
City of Grand Island

Item G10

#2001-338 Approving Acquisition of Utility Easement - Robert K. and Judith K. Poland

This item relates to the aforementioned Public Hearing. Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Robert K. and Judith K. Poland, located in Section 23-11-9 north of Stolley Park Road approximately ¼ mile east of Stuhr Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

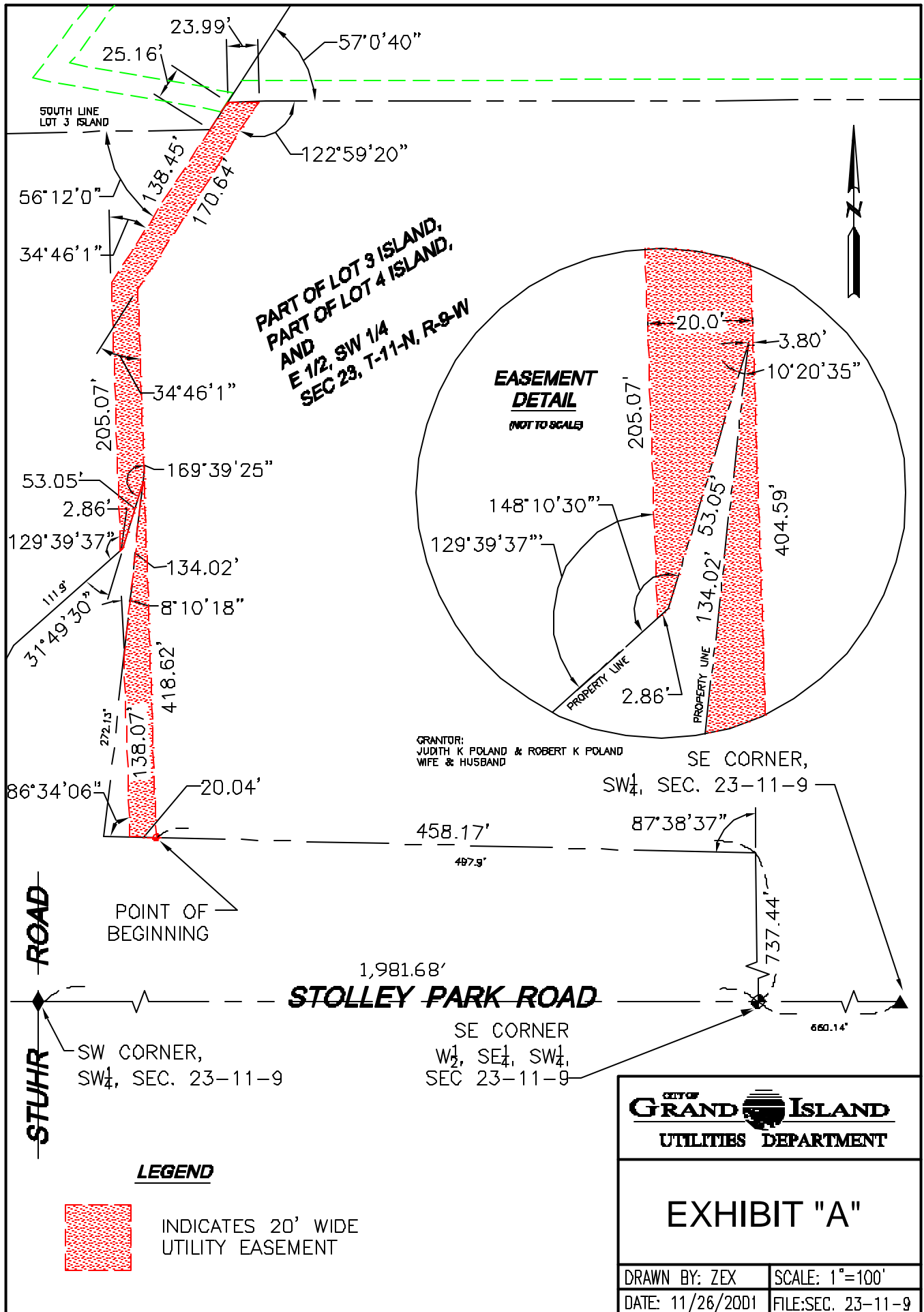
This easement is for an overhead distribution line originally constructed over 20 years ago. A termination pole had to be moved. To make sure the pole remained in the easement, an investigation of the property documents was completed. This revealed that no easement existed. This easement document will correct that situation and allows for the relocation of the termination pole.

One dollar (\$1.00) for the easement will be paid to the grantor. Approval is recommended. See attached RESOLUTION.



Tuesday, December 18, 2001

Council Session



RESOLUTION 2001-338

WHEREAS, a public utility easement is required by the City of Grand Island, from Robert K. Poland and Judith K. Poland, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on December 18, 2001, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3) Island, Lot Four (4) Island and the East Half of the Southwest Quarter (E1/2, SW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West; thence easterly along the southerly line of said Section Twenty Three (23), a distance of One Thousand Nine Hundred Eighty One and Sixty Eight Hundredths (1981.68) feet to the southeast corner of the West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4) of said Section Twenty Three (23); thence northerly along the easterly line of said West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4), a distance of Seven Hundred Thirty Seven and Forty Four Hundredths (737.44) feet; thence deflecting left 87°38'37" northwesterly, a distance of Four Hundred Fifty Eight and Seventeen Hundredths (458.17) feet to the Actual Point of Beginning; thence continuing westerly on the last described course, a distance of Twenty and Four Hundredths (20.04) feet; thence deflecting right 86°34'06", a distance of One Hundred Thirty Eight and Seven Hundredths (138.07) feet; thence deflecting right 8°10'18" northeasterly along a line described in Document 99-110079 recorded in the Register of Deeds Office, Hall County, Nebraska; a distance of One Hundred Thirty Four and Two Hundredths (134.02) feet; thence deflecting left 169°39'25" southwesterly, a distance of Fifty Three and Five Hundredths (53.05) feet; thence deflecting right 31°49'30" southwesterly, a distance of Two and Eighty Six Hundredths (2.86) feet; thence deflecting right 129°39'37" northerly, a distance of Two Hundred Five and Seven Hundredths (205.07) feet; thence deflecting right 34°46'01" northeasterly, a distance of One Hundred Thirty Eight and Forty Five Hundredths (138.45) feet to a point on the south line of Lot Three (3) Island, Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West, said point being the most southeasterly corner of a tract of land described in Document 87-104260 recorded in the Register of Deeds Office, Hall County, Nebraska; thence continuing along the last described course and being the most easterly line of said reference tract, a distance of Twenty Five and Sixteen Hundredths (25.16) feet to the southwest corner of a tract of land described in Document 86-107401 recorded in the Register of Deeds Office, Hall County, Nebraska; thence deflecting right 57°0'40" easterly, along the southerly line of said referenced tract, a distance of Twenty Three and Ninety Nine Hundredths (23.99) feet; thence deflecting right 122°59'20" southwesterly, a distance of One Hundred Seventy and Sixty Four Hundredths (170.64)

Approved as to Form ? _____
December 14, 2001 ? City Attorney

feet; thence deflecting left 34°46'01" southerly, a distance of Four Hundred Eighteen and Sixty Two Hundredths (418.62) feet to the Point of Beginning.

The above-described easement and right-of-way containing a total of 0.253 acres, more or less as shown on the plat dated November 26, 2001, marked Exhibit "A" attached hereto and incorporated herein by reference.

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 acquire a public utility easement from Robert K. Poland and Judith K. Poland, husband and wife, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney