



City of Grand Island

Tuesday, December 09, 2003

Council Session

Item G22

#2003-358 - Approving Acquisition of Utility Easement - 5th & Cleburn - Walnut Housing, LTD

This item relates to the aforementioned Public Hearing.

Background:

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Walnut Housing, LTD, located at 5th and Cleburn, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

The easement will be used to locate new cable on a pad-mounted transformer to serve the remodeled complex.

Recommendation:

Approve the request to obtain the needed easement.

Fiscal Effects:

One dollar (\$1.00) for the easement will be paid to the grantor.

Alternatives:

As suggested by City Council.

Staff Contact: Gary R. Mader

R E S O L U T I O N 2003-358

WHEREAS, a public utility easement is required by the City of Grand Island, from Walnut Housing, Ltd., a Nebraska limited partnership, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Cleburn Street between Fifth Street and Sixth Street, vacated as per City of Grand Island Ordinance No. 3100; and part of Lot Five (5), Lot Six (6) and Lot Seven (7), Block Thirteen (13), Original Town, now city of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Lot Five (5), Block Thirteen (13), Original Town; thence southwesterly along the northerly right-of-way line of Fifth Street, a distance of seven and seventy eight hundredths (7.78) feet to the Actual point of beginning; thence deflecting right 93°01'02" and running northwesterly, a distance of eighty nine and thirty four hundredths (89.34) feet; thence deflecting right 78°41'40" and running northeasterly, a distance of one hundred sixty (160.0) feet.

The above-described easement and right-of-way containing 0.116 acres, more or less, as shown on the plat dated November 20, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Walnut Housing, Ltd., a Nebraska limited partnership, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ December 4, 2003 <input type="checkbox"/> City Attorney

