



City of Grand Island

Tuesday, May 21, 2002

Council Session

Item F1

#8721 - Consideration of Conveyance of Real Estate in Meadowlark West Third Subdivision and Part of the SE1/4 NE1/4 of Section 13-11-10 Hall County, Nebraska to Reconfigure Detention Cell

The Robert M. Allen Family Limited Partnership, the owner of Eagle Run, has requested that Detention Cell B-6A previously dedicated to the City of Grand Island be reconfigured in order to accommodate future commercial development of Meadowlark West Fourth Subdivision. A public hearing regarding this matter was held during the February 26, 2002 City Council meeting. The Public Works Department has reviewed and approved the reconfiguration. There are two actions before the Council in connection with this matter, including (a) an ordinance approving acquisition of the reconfigured cell as Outlot "A", and (b) approving an exchange agreement swapping the existing detention cell B-6A tract for Outlot "A". Other than the cost of preparation of documents for presentation to the City Council and the publication of a notice of public hearing, the City of Grand Island is incurring no other expenses in connection with the exchange transaction. We recommend that the ordinance and resolution be approved as drafted.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8721

An ordinance to direct and authorize the conveyance of a tract of land located in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in 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.

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

SECTION 1. The conveyance to Robert M. Allen Family Limited Partnership of a tract of land known as Detention Cell B-6A located in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows is hereby authorized and directed:

To ascertain the actual point of beginning, commence at the southeast corner of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4); thence running north on the east line of said Section Thirteen (13) for a distance of Seven Hundred (700.0) feet; thence deflecting left ninety degrees and no minutes (90°00') and running west on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; thence continuing west on said line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running north on a line for a distance of Two Hundred Seventy (270.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running east on a line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running south on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; said tract of land containing 62,100 square feet, or 1.4 acres, more or less, identified as Cell B-6A as shown on Exhibit "B" dated 2-6-74, attached hereto and incorporated herein by reference. The description herein is set out in a Warranty Deed dated July 23, 1974 and recorded on July 31, 1974 in

Approved as to Form ? _____ May 16, 2002 ? City Attorney

ORDINANCE NO. 8721 (Cont.)

Miscellaneous Records Book 175, Page 526 in the Office of the Register of Deeds, Hall County, Nebraska.

SECTION 2. The consideration for such conveyance shall be the acquisition of a tract of land consisting of approximately 1.47 acres, more or less, located in a part of Lot Six (6), Meadowlark West Third Subdivision to be used for the reconfiguration of such detention cell. Such conveyance shall be conditioned upon the terms and conditions of an Exchange Agreement between the parties. A title insurance policy is not required to be furnished by the City.

SECTION 3. 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 4. 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 5. 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 Robert M. Allen Family Limited Partnership, a deed for

ORDINANCE NO. 8721 (Cont.)

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

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, without the drawing, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: May 21, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk