



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G6

#2003-381 - Approving Acquisition of Utility Easement - 3537 West 13th Street - Mid-Country Trading, L.L.C.

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 Mid-Country Trading, L.L.C. located behind Slumberland Furniture at 3537 West 13th Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Mid-Country Trading L.L.C. is in the process of expanding the Slumberland building to the west. This requires the relocation of the primary underground electric system into this new easement.

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

RESOLUTION 2003-381

WHEREAS, a public utility easement is required by the City of Grand Island, from Mid-Country Trading, L.L.C., a Nebraska limited liability company, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Two (2) Park Island Square Fifth Subdivision in the city of Grand Island, Hall County, Nebraska, the centerline of the easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of Lot Two (2) Park Island Square Fifth Subdivision; thence N89°27'29"E along the southerly line of said Lot Two (2) Park Island Square Fifth Subdivision, a distance of ninety six (96.0) feet to a point on the westerly line of the easement described in Document 0099-111332 recorded in the Register of Deeds Office, Hall County, Nebraska; thence N0°32'31"W along the westerly line of the said easement described in Document No. 0099-111332, a distance of forty seven and fifty nine hundredths (47.59) feet to the actual point of beginning; thence S62°59'47"W, a distance of one hundred fifteen and fifty five hundredths (115.55) feet to a point on the southerly line of said Lot Two (2) Park Island Square Fifth Subdivision. The side lines of the above described easement and right of way being prolonged or shortened as required to terminate on the westerly boundary of said easement described in Document 0099-111332; and the southerly and westerly line of said Lot Two (2) Park Island Square Fifth Subdivision.

The above-described easement and right-of-way containing 0.046 acres, more or less, as shown on the plat dated December 9, 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 Mid-Country Trading, L.L.C., a Nebraska limited liability company, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 23, 2003.

RaNae Edwards, City Clerk

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| Approved as to Form | ☐ _____ |
| December 18, 2003 | ☐ City Attorney |

