



# City of Grand Island

Tuesday, August 13, 2002

Council Session

## Item G12

### **#2002-235 - Approving Acquisition of Right of Way for Hike/Bike Trail Adjacent to St. Joe Railroad Track**

*This resolution is the action item related to the public hearing on the acquisition of hike/bike trail right of way along the St. Joe Line from Roccene Baasch (Mrs. Jon Baasch). The right of way will align with the existing trail running south to Stolley Park Road. Because we expect that negotiations will not be successful, the resolution as drafted allows the City to use its powers of eminent domain to acquire the right of way.*

Staff Contact: Charlie Cuypers

RESOLUTION 2002-235

WHEREAS, the City is interested in acquiring property from Roccene Baasch, a single person, for the purpose of public right-of-way to more appropriately connect the St. Joe Line hike/bike trail to the Beltline hike/bike trail in a more user friendly design; and

WHEREAS, a public hearing was held on August 13, 2002 for the purpose of discussing the proposed acquisition of right-of-way being more particularly described as follows:

West Sixteen (16.0) feet of the East Twenty-Seven (27.0) feet of Lot One (1), Block One (1), Dawn Addition to the City of Grand Island, Hall County, Nebraska

WHEREAS, Section 19-709, R.R.S. 1943, authorizes the City to appropriate private property for use of the City for public facilities; and

WHEREAS, it may be necessary to resolve this matter through the commencement of eminent domain proceedings.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to acquire public right-of-way from Roccene Baasch, a single person, for the above-described property.

BE IT FURTHER RESOLVED, that if the acquisition of the above-described property cannot be successfully negotiated, that the City Attorney is hereby authorized and directed to commence condemnation proceedings on behalf of the City of Grand Island to acquire the following property as public right-of-way:

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Adopted by the City Council of the City of Grand Island, Nebraska on August 13, 2002.

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RaNae Edwards, City Clerk

Approved as to Form ? _____ August 9, 2002 ? City Attorney
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