



# City of Grand Island

Tuesday, January 13, 2004

Council Session

## Item G16

### **#2004-5 - Approving Acquisition of Utility Easement - 3356 North Gunbarrel Road - Elstermeier**

*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 Herman E., Robin E., and Janet L. Elstermeier, located at 3356 North Gunbarrel Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

***Discussion:***

*The electric customer is installing a pivot sprinkler system on the property and needs clearance from the overhead power line. This easement will be used for that relocated line, which will be paid for by the customer.*

***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 2004-5

WHEREAS, a public utility easement is required by the City of Grand Island, from Herman E. Elstermeier, a single person, and Robin E. Elstermeier and Janet L. Elstermeier, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on January 13, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southeast Quarter (SE1/4) of Section Thirty Six (36), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in the 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:

Referring to the southeast corner of the Southeast Quarter (SE1/4) of Section Thirty Six (36), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M., located in Hall County, Nebraska; thence northerly along the easterly line of the said Southeast Quarter (SE1/4), a distance of nine hundred seventeen and thirty eight hundredths (917.38) feet; thence deflecting left 104°26'14" and running southwesterly, a distance of thirty four and eight hundredths (34.08) feet to the Actual Point of Beginning, being a point on the westerly right-of-way line of Gunbarrel Road; thence continuing southwesterly on the last described course, a distance of four hundred fourteen and sixty hundredths (414.60) feet; thence deflecting right 08°24'53" and running westerly, a distance of one hundred forty three and fifty one hundredths (143.51) feet; thence deflecting right 55°42'56" and running northwesterly, a distance of two hundred ninety four and sixty eight hundredths (294.68) feet to the point of termination.

The above-described easement and right-of-way containing 0.392 acres, more or less, as shown on the plat dated December 30, 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 Herman E. Elstermeier, a single person, and Robin E. Elstermeier and Janet L. Elstermeier, husband and wife, on the above-described tract of land.

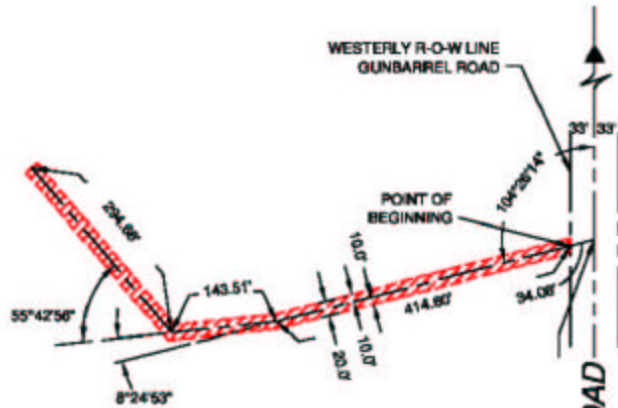
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Adopted by the City Council of the City of Grand Island, Nebraska, January 13, 2004.

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RaNae Edwards, City Clerk


Approved as to Form	☐ _____
January 8, 2004	☐ City Attorney



GRANTEE SHALL HAVE THE RIGHT TO PLACE ELECTRICAL LINE ANCHORS AND/OR ANCHORS WITH GUY WIRES ATTACHED THERETO ON GRANTORS PROPERTY IN SUPPORT OF SUCH UTILITIES AS REQUIRED.

PART OF SE1/4,  
SEC. 36, T-12-N, R-9-W

# LEGEND

 INDICATES 20' WIDE UTILITY EASEMENT

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

## EXHIBIT "A"

DRAWN BY: P.F.G. SCALE: 1"=200'

DATE: 12/30/2003 FILE: Elstermeier