



# City of Grand Island

Tuesday, April 12, 2005

Council Session

## Item F2

**#8970 - Consideration of Vacating an Alley Between 4th Street and 5th Street, West of St. Paul Rd (Behind Former 3rd City Livestock Sale Barn)**

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

**From:** Steven P. Riehle, Public Works Director

**Meeting:** April 12, 2005

**Subject:** Consideration of Vacating an Alley Between 4<sup>th</sup> Street and 5<sup>th</sup> Street, West of St. Paul Rd (Behind Former 3<sup>rd</sup> City Livestock Sale Barn)

**Item #'s:** F-2

**Presenter(s):** Steven P. Riehle, P.E., Public Works Director

## Background

Council action is required for vacation of Right-of-Way through the passing of an ordinance.

## Discussion

The current owner of the adjacent property, Rick Johnson, will be re-platting the area between 4<sup>th</sup> Street and 5<sup>th</sup> Street, west of St. Paul Rd to accommodate the construction of a new building. Public utilities will still be available to the property from other directions so it is not necessary to retain the alley as an easement.

## Alternatives

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

1. Approve the request to vacate the alley between 4<sup>th</sup> Street and 5<sup>th</sup> Street, West of St. Paul Rd.
2. Refer the issue to a Committee.
3. Postpone the issue.
4. Take no action on the issue.

## **Recommendation**

City Administration recommends that the Council pass an ordinance vacating the alley between 4<sup>th</sup> Street and 5<sup>th</sup> Street, West of St. Paul Rd.

## **Sample Motion**

Approve the request to vacate the alley between 4<sup>th</sup> Street and 5<sup>th</sup> Street, West of St. Paul Road.

5TH STREET

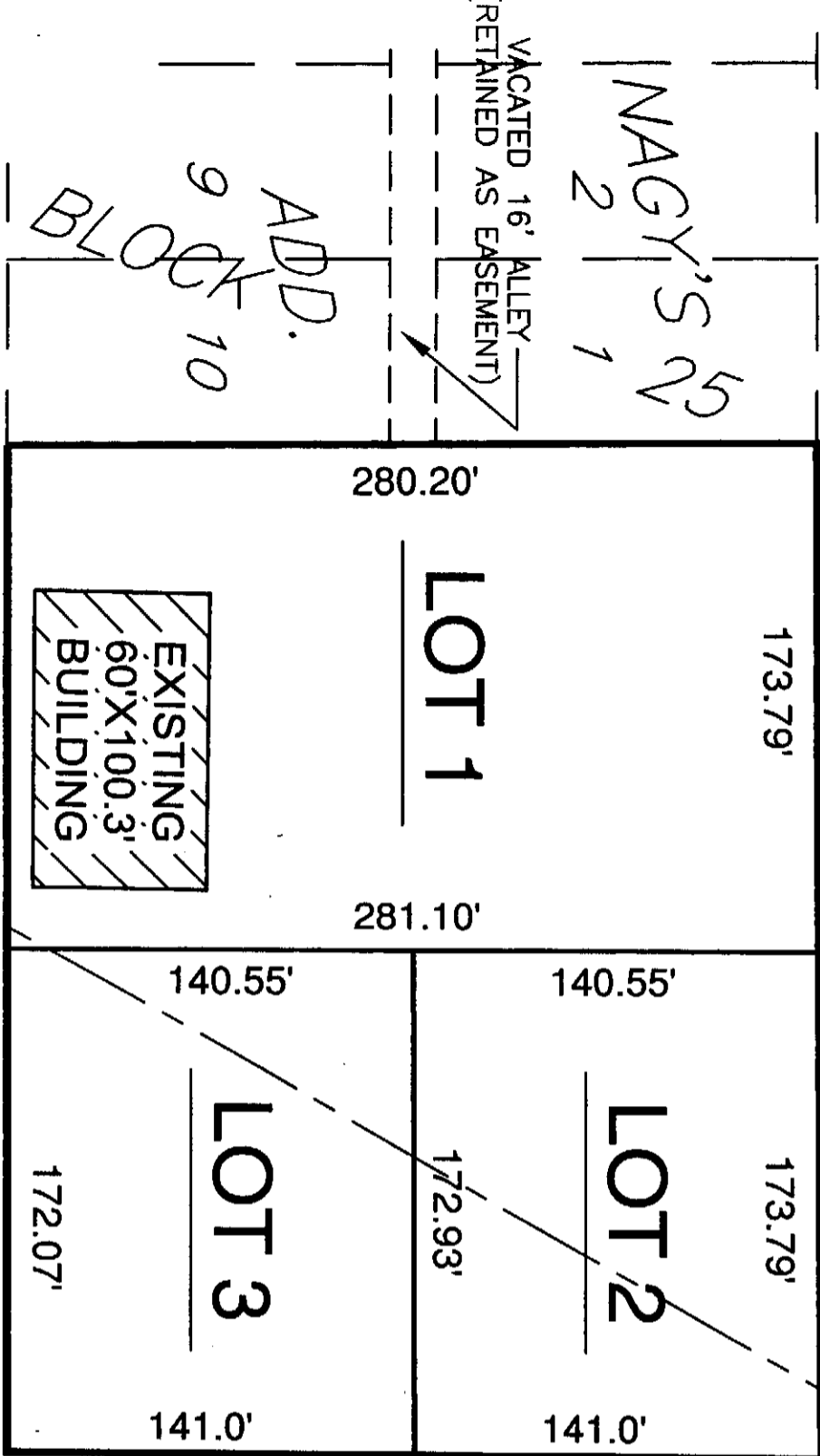
347.58'

MAGY'S 25  
2 1

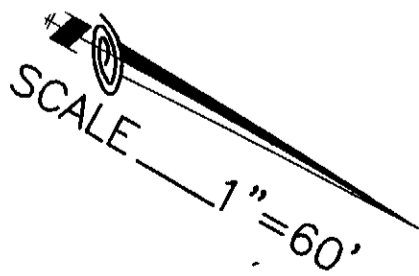
VACATED 16' ALLEY  
(RETAINED AS EASEMENT)

ADD.  
9 OF 10

BLOCK



ST. PAUL ROAD



4TH STREET

# PROPOSED PATRICK SUBDIVISION

IN THE CITY OF GRAND ISLAND, NEBRASKA

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8970

An ordinance to a portion of an alley located between 4<sup>th</sup> Street and 5<sup>th</sup> Street, and west of St. Paul Road in the City of Grand Island, Hall County, Nebraska; to provide for the filing of this ordinance in the office of the Register of Deeds of Hall County, Nebraska; 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 the alley located between 4<sup>th</sup> Street and 5<sup>th</sup> Street, and west of St. Paul Road in the City of Grand Island, Hall County, Nebraska, is hereby vacated. Such portion of the alley is more particularly described as follows:

All of the Sixteen (16.0) foot wide alley abutting Fractional Lots One (1), Two (2), Seven (7), Eight (8), and Lots Nine (9) and Ten (10) in Fractional Block Sixteen (16), Evans Addition to the City of Grand Island, Hall County, Nebraska, and abutting Lots Thirteen (13) through Nineteen(19), inclusive, that part of Lots Ten (10) and Eleven (11) lying south of 5<sup>th</sup> Street, in the County Subdivision of the West Half of the Southwest Quarter (W1/2, SW1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska, said alley lying between 4<sup>th</sup> Street and 5<sup>th</sup> Street, and running from the west line of St. Paul Road to the east line of Lot Twelve (12), of the aforementioned County Subdivision. Such property is shown on the drawing dated March 17, 2005, attached hereto and incorporated herein by this reference.

Approved as to Form    ☐ \_\_\_\_\_  
April 6, 2005            ☐ City Attorney

ORDINANCE NO. 8970 (Cont.)

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, with the drawing, 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 drawing, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 12, 2005.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk