



City of Grand Island

Tuesday, July 26, 2005

Council Session

Item E2

**Public Hearing on Acquisition of Property Located at 409 East
Fonner Park Road (Hall County Livestock Improvement
Association)**

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: July 26, 2005

Subject: Public Hearing on Acquisition of Real Estate Located at 409 East Fonner Park Road, Grand Island, Nebraska, Previously Owned by Hall County Livestock Improvement Association

Item #'s: E-2 & G-16

Presenter(s): Douglas R. Walker, City Attorney

Background

Nebraska State Statutes require that the acquisition of property must be approved by the City Council. A public hearing for the acquisition of this property is being done to meet the requirements of Neb. Rev. Stat., §18-1755 and Neb. Rev. Stat., §25-2505. Subsequent to the public hearing, Item G-16 will be for the approval of acquisition of this property.

Discussion

Hall County Livestock Improvement Association (Fonner Park) has agreed to donate approximately ten acres of property on the south side of Fonner Park Road and adjoining the east side of Island Oasis for the city to use to locate a replacement for Fire State No. 1. Council approval is need so that the deed from Fonner Park can be recorded and the replacement of Fire Station No. 1 can proceed.

Alternatives

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

1. Pass a resolution approving the acquisition of this real estate.
2. Do not pass a resolution approving the acquisition of this real estate.
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 acquisition of the real estate located at 409 East Fonner Park Road, with the legal description as set forth below:

A part of the Northeast Quarter of the Southwest Quarter (NE ¼, SW ¼), 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, more particularly described as follows:

Beginning at the northwest corner of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4); thence running easterly along the north line of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4), on an Assumed Bearing of S88°37'00"E, a distance of Twenty and Twenty Nine Hundredths (20.29) feet; thence running S00°38'28"W, a distance of Seventy Nine and Thirty Three Hundredths (79.33) feet, to the ACTUAL point of beginning; thence running S88°32'21"E, a distance of Five Hundred and Two Hundredths (500.02) feet, to a point Eighty (80.00) feet south of the north line of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4); thence running S00°38'28"W, a distance of Eight Hundred Eighty One and Two Hundredths (881.02) feet; thence running N88°43'43"W, a distance of Five Hundred (500.00) feet; thence running N00°38'28"E, a distance of Eight Hundred Eighty Two and Sixty Eight Hundredths (882.68) feet, to the ACTUAL point of beginning and containing 10.12 acres more or less.

Sample Motion

Motion to approve the acquisition of real estate located at 409 East Fonner Park Road.

CERTIFICATE OF CORPORATE RESOLUTIONS
OF
HALL COUNTY LIVESTOCK IMPROVEMENT ASSOCIATION

I, Larry Toner, do hereby certify that I am Secretary of Hall County Livestock Improvement Association, a nonprofit corporation ("the Corporation") organized under the laws of the State of Nebraska, and that the following is a true copy of a resolution adopted by the Executive Council of said Corporation at a meeting duly held on the 19 day of July, 2005, at which a quorum was present; and that said resolution is in full force and effect:

RESOLVED, that we as members of the Executive Council of the Corporation authorize the conveyance of the following-described real property to the City of Grand Island, Nebraska for the nominal consideration of One and No/Dollars (\$1.00):

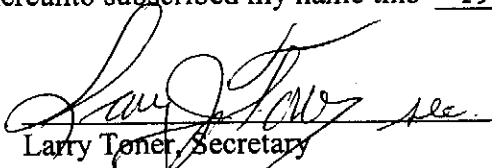
A tract of land comprising a part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); thence running easterly along the north line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), on an Assumed Bearing of S88°37'00"E, a distance of Twenty and Twenty Nine Hundredths (20.29) feet; thence running S00°38'28"W, a distance of Seventy Nine and Thirty Three Hundredths (79.33) feet, to the ACTUAL point of beginning; thence running S88°32'21"E, a distance of Five Hundred and Two Hundredths (500.02) feet; to a point Eighty (80.00) feet south of the north line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); thence running S00°38'28"W, a distance of Eight Hundred Eighty One and Two Hundredths (881.02) feet; thence running N88°43'43"W, a distance of Five Hundred (500.00) feet; thence running N00°38'28"E, a distance of Eight Hundred Eighty Two and Sixty Eight Hundredths (882.68) feet, to the ACTUAL point of beginning and containing 10.12 acres more or less.

FURTHER RESOLVED, that the officers of the Corporation including, but not limited to, Gary Rosacker, President, are authorized to take all action necessary in regard to the foregoing conveyance including, but not limited to, the execution of any deed.

I do further certify that the foregoing resolutions and the authority of the Executive Council to adopt the same are in conformity with and in no way limited by the Articles and By-Laws of the Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of July, 2005.



Larry Toner, Secretary

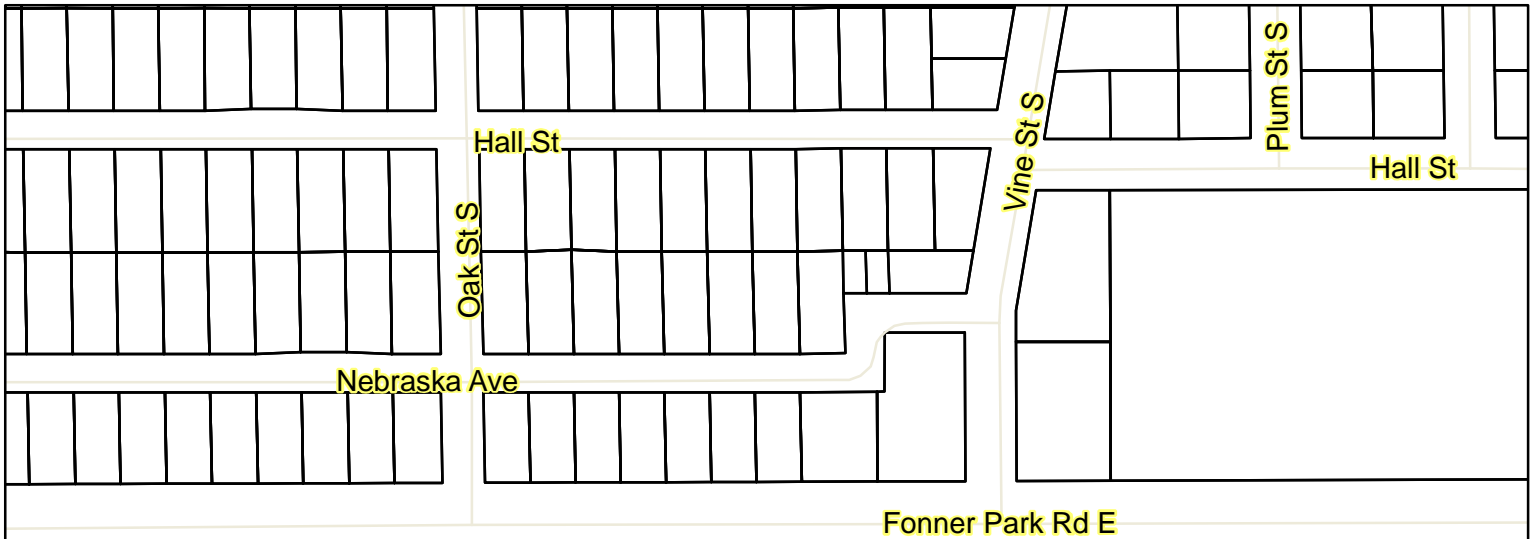
* This Space Reserved for Register of Deeds *

QUITCLAIM DEED

HALL COUNTY LIVESTOCK IMPROVEMENT ASSOCIATION, a Nebraska non-profit corporation, organized and existing under the laws of the State of Nebraska, herein called the Grantor, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, conveys to the CITY OF GRAND ISLAND, NEBRASKA, a municipal corporation in Hall County, State of Nebraska, herein called the Grantee, the following real estate comprising a part of the Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4) 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, Nebraska, more particularly described as follows:

Beginning at the northwest corner of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4); thence running easterly along the north line of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4), on an Assumed Bearing of S88°37'00"E, a distance of Twenty and Twenty Nine Hundredths (20.29) feet; thence running S00°38'28"W, a distance of Seventy Nine and Thirty Three Hundredths (79.33) feet, to the ACTUAL point of beginning; thence running S88°32'21"E, a distance of Five Hundred and Two Hundredths (500.02) feet, to a point Eighty (80.00) feet south of the north line of said Northeast Quarter of the Southwest Quarter (NE1/4, SW1/4); thence running S00°38'28"W, a distance of Eight Hundred Eighty One and Two Hundredths (881.02) feet; thence running N88°43'43"W, a distance of Five Hundred (500.00) feet; thence running N00°38'28"E, a distance of Eight Hundred Eighty Two and Sixty Eight Hundredths (882.68) feet, to the ACTUAL point of beginning and containing 10.12 acres more or less.

To have and to hold the above described real estate together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to the Grantee's successors and assigns forever.



Proposed
Fire Station Site

LOCATION MAP

Heartland Event Center 1st Sub