



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item F1

#8733 - Consideration of Conveyance of Real Estate in Part of Block 13, Koehler Subdivision to Correct Title Defect

On March 27, 1942, the City of Grand Island authorized condemnation of several tracts of land to be used in Pier Park, including all of Block 13, Koehler Subdivision, Grand Island, Hall County, Nebraska. The South 100 feet of Block 13 contained two houses, neither of which were utilized as park property. Later the City authorized the sale of this tract; however, for reasons unknown, the documents which conveyed title to the buyer were not properly recorded. A local title insurance company has asked that the City prepare and approve replacement documents to correct this defect in the chain of title to the South 100 feet of Block 13. This conveyance which is now before the Council does nothing more than correct a defect in the chain of title and does not involve a new transaction or the exchange of funds. Approval of the ordinance correcting the chain of title to the South 100 feet of Block 13, Koehler Subdivision, Grand Island, Hall County, Nebraska, as drafted is recommended.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8733

An ordinance to direct and authorize the conveyance of two tracts of land comprising of a part of Block Thirteen, Koehler Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for the giving of notice of such conveyance and the terms thereof; to provide for the right to file a remonstrance against such conveyance; and to provide for publication and the effective date of this ordinance.

WHEREAS, on March 27, 1942, by Ordinance 1910, the City of Grand Island authorized the condemnation of all of Blocks 13, 14, and 15 in Koehler Subdivision to be used for Pier Park; and

WHEREAS, the south one hundred (100.0) feet of Block Thirteen (13) Koehler Subdivision contains two houses, neither of which is utilized as park property; and

WHEREAS, in order to establish a clear chain of title to the property in the south one hundred (100.0) feet of Block Thirteen, Koehler Subdivision, a Quitclaim Deed from the City to the current property owners is appropriate.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The conveyance to Darrin M. Watro and Judilyn M. Watro, husband and wife, of a tract of land comprising of the East Eighty (80.0) feet of the South One Hundred (100.0) feet of Block Thirteen (13), Koehler Subdivision in the City of Grand Island, Hall County, Nebraska; is hereby authorized and directed.

SECTION 2. The conveyance to Peter L. Pittz and Ellen F. Pittz, husband and wife, of a tract of land comprising of the south One Hundred (100.0) feet, except the east Eighty

ORDINANCE NO. 8733 (Cont.)

(80.0) feet of the south One Hundred (100.0) feet of Block Thirteen (13), Koehler Subdivision, located on part of the Southeast Quarter of the Southwest Quarter (SE1/4, SW1/4) of Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West and part of Lot Fourteen (14) of the County Subdivision of the West Half of the Southwest Quarter (W1/2, SW1/4) of Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska; is hereby authorized and directed.

SECTION 3. The consideration for each such conveyance shall be One Dollar (\$1.00). A title insurance policy is not required to be furnished by the City.

SECTION 4. As provided by law, notice of such conveyance and the terms thereof shall be published for three consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish such notice.

SECTION 5. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by legal electors of the City of Grand Island equal in number to thirty percent of the electors of the City of Grand Island voting at the last regular municipal election held in such City be filed with the city council within thirty days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

SECTION 6. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor and City Clerk shall make, execute and deliver to the parties identified above, a Quitclaim Deed for said

ORDINANCE NO. 8733 (Cont.)

real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

SECTION 7. 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: April 23, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk