



# City of Grand Island

Tuesday, November 04, 2003

Council Session

## Item G8

### **#2003-324 - Approving Acquisition of Utility Easement - 2809 East Highway 30 - Virgil R. Eihusen**

*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 Virgil R. Eihusen, located at 2809 East Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*Highway 30 East of Grand Island will be widened to five lane during 2004-2005. The construction requires relocation of overhead power lines in the area.*

*The easements on this property will be used to relocate both overhead and underground facilities to continue service to this business.*

**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 2003-324

WHEREAS, a public utility easement is required by the City of Grand Island, from Virgil R. Eihusen, a single person, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on November 4, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through two tracts of land located in part of Lot Six (6) Voss Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Tract No. 1:

Commencing at the northeast corner of Lot Six (6) Voss Subdivision; thence southerly along the easterly line of said Lot Six (6), a distance of Thirty Six and Twenty One Hundredths (36.21) feet to a point on the southerly right-of-way line of Highway 30, as described in Document No. 200308994, recorded in the Register of Deeds Office, Hall County, Nebraska; thence deflecting right 64°02'47" and running southwesterly along said right-of-way line, a distance of Sixty Three (63.0) feet to the Point of Beginning of Tract No. 1; thence continuing southwesterly along said right-of-way line, a distance of Twenty (20.0) feet; thence deflecting left 83°53'19" and running southeasterly, a distance of Two Hundred Twenty and Two Hundredths (220.02) feet to the easterly line of said Lot Six (6); thence deflecting left 160°09'28" and running northerly along the easterly line of said Lot Six (6), a distance of Fifty Eight and Ninety Two Hundredths (58.92) feet; thence deflecting left 19°50'23" and running northwesterly, a distance of One Hundred Sixty Six and Seventy Four Hundredths (166.74) feet to the said Point of Beginning.

Tract No. 2:

Commencing at the northeast corner of Lot Six (6) Voss Subdivision; thence southerly along the easterly line of said Lot Six (6), a distance of Thirty Six and Twenty One Hundredths (36.21) feet to a point on the southerly right-of-way line of Highway 30, as described in Document No. 200308994, recorded in the Register of Deeds Office, Hall County, Nebraska; thence deflecting right 64°02'47" and running southwesterly along said right-of-way line, a distance of Three Hundred Eighty Eight and Fifty Four Hundredths (388.54) feet to the Point of Beginning of Tract No. 2; thence continuing southwesterly along said right-of-way line, a distance of Twelve and Sixty Three Hundredths (12.63) feet to the westerly line of Grantor's property; thence deflecting left 63°44'51" and running southerly along the westerly line of Grantor's property, a distance of Twenty Four and Four Tenths (24.4) feet; thence deflecting left 90°0'0" and running easterly, a distance of Ten (10.0) feet; thence deflecting left 90°0'0" and running northerly, a distance of Ten (10.0) feet; thence deflecting right 90°0'0" and running easterly, a distance of Fifty Five and Twelve Hundredths (55.12) feet; thence deflecting left 90°0'0" and running northerly, a distance of Twenty (20.0) feet; thence deflecting left 90°0'0" and running westerly, a distance of Fifty Three and Fifty Four Hundredths (53.54) feet to the said Point of

Beginning.

The above-described easement and right-of-way tracts containing a combined total of 0.120 acres, more or less, as shown on the plat dated July 31, 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 Virgil R. Eihusen, a single person, on the above-described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 4, 2003.

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RaNae Edwards, City Clerk

