



City of Grand Island

Tuesday, December 06, 2005

Council Session

Item G8

**#2005-340 - Approving Acquisition of Utility Easements - Hwy 34
& Locust Streets - Wal-Mart South**

This item relates to the aforementioned Public Hearing Item E-3.

Staff Contact: Gary R. Mader

RESOLUTION 2005-340

WHEREAS, public utility easements are required by the City of Grand Island, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 6, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way from Wal-Mart Real Estate Business Trust, a Delaware Statutory Trust, through a part of Outlot A, Wal-Mart South Subdivision located in the City of Grand Island, Hall County, Nebraska, the easterly line of the ten (10.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the northeast corner of Lot Three (3), Block One (1), Wal-Mart South Subdivision; thence S01°17'55"E, a distance of One Hundred Ninety Six and Sixty Five Hundredths (196.65) feet to a southeast corner of Lot Three (3), Block One (1), said Wal-Mart South Subdivision being the ACTUAL Point of Beginning; thence continuing S01°17'55"E, a distance of One Hundred Thirty (130.0) feet to a northeast corner of Lot Four (4), Block One (1) said Wal-Mart South Subdivision; thence N46°15'15"W, a distance of Fourteen and Fourteen Hundredths (14.14) feet along a northwesterly line of Lot Four (4), Block One (1) said Wal-Mart South Subdivision; thence N01°17'55"W, a distance of One Hundred Ten (110.0) feet to a point on a southerly line of Lot Three (3), Block One (1) said Wal-Mart South Subdivision; thence N43°42'05"E, a distance of Fourteen and Fourteen Hundredths (14.14) feet along a southeasterly line of Lot Three (3), Block One (1) said Wal-Mart South Subdivision to the said Point of Beginning.

The above-described easements and right-of-way containing 0.027 acres, more or less, as shown on the plat dated November 14, 2005, marked Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held on December 6, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way from Wal-Mart Stores, Inc., a Delaware corporation, through a part of Lot Two (2), Lot Three (3), and Lot Four (4), Block One (1) Wal-Mart South Subdivision located in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

TRACT 1: The easterly ten (10.0) feet of Lot Two (2), Block One (1) Wal-Mart South Subdivision; AND

TRACT 2: The easterly ten (10.0) feet of Lot Three (3), Block One (1), Wal-Mart South Subdivision; AND

TRACT 3: The northerly twenty (20.0) feet of the westerly ten (10.0) feet of the easterly twenty (20.0) feet of Lot Three (3), Block One (1), Wal-Mart South Subdivision; AND

TRACT 4: The easterly ten (10.0) feet of Lot Four (4), Block One (1), Wal-Mart South Subdivision.

The above-described easements and right-of-way containing a combined total of 0.215 acres, more or less, as shown on the plat dated November 14, 2005, marked Exhibit "B" 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 public utility easements as designated above.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 6, 2005.

RaNae Edwards, City Clerk