



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item F1

### **#8850 - Consideration of Vacation of Utility Easement in the Parking Lot East of Whiskey Creek Steakhouse on Lot Two, Park Island Square 6th Subdivision**

*Background:*

*An easement was acquired from Mid-Country Trading LLC for the installation of electrical conduit and wire in January, 2002, across a part of Lot One (1) Park Island Square 5th Subdivision. The conduit was installed but the high voltage cable was not.*

*Discussion:*

*The property has subsequently been re-subdivided (currently part of Lot Two(2), Park Island Square 6th Subdivision), with a new building scheduled to be constructed that would encroach into the easement.*

*The property owner included a new easement with the new subdivision plat which was approved by City Council. The owner will also pay to relocate the electrical conduit into the new easement.*

*Recommendation:*

*The Utilities Department staff would recommend that Council approve the request to vacate the easement as shown on the attached plat.*

*Fiscal Effects:*

*None.*

*Alternatives:*

*Do not approve request. See attached RESOLUTION.*

Staff Contact: Gary R. Mader

## VACATION OF UTILITY EASEMENT

### ORDINANCE #8850

.... this ordinance is to vacate an acquired Utility Easement as recorded in document 200200883 in the Register of Deeds Office, Hall County, Nebraska. Said easement located in part of Lot Two (2) Park Island Square Sixth Subdivision, in the City of Grand Island, Hall County, Nebraska, and being more particularly described as follows:

Beginning at the Northwest corner of Lot Four (4) Crane Valley Fourth Subdivision; thence westerly along the southerly line of Lot Two (2) Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet; thence northwesterly, a distance of fifty-seven and sixty-eight hundredths (57.68) feet to a point on the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence northerly along the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of seventeen and forty-five (17.45) feet to a property corner of Lot One (1) said Park Island Square Sixth Subdivision; thence easterly parallel with the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of eleven and ninety-five hundredths (11.95) feet; thence southeasterly, a distance of seventy-eight and ninety-five hundredths (78.95) feet to a point on the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence westerly along the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet to the said point of beginning.

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8850

An ordinance to vacate an existing easement and right-of-way located in a part of Lot Two (2), Park Island Square Sixth Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; 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. That the existing easement and right-of-way recorded as Document No. 200200883 in the Hall County Register of Deeds office, Hall County, Nebraska, and located in a part of Lot Two (2), Park Island Square Sixth Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby vacated:

Beginning at the Northwest corner of Lot Four (4) Crane Valley Fourth Subdivision; thence westerly along the southerly line of Lot Two (2) Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet; thence northwesterly, a distance of fifty-seven and sixty-eight hundredths (57.68) feet to a point on the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence northerly along the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of seventeen and forty-five

Approved as to Form    ☐ \_\_\_\_\_  
September 19, 2003    ☐ City Attorney

ORDINANCE NO. 8850 (Cont.)

(17.45) feet to a property corner of Lot One (1) said Park Island Square Sixth Subdivision; thence easterly parallel with the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of eleven and ninety-five hundredths (11.95) feet; thence southeasterly, a distance of seventy-eight and ninety-five hundredths (78.95) feet to a point on the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence westerly along the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet to the said point of beginning; as shown on the plat dated September 9, 2003, attached hereto and incorporated herein by reference.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate abutting the same in proportion to the respective ownership of such real estate.

SECTION 3. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

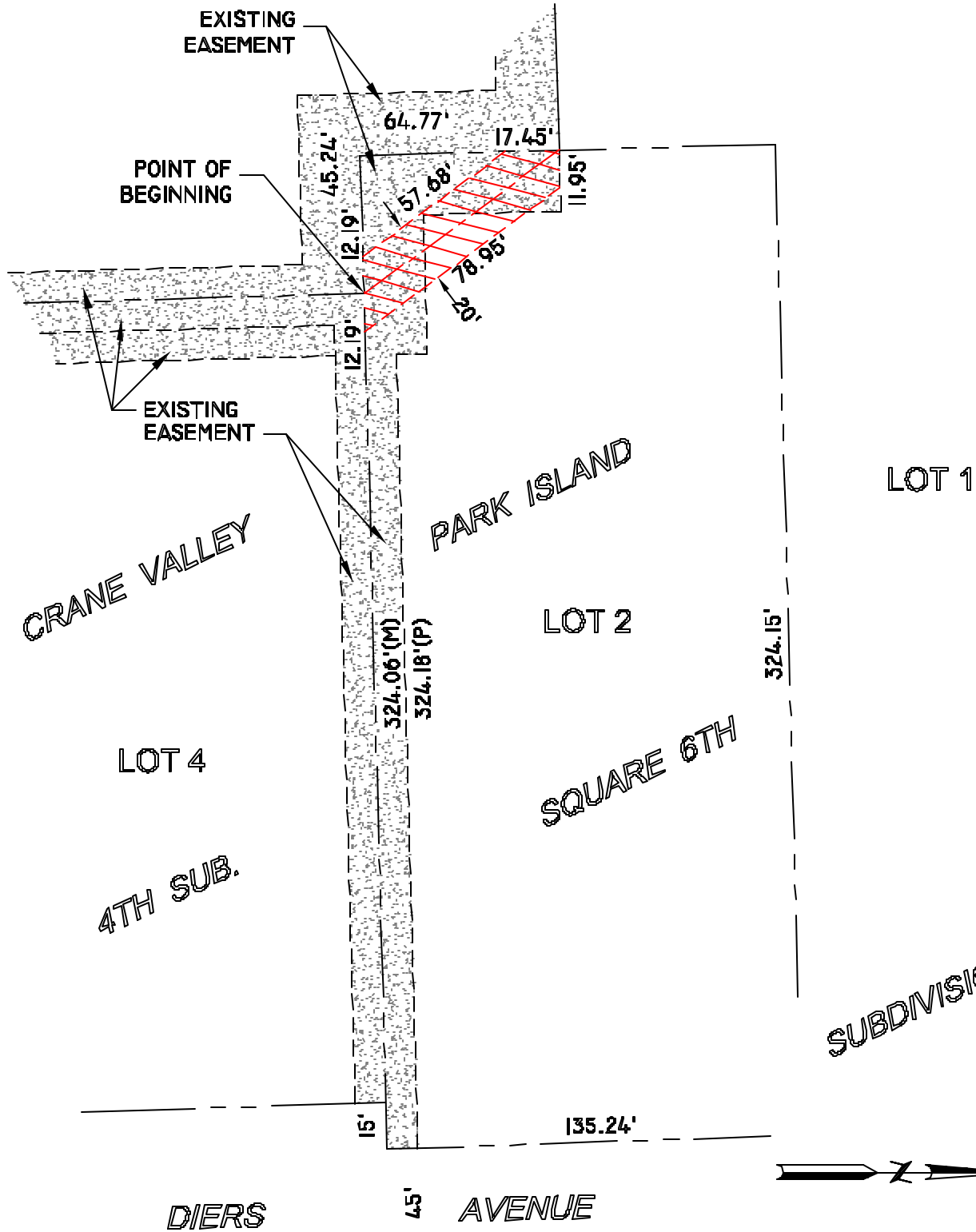
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: September 23, 2003.

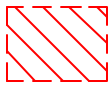
\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk



**LEGEND**



INDICATES 20' WIDE UTILITY EASEMENT - RECORDED IN DOCUMENT 200200883, REGISTER OF DEEDS OFFICE, HALL COUNTY, NEBRASKA - TO BE VACATED.



INDICATES EXISTING EASEMENTS TO REMAIN.

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

PLAT TO ACCOMPANY  
ORDINANCE # 8850

SHEET: 1 OF 1	SCALE: 1"=50'
DATE: 9/09/2003	FILE: PARK ISLE