



# City of Grand Island

Tuesday, November 12, 2013

Council Session

## Item F-2

**#9460 - Consideration of Vacation of a Utility Easement Located in  
Woodland Park 12th Subdivision (Hastings Ventures, LLC)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Manager of Engineering Services

**Meeting:** November 12, 2013

**Subject:** Consideration of Vacation of a Utility Easement Located in Woodland Park 12<sup>th</sup> Subdivision (Hastings Ventures, LLC)

**Item #'s:** F-2

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

Twenty (20) feet wide drainage/utility easements were dedicated on September 12, 2012 within the Woodland Park 12<sup>th</sup> Subdivision. Such easements are not necessary to accommodate existing or proposed drainage or utilities.

## **Discussion**

The developer/property owner of Woodland Park 12<sup>th</sup> Subdivision is requesting to vacate two (2), twenty (20) feet wide, drainage/utility easements running east and west through four lots. There are not any utilities currently within this easement that would be affected by this vacation. 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 twenty (20) foot easements located in Woodland Park 12<sup>th</sup> Subdivision.

### **Sample Motion**

Move to pass an ordinance vacating the easements.

ORDINANCE NO. 9460

An ordinance to vacate existing drainage/utility 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 a portion of drainage/existing utility easements within Woodland Park 12<sup>th</sup> Subdivision in Grand Island, Hall County, Nebraska, more particularly described as follows:

Lot 1, Block 2, Woodland Park 12<sup>th</sup> Subdivision: A drainage/utility easement to be vacated being the south 10 feet of Lot 1, Block 2, Woodland Park Twelfth Subdivision; excluding the west 5 feet and the east 20 feet of said Lot 1; and

Lot 2, Block 2, Woodland Park 12<sup>th</sup> Subdivision: A drainage/utility easement to be vacated being the north 10 feet of Lot 2, Block 2, Woodland Park Twelfth Subdivision; excluding the west 5 feet and the east 20 feet of said Lot 2; and

Lot 4, Block 2, Woodland Park 12<sup>th</sup> Subdivision: A drainage/utility easement to be vacated being the south 10 feet of Lot 4, Block 2, Woodland Park Twelfth Subdivision; excluding the west 5 feet and the east 20 feet of said Lot 4; and

Approved as to Form	by _____
November 8, 2013	City Attorney

ORDINANCE NO. 9260 (Cont.)

Lot 5, Block 2, Woodland Park 12<sup>th</sup> Subdivision: A drainage/utility easement to be vacated being the north 10 feet of Lot 5, Block 2, Woodland Park Twelfth Subdivision; excluding the west 5 feet and the east 20 feet of said Lot 5;

are hereby vacated. Such easements to be vacated are shown and more particularly described on

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.

Enacted: November 12, 2013.

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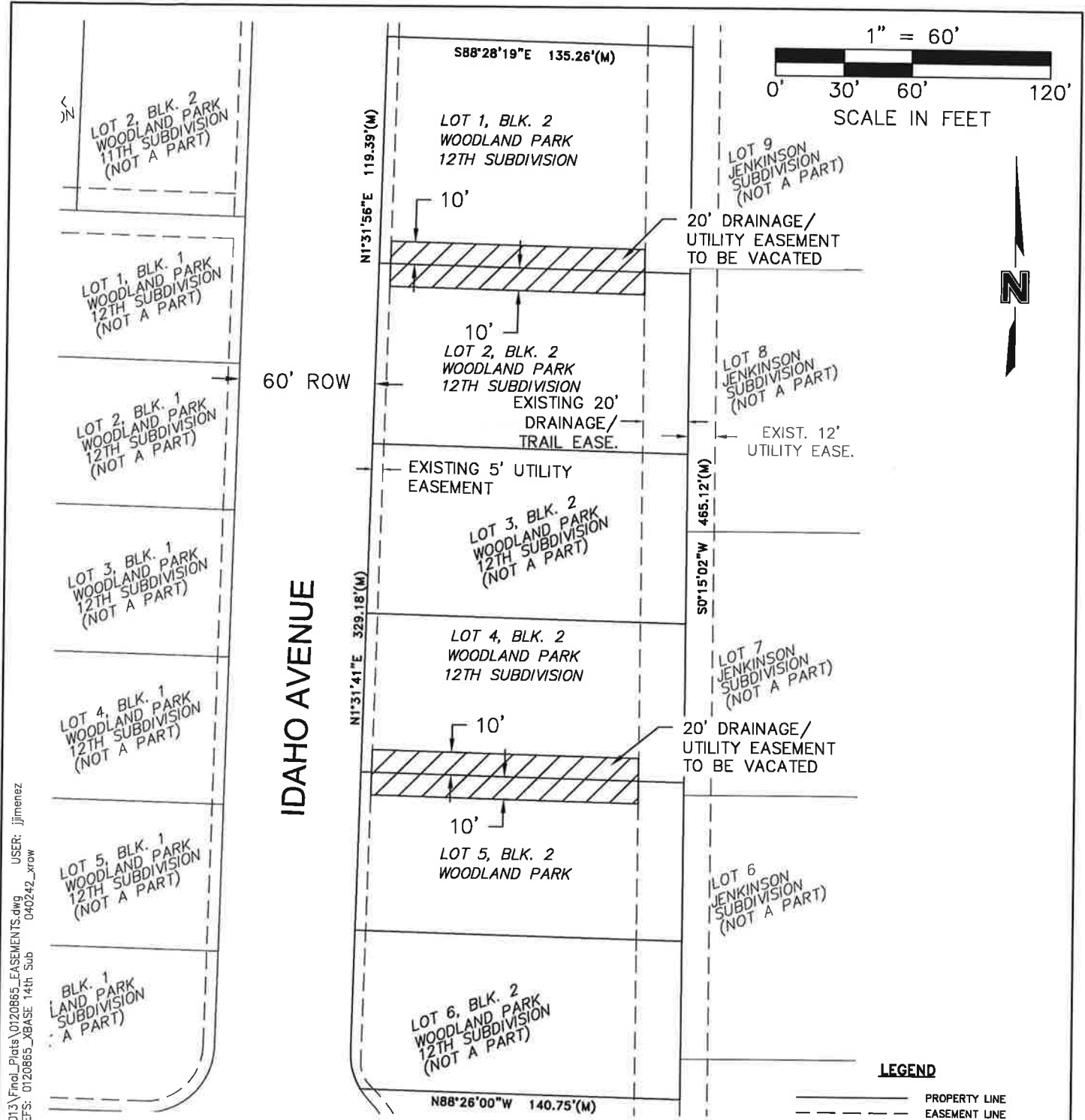
Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

DWG: F:\projects\012-0865\SRVY 2013\Final\_Plats\0120865\_EASEMENTS.dwg USER: jjimenez  
 DATE: Oct 31, 2013 11:18am XREFS: 0120865\_XBASE 14th Sub 040242\_xrow



**A DRAINAGE/UTILITY EASEMENT VACATION IN LOT 1, BLOCK 2, WOODLAND PARK 12TH SUB.**  
 A DRAINAGE/ UTILITY EASEMENT TO BE VACATED BEING THE SOUTH 10 FEET OF LOT 1, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 1.

**A DRAINAGE/UTILITY EASEMENT VACATION IN LOT 2, BLOCK 2, WOODLAND PARK 12TH SUB.**  
 A DRAINAGE/ UTILITY EASEMENT TO BE VACATED BEING THE NORTH 10 FEET OF LOT 2, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 2.

**A DRAINAGE/UTILITY EASEMENT VACATION IN LOT 4, BLOCK 2, WOODLAND PARK 12TH SUB.**  
 A DRAINAGE/ UTILITY EASEMENT TO BE VACATED BEING THE SOUTH 10 FEET OF LOT 4, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 4.

**A DRAINAGE/UTILITY EASEMENT VACATION IN LOT 5, BLOCK 2, WOODLAND PARK 12TH SUB.**  
 A DRAINAGE/ UTILITY EASEMENT TO BE VACATED BEING THE NORTH 10 FEET OF LOT 5, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 5.

PROJECT NO: 2012-0865	EASEMENT VACATION		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JMJ				1
DATE: 10/30/13				