



# City of Grand Island

Tuesday, October 28, 2003

Council Session

## Item F3

### **#8859 - Consideration of Vacation of Easement Located at 5018 Antelope Drive (Wildwood Subdivision)**

#### *Background*

*ROBCO, LLC is the owner of Lot's 1, 2 and 3 in Wildwood Subdivision located at 5018 Antelope Drive. The owner has requested that the city vacate a public utility easement to allow for their use of the area. In turn they will grant a public utility easement in another area of their property. Council action is necessary for the City of Grand Island to vacate and acquire public easements.*

#### *Discussion*

*The owner wishes to construct an addition to an existing building and needs to have the public easement vacated to facilitate their construction plans. Accordingly, it is now time for Council approval of the easement acquisition, as well as authorizing the vacation of the existing easement.*

#### *Recommendation*

*Approve the Ordinance for vacation of the easement.*

#### *Financial Implications*

*None*

#### *Alternatives*

*Deny this request. This would result in no easement vacation or easement acquisition and would curtail ROBCO's construction plans.*

Staff Contact: Steven P. Riehle, Public Works Director/City Eng

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8859

An ordinance to vacate existing easements located in Wildwood 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 located in a part of Lots One (1), Two (2), and Three (3), Wildwood Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows, and shaded and identified on Exhibit "A" dated October 6, 2003, attached hereto and incorporated herein by reference, is hereby vacated:

The south Eight (8.0) feet of Lot One (1) Wildwood Subdivision, the south Eight (8.0) feet of the east One Hundred Thirty Five (135.0) feet of Lot Two (2) Wildwood Subdivision, and the north Eight (8.0) feet of the east Three Hundred Thirty Five (335.0) feet of Lot Three (3) Wildwood Subdivision.

Approved as to Form    ☐ \_\_\_\_\_  
October 23, 2003        ☐ City Attorney

ORDINANCE NO. 8859 (Cont.)

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 drawing, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: October 28, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk