



City of Grand Island

Tuesday, September 24, 2002

Council Session

Item F6

#8776 - Consideration of Conveyance of a Tract of Land in the Southeast Quarter (SE1/4) of Section 23-11-11

The tract of land involved in this transaction was originally part of the CHAAP system of Hike/Bike Trails, however when the adjoining farmland was sold, the purchaser removed a half mile of shelterbelt which was adjacent to the trail, consisting of evergreens and a variety of deciduous trees, effectively leaving the trail with a barren, unattractive appearance. The U.S. Army Corps of Engineers granted the City another trail route that included some trees and vegetation with the understanding that the City could sell the first right of way if an opportunity came along. We have received an offer to buy the right of way from Doug Petersen, the owner of the main tract of farmland, for a price of \$1,000/acre, an amount that adequately compensates the City for its investment in this trail.

The terms of the transaction are quite simple. The City is proposing to give the buyer a quitclaim deed. There is no need to have survey work done since this was performed just a couple of years ago. Likewise, the buyer will satisfy himself as the quality of the title and there will be no title insurance required as part of the deal. Basically, the City is getting its investment back and Mr. Petersen is getting full ownership of the trail right of way.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8776

An ordinance to direct and authorize the conveyance of a tract of land located in a part of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) 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 Doug Petersen of a tract of land located in a part of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows is hereby authorized and directed:

All of the westerly Thirty (30.0) feet of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6th P.M. in Hall County, Nebraska; AND

All of the northerly Thirty (30.0) feet of the southerly Sixty Three (63.0) feet of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6th P.M. in Hall County, Nebraska.

The combined area of the above-described tracts measures 3.57 acres, more or less.

SECTION 2. The consideration for such conveyance shall be Three Thousand Five Hundred Seventy Dollars (\$3,570.00). Such conveyance shall be by Quit Claim Deed. A title insurance policy is not required to be furnished by the City.

ORDINANCE NO. 8776 (Cont.)

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 Doug Petersen a Quit Claim Deed for 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, within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: September 24, 2002.

Ken Gnadt, Mayor

ORDINANCE NO. 8776 (Cont.)

Attest:

RaNae Edwards, City Clerk