



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item F-3

**#9476 - Consideration of Vacation of a Utility Easement Located in Copper Creek Estates Subdivision (The Guarantee Group, LLC)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Consideration of Vacation of a Utility Easement Located in Copper Creek Estates Subdivision (The Guarantee Group, LLC)

**Item #'s:** F-3

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

## **Background**

A utility easement was dedicated with the original Copper Creek Estates Subdivision plat on January 31, 2006. Such easement is not necessary to accommodate existing or proposed utilities and vacating it will support the new plat, which will be Copper Creek Estates Seventh Subdivision.

## **Discussion**

The developer/property owner of Cooper Creek Estates Subdivision is requesting to vacate the originally dedicated easement. There are no utilities currently within this easement that will be affected by this vacation. The attached sketch details the referenced easement 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 easement located in Copper Creek Estates Subdivision.

### **Sample Motion**

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9476

An ordinance to vacate existing 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 an existing utility easement within Copper Creek Estates Subdivision in Grand Island, Hall County, Nebraska, more particularly described as follows:

A TRACT OF LAND COMPORISING THE SOUTHERLY TEN (10) FEET OF LOTS EIGHT NINE (89), NIENTY (90), NINETY ONE (91) AND NINETY TWO (92); THE WESTERLY TEN (10) FEET OF THE SOUTHERLY SEVENTY FIVE (75) FEET OF THE NORTHERLY EIGHTY (80) FEET OF LOT EIGHTY NINE (89), NINETY (90), NINETY ONE (91) AND NINETY TWO (92); AND THE EASTERLY TEN (10) FEET OF THE SOUTHERLY SEVENTY FIVE (75) FEET OF THE NORTHERLY EIGHTY (80) FEET OF LOT NINETY TWO 92), ALL IN COPPER CREEK ESTATES SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, SAID TRACT CONTAINING 5700 SQ. FT. MORE OR LESS.

is hereby vacated. Such easement to be vacated is shown and more particularly described on Exhibit A attached hereto.

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney

ORDINANCE NO. 9476 (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: March 11, 2014

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Jay Vavricek, Mayor

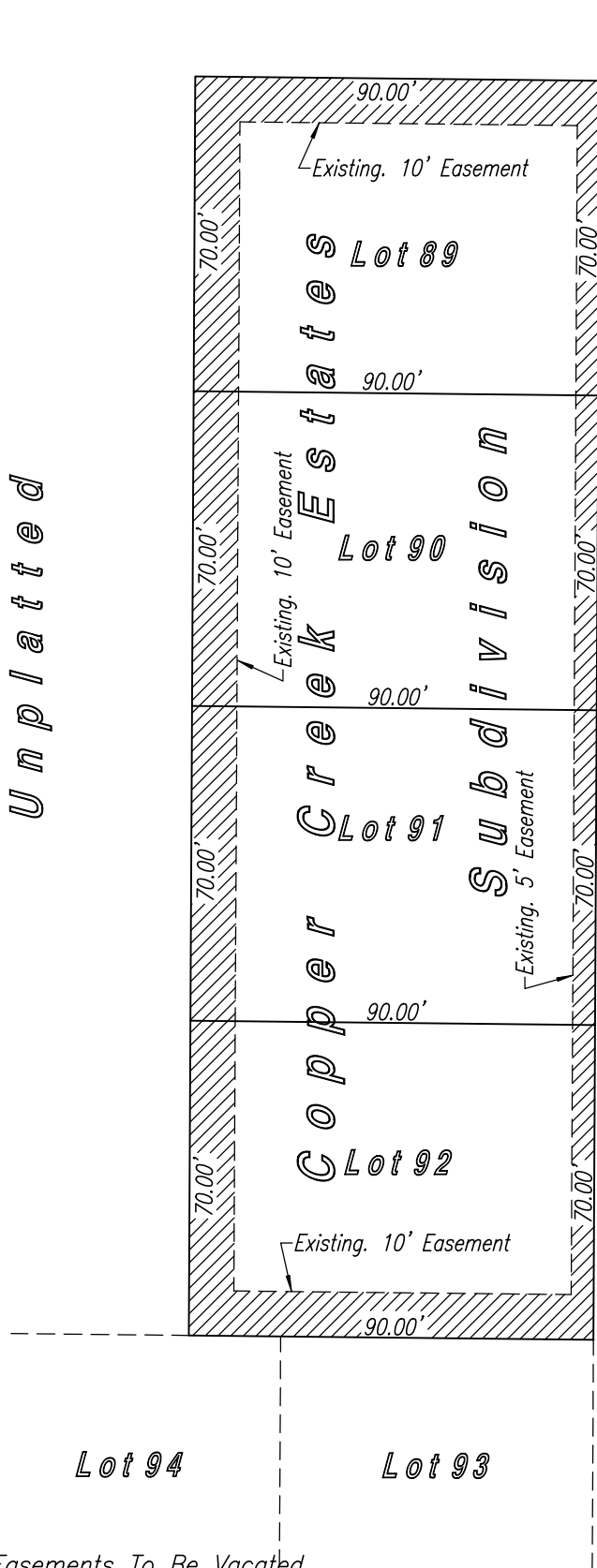
Attest:

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RaNae Edwards, City Clerk

Pt. NW 1/4, Sec. 23, T11N - R10W

Unplatted



Scale: 1" = 40'

Lovegrass Drive

**LEGEND**

—Indicates Easements To Be Vacated

**Description (Easement To Be Vacated)**

A tract of land comprising the southerly Ten (10.00) feet of Lots Eighty Nine (89), Ninety (90), Ninety One (91) and Ninety Two (92); the westerly Ten (10.00) feet of the southerly Seventy Five (75.00) feet of the northerly Eighty (80.00) feet of Lot Eighty Nine (89); the northerly Five (5.00) feet of Lots Eighty Nine (89), Ninety (90), Ninety One (91) and Ninety Two (92); and the easterly Ten (10.00) feet of the southerly Seventy Five (75.00) feet of the northerly Eighty (80.00) feet of Lot Ninety Two (92), all in Copper Creek Estates Subdivision, in the City of Grand Island, Nebraska, said tract containing 5700 Sq. Ft. more or less.

**Exhibit 'A'**

Date : February 28, 2014

Sheet No. 1 Of 1



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