



City of Grand Island

Tuesday, November 23, 2004

Council Session

Item F1

#8942 - Consideration of Vacation of Utility Easement Located on Lot 1, Heartland Event Center First Subdivision - Heartland Events Center

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: November 23, 2004
Subject: Vacation of Utility Easement – Heartland Events Center
Item #'s: F-1
Presenter(s): Gary R. Mader, Utilities Director

Background

The Utilities Department needs to vacate an easement relative to the property of Lot 1, Heartland Events Center First Subdivision in the City Of Grand Island, Hall County, in order to allow for construction of the new Events Center.

Discussion

Electric and water lines currently occupy the easement in this area. Replacement easements were granted and approved by Council November 9, 2004. Relocation of the utility lines is in process; therefore, it is appropriate to vacate the easement across this lot.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

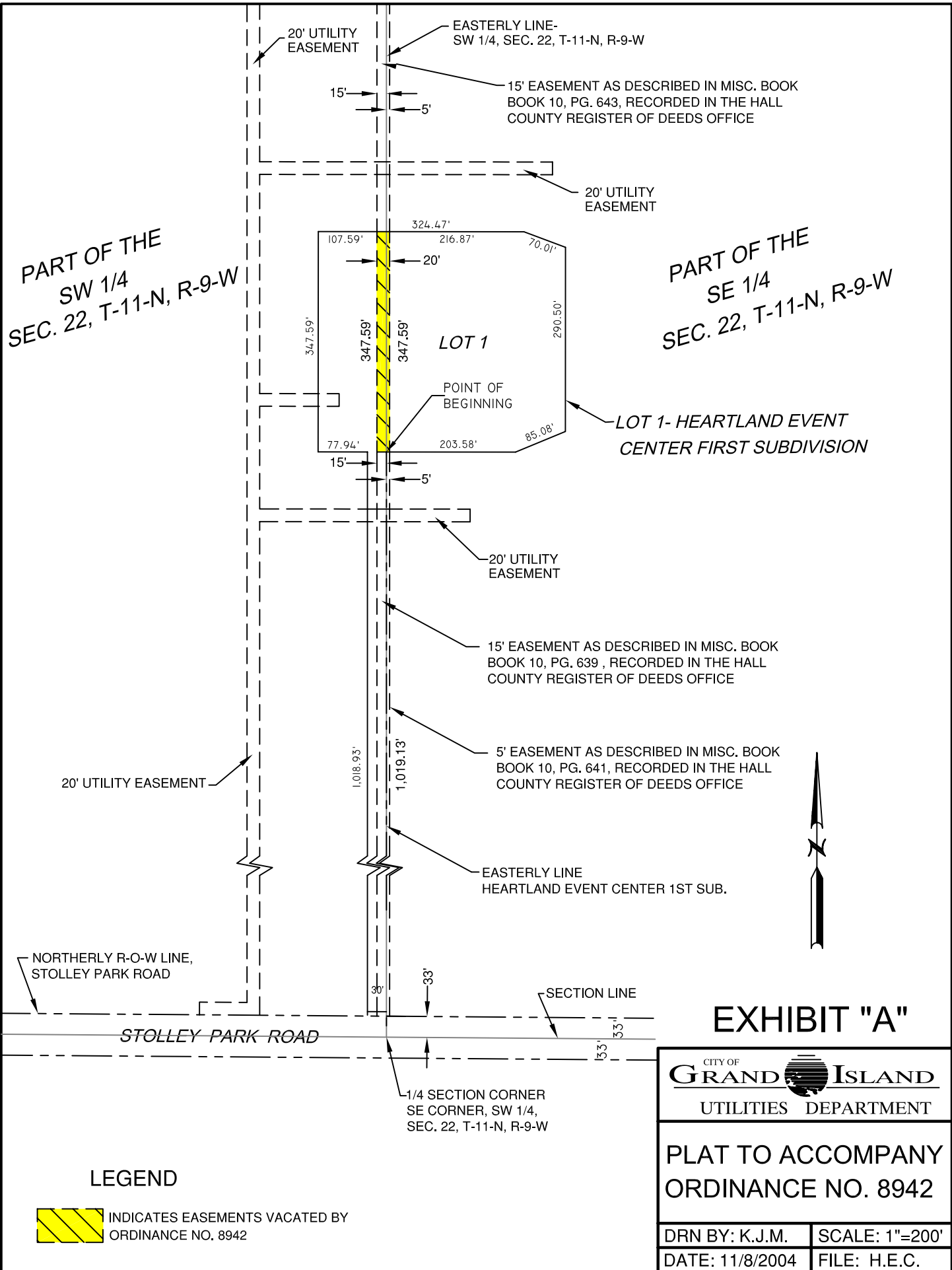
1. Approve the vacation of the utility easement
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the vacation of the easement.

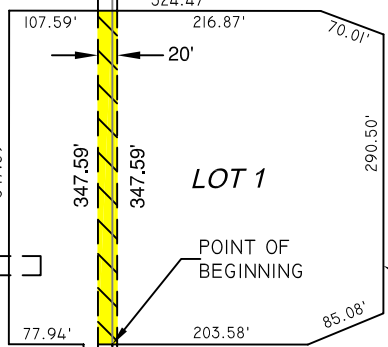
Sample Motion

Approve the vacation of the Utility Easement across Lot 1.



PART OF THE SW 1/4 SEC. 22, T-11-N, R-9-W

PART OF THE SE 1/4 SEC. 22, T-11-N, R-9-W



20' UTILITY EASEMENT



EXHIBIT "A"

CITY OF **GRAND ISLAND**
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
ORDINANCE NO. 8942**

DRN BY: K.J.M.	SCALE: 1"=200'
DATE: 11/8/2004	FILE: H.E.C.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8942

An ordinance to vacate existing easements and rights-of-way located in a part of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. and in part of Heartland Event Center First 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 a part of the existing fifteen (15.0) foot wide easement and part of an adjacent five (5.0) foot wide easement located in part of Lot One (1) Heartland Event Center First Subdivision, being located in part of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska; said easements being described in Miscellaneous Book 10, Page 639; Miscellaneous Book 10, Page

Approved as to Form ☐ _____
November 18, 2004 ☐ City Attorney

ORDINANCE NO. 8942 (Cont.)

641; and Miscellaneous Book 10, Page 643 as recorded in the Hall County Register of Deeds office. The boundaries of the easements and rights-of-way to be vacated being more particularly described as follows:

Referring to the Southeast corner of the Southwest Quarter (SW 1/4), Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of said Southwest Quarter (SW 1/4), a distance of thirty three (33.0) feet to a point on the northerly right-of-way line of Stolley Park Road, said point also being a southwesterly corner of Heartland Event Center First Subdivision; thence continuing northerly along the easterly line of said Southwest Quarter (SW 1/4) and being an easterly line of said Heartland Event Center First Subdivision, a distance one thousand nineteen and thirteen hundredths (1,019.13) feet to the ACTUAL Point of Beginning; thence easterly along a southerly line of said Heartland Event Center First Subdivision, a distance of five (5.0) feet; thence northerly and parallel with the easterly line of said Southwest Quarter (SW 1/4), a distance of three hundred forty seven and fifty nine hundredths (347.59) feet to a point on the northerly line of said Heartland Event Center First Subdivision; thence westerly along the northerly line of said Heartland Event Center First Subdivision, a distance of twenty (20.0) feet; thence southerly and parallel with the easterly line of said Southwest Quarter (SW 1/4), a distance of three hundred forty seven and fifty nine hundredths (347.59) feet; thence easterly a distance of fifteen (15.0) feet to the said Point of Beginning; as shown on the plat dated November 8, 2004, 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.

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.

ORDINANCE NO. 8942 (Cont.)

Enacted: November 23, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk