



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F2

#8880 - Consideration of Vacation of Utility Easement - Park Island Square 6th Subdivision

Background:

Two easements were acquired from Mid Country, L.L.C. for placement of primary electrical lines, in November, 1999, across part of Lot One (1), and part of Lot Two (2) Park Island Square 6th Subdivision.

Discussion:

Mid-Country LLC is expanding the Slumberland building across the easement shown on Exhibit A. They are giving an easement to replace this easement and will pay to relocate the underground electric primary system.

Recommendation:

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

Fiscal Effects:

None.

Alternatives:

Do not approve request.

Staff Contact: Gary R. Mader

VACATE EASEMENTS - ORDINANCE NO.8880

Requested by Mid-Country Trading LLC, by Ray O'Conner
to accommodated expansion of Slumberland Furniture Store

Tract No. 1:

... vacate part of an easement and right-of-way recorded in document 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Sixth Subdivision in the City of Grand Island, Hall County, Nebraska ...

... that part of the twenty (20.0) foot wide easement and right-of-way to be vacated being more particularly described as follows:

The easterly twenty (20.0) feet of the westerly one hundred sixteen (116.0) feet of the southerly one hundred ninety nine (199.0) feet of the northerly two hundred nine (209.0) feet of Lot One (1) Park Island Square Sixth Subdivision. The above described tract containing 0.09 acres more or less

and

Tract No. 2:

... vacate part of an easement and right-of-way recorded in document 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island Square Sixth Subdivision, both in the City of Grand Island, Hall County, Nebraska ...

... the centerline of that part of the easement and right-of-way to be vacated being more particularly described as follows:

Referring to the northwest corner of Lot One (1) Park Island Square Sixth Subdivision; thence southerly along the westerly line of said Lot One (1) Park Island Square Sixth Subdivision, a distance of ten (10.0) feet to the original platted southwest corner of Lot Two (2) Park Island Square Fourth Subdivision; thence N 89° 27' 29" E along the southerly line of said original platted Lot Two (2), Park Island Square Fourth Subdivision, a distance of one hundred six (106.0) feet to the ACTUAL POINT OF BEGINNING; thence N 0° 32' 31" W, a distance of fifty one and forty nine hundredths (51.49) feet. The side lines of the above described tract shall be prolonged or shortened as required, to terminate on the boundary of a northeasterly easement and right-of-way bearing N 62°59'47"E. The above described tract containing 0.046 acres more or less ...

... all as shown on the plat 12/9/2003, marked Exhibit "A", attached hereto and incorporated herein by reference.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8880

An ordinance to vacate an existing easement and right-of-way recorded in Document No. 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Sixth Subdivision; to vacate an existing easement and right-of-way recorded in Document No. 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island 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 portion of easement and right-of-way, more particularly described as follows, is hereby vacated:

Tract No. 1:

A part of an easement and right-of-way recorded in Document No. 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat

Approved as to Form ✕ _____
December 18, 2003 ✕ City Attorney

ORDINANCE NO. 8880 (Cont.)

of Park Island Square Sixth Subdivision in the City of Grand Island, Hall County, Nebraska; the twenty (20.0) foot wide easement and right-of-way being vacated being more particularly described as follows:

The easterly twenty (20.0) feet of the westerly one hundred sixteen (116.0) feet of the southerly one hundred ninety nine (199.0) feet of the northerly two hundred nine (209.0) feet of Lot One (1) Park Island Square Sixth Subdivision. The above described tract containing 0.09 acres, more or less as shown on the plat dated December 9, 2003, marked Exhibit "A", attached hereto and incorporated herein by reference.

Tract No. 2:

A part of an easement and right-of-way recorded in Document No. 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island Square Sixth Subdivision, both in the City of Grand Island, Hall County, Nebraska; the centerline of that part of the easement and right-of-way to be vacated being more particularly described as follows:

Referring to the northwest corner of Lot One (1) Park Island Square Sixth Subdivision; thence southerly along the westerly line of said Lot One (1) Park Island Square Sixth Subdivision, a distance of ten (10.0) feet to the original platted southwest corner of Lot Two (2) Park Island Square Fourth Subdivision; thence N89°27'29"E along the southerly line of said original platted Lot Two (2), Park Island Square Fourth Subdivision, a distance of One Hundred Six (106.0) feet to the Actual Point of Beginning; thence N0°32'31"W, a distance of fifty one and forty nine hundredths (51.49) feet. The side lines of the above described tract shall be prolonged or shortened as required, to terminate on the boundary of a northeasterly easement and right-of-way bearing N62°59'47"E. The above described tract containing 0.046 acres, more or less as shown on the plat dated December 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.

ORDINANCE NO. 8880 (Cont.)

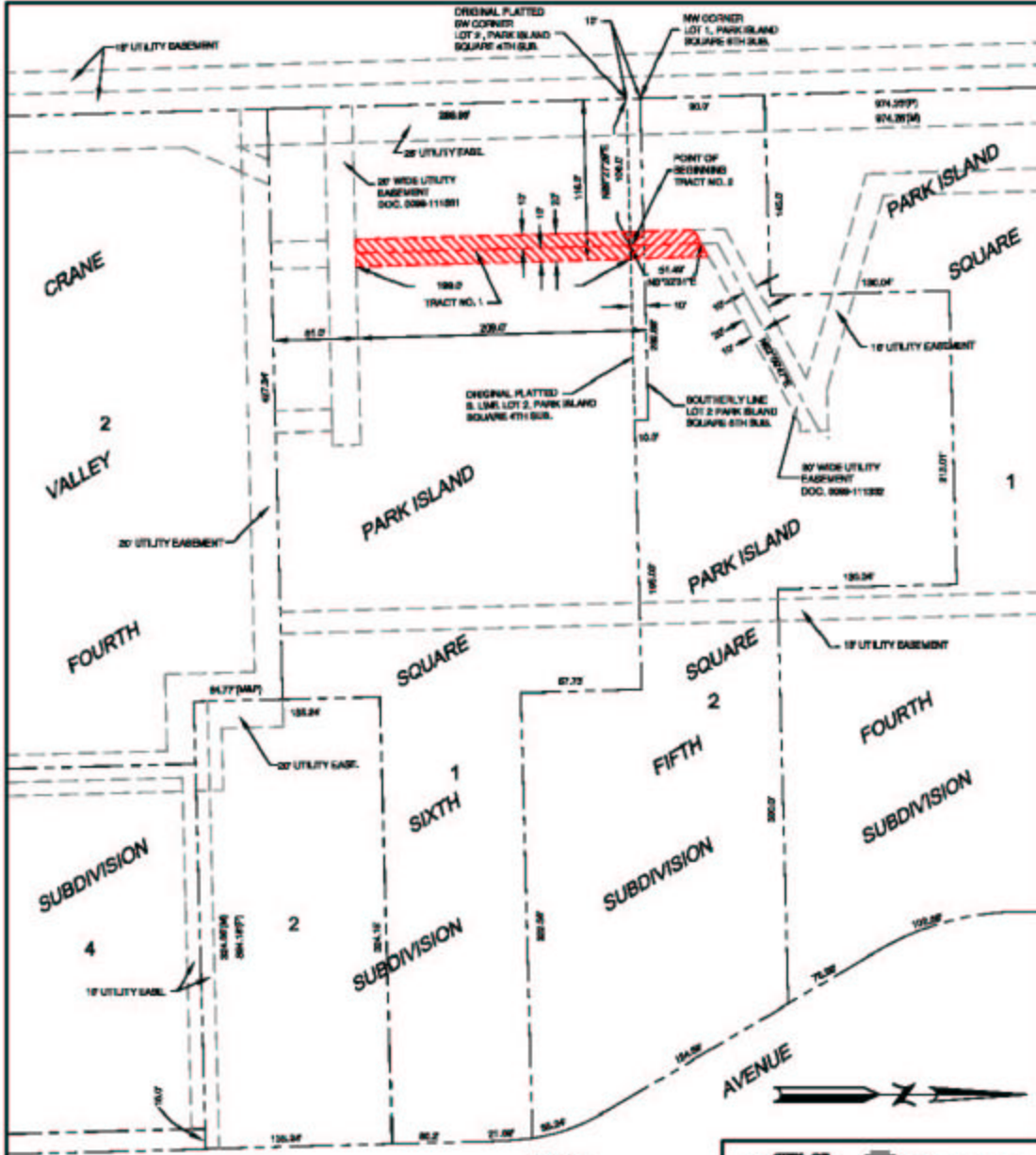
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: December 23, 2003.



Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



LEGEND

- 
 TRACT NO. 1: INDICATES THAT PART OF THE EASEMENT RECORDED IN DOC. 0096-111331 VACATED BY ORD. NO. 8880
- 
 TRACT NO. 2: INDICATES THAT PART OF THE EASEMENT RECORDED IN DOC. 0096-111332 VACATED BY ORD. NO. 8880

CITY OF GRAND ISLAND UTILITIES DEPARTMENT	
EXHIBIT "A" PLAT TO ACCOMPANY ORDANCE NO. 8880	
DRN BY: K.J.M.	SCALE: 1" = 100'
DATE: 12/9/2003	FILE: P.I.S. 5TH