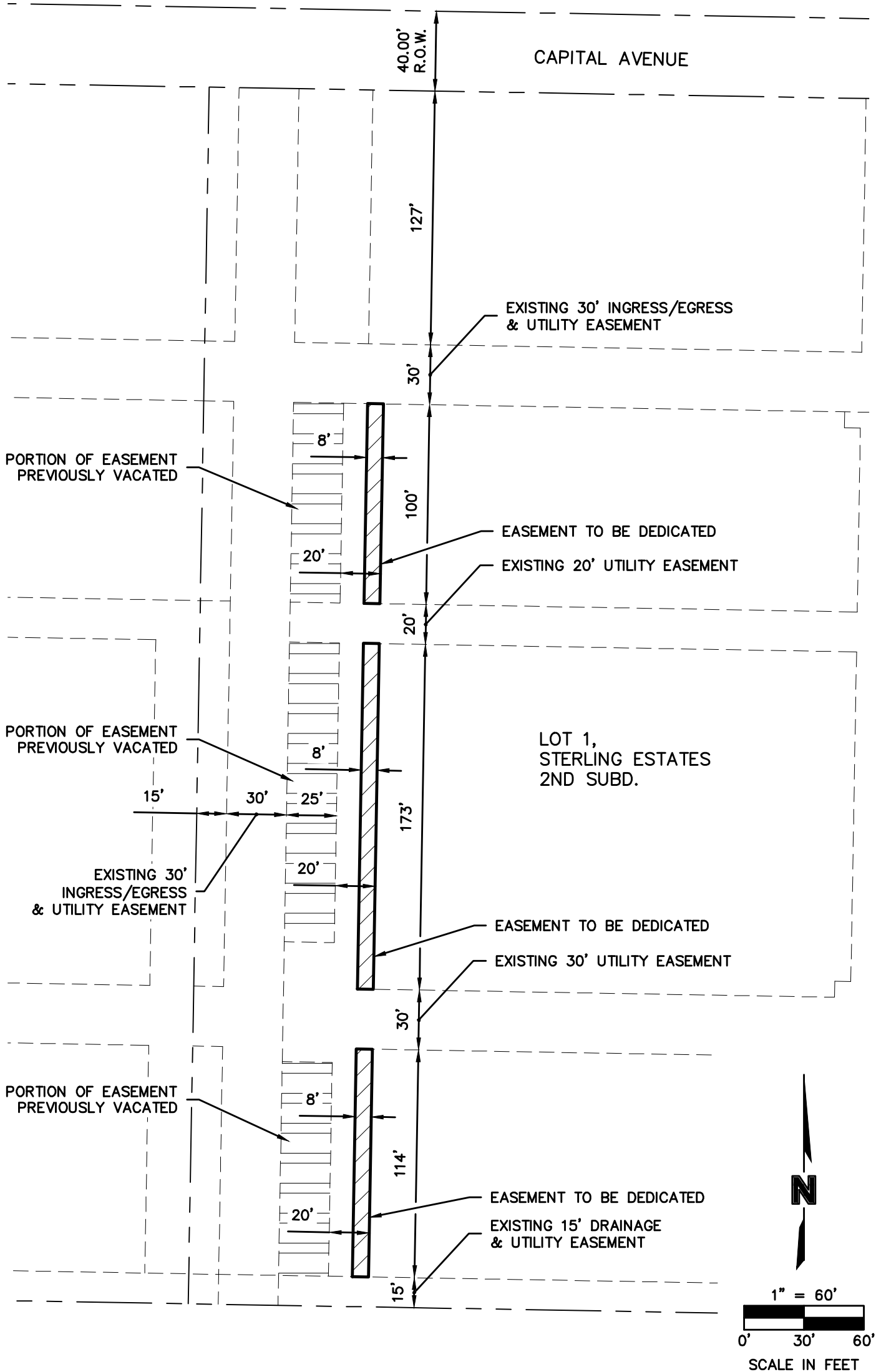
Adopted by the City Council of the City of Grand Island, Nebraska, September 24, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

EASEMENT DEDICATION



DWG: F:\projects\012-1026_Plan\Plan\0121026_EASE-DEDICATE.dwg
 DATE: Sep 04, 2013 12:50pm
 USER: zloomis
 XREFS: 0121026_ROW

OLSSON
 ASSOCIATES

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