



# **City of Grand Island**

**Tuesday, December 06, 2005**

**Council Session**

## **Item E4**

**Public Hearing Concerning Acquisition of Utility Easement - 803  
East 9th Street - Starostka**

**Staff Contact: Gary R. Mader**

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** December 6, 2005

**Subject:** Acquisition of Utility Easement – 803 East 9<sup>th</sup> Street – Starostka Group Unlimited, Inc.

**Item #'s:** E-4 & G-9

**Presenter(s):** Gary R. Mader, Utilities Director

## **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 the property of Starostka Group Unlimited, Inc., located along the east side of 803 East 9<sup>th</sup> Street (9<sup>th</sup> & Poplar) in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

A 20 foot wide easement was obtained on Lots Two (2) and Three (3) of John Voitle's 2<sup>nd</sup> Subdivision to provide for the relocation of an overhead electric line to allow the construction of three new homes. The twenty foot wide easement straddled the property line 10 feet on each side of Lots 2 and 3. Subsequently, a building was constructed on Lot 3 that extended two feet into the easement. The same owner owns all three lots.

## **Discussion**

To provide a clean bill of sale for the owner, the two feet on the east portion of the easement on Lot 3 will be vacated. Public Works is providing those documents. To maintain 20 feet of total easement, a two foot easement will be dedicated from Lot 2 (803 East 9<sup>th</sup> Street). The overhead electrical line will remain in place with no changes.

## **Alternatives**

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

1. Make a motion to approve
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 acquisition of the easement for one dollar (\$1.00).

## **Sample Motion**

Motion to approve acquisition of the Utility Easement.

