



# **City of Grand Island**

**Tuesday, November 28, 2006**

**Council Session**

## **Item F6**

**#9093 - Consideration of Vacating a Portion of James Road Right-of-Way South of Rae Road**

**Staff Contact: Steve Riehle, Public Works Director**

# **Council Agenda Memo**

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

**Meeting:** November 28, 2006

**Subject:** Consideration of Vacating a Portion of James Road Right-of-Way South of Rae Road

**Item #'s:** F-6

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

## **Background**

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

## **Discussion**

James Road south of Rae Road is being shifted west with the development of Ponderosa Village Subdivision. The portion of James Road, shown on the attached sketch, should be vacated to allow for the shift.

## **Alternatives**

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

1. Move to approve the ordinance vacating the Right-of-Way.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

## **Recommendation**

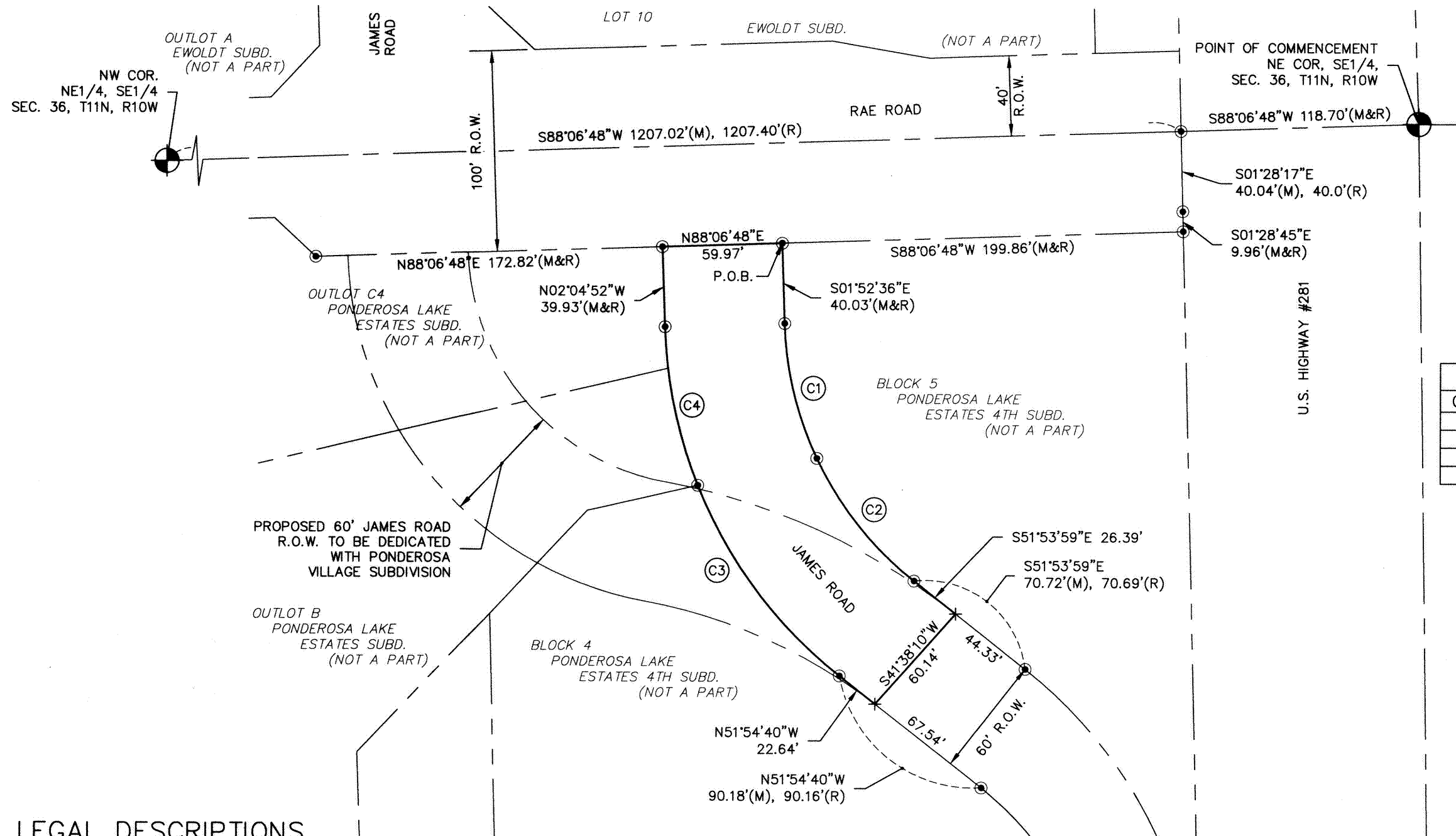
City Administration recommends that the Council approve the Ordinance for the vacation of the Right-of-Way.

## **Sample Motion**

Motion to approve the vacation of the Right-of-Way.

# RIGHT OF WAY VACATION

JAMES ROAD RIGHT OF WAY BEING PART OF PONDEROSA LAKE ESTATES SUBDIVISION AND PONDEROSA LAKE ESTATES FOURTH SUBDIVISION,  
SECTION 36, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



- LEGEND**
- SECTION CORNER
  - FOUND PROPERTY PIN
  - TEMPORARY POINT

SCALE: 1" = 60'  
0 30 60  
SCALE IN FEET

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	BEARING	CHORD
C1	23°28'29"	69.65'	170.00'	S13°34'55"E	69.16'
C2	26°30'55"	78.67'	170.00'	S38°40'49"E	77.97'
C3	29°47'37"	119.60'	230.00'	N37°00'08"W	118.26'
C4	20°13'40"	81.20'	230.00'	N11°51'01"W	80.78'

## SECTION CORNER TIES

**NORTHEAST COR. SE1/4, SEC. 36, T11N, R10W**  
FOUND BRASS CAP  
54.84' E TO BRASS CAP  
150.06' NE TO CHISELED "X" ON TOP OF R.O.W. MARKER  
120.25' W TO PK NAIL W/WASHER STAMPED LS-458  
IN CORNER FENCE POST  
152.77' SSW TO NE CORNER OF CONCRETE PAD

**NORTHWEST COR. NE1/4, SE1/4, SEC. 36, T11N, R10W**  
RECORDED AS NAIL IN TREE, FOUND NAIL HOLE IN TREE  
26.52' SE TO NEAR FACE OF STEEL FENCE POST  
14.20' SW TO NEAR FACE OF STEEL FENCE POST  
10.00' E TO 1/2" PIPE ON EAST-WEST SECTION LINE  
30.00' E TO 1/2" PIPE ON EAST-WEST SECTION LINE

## LEGAL DESCRIPTIONS

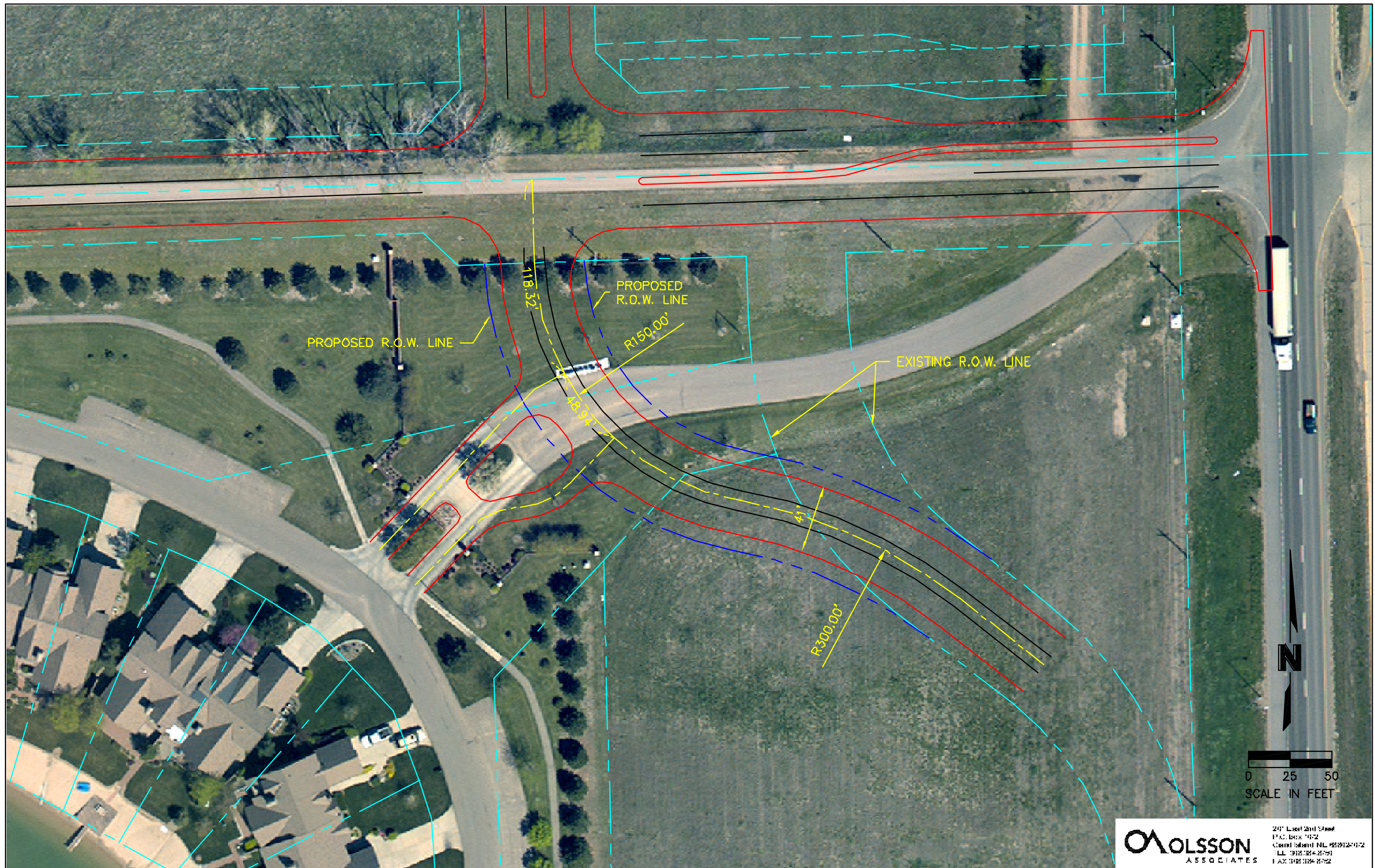
A PUBLIC ROAD RIGHT OF WAY LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE1/4; THENCE ON AN ASSUMED BEARING OF S88°06'48"W ALONG THE NORTH LINE OF SAID SE1/4 OF SECTION 36 A DISTANCE OF 118.70 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF U.S. HIGHWAY #281; THENCE S01°28'17"E UPON AND ALONG SAID WEST R.O.W. LINE A DISTANCE OF 40.04 FEET; THENCE S01°28'45"E A DISTANCE OF 9.96 FEET TO THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF RAE ROAD; THENCE S88°06'48"W ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 199.86 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE EAST R.O.W. LINE OF JAMES ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S01°52'36"E UPON AND ALONG SAID EAST R.O.W. LINE A DISTANCE OF 40.03 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 23°28'29", A ARC LENGTH OF 69.65 FEET, A RADIUS OF 170.00 FEET AND A CHORD BEARING S13°34'55"E FOR A DISTANCE OF 69.16 FEET TO A POINT OF CONTINUED CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 26°30'55", A ARC LENGTH OF 78.67 FEET, A RADIUS OF 170.00 FEET AND A CHORD BEARING S38°40'49"E FOR A DISTANCE OF 77.97 FEET; THENCE S51°53'59"E A DISTANCE OF 26.39 FEET; THENCE DEPARTING SAID EAST R.O.W. LINE S41°38'10"W A DISTANCE OF 60.14 FEET TO A POINT ON THE WEST R.O.W. LINE OF JAMES ROAD; THENCE N51°54'40"W UPON AND ALONG SAID WEST R.O.W. LINE A DISTANCE OF 22.64 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 29°47'37", A ARC LENGTH OF 119.60 FEET, A RADIUS OF 230.00 FEET AND A CHORD BEARING N37°00'08"W FOR A DISTANCE OF 118.26 FEET TO A POINT OF CONTINUED CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 20°13'40", A ARC LENGTH OF 81.20 FEET, A RADIUS OF 230.00 FEET AND A CHORD BEARING N11°51'01"W FOR A DISTANCE OF 80.78 FEET; THENCE N02°04'52"W A DISTANCE OF 39.93 FEET TO THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF RAE ROAD; THENCE DEPARTING SAID WEST R.O.W. LINE N88°06'48"E A DISTANCE OF 59.97 FEET TO THE POINT OF BEGINNING. SAID PUBLIC ROAD RIGHT OF WAY CONTAINS 14,331 SQUARE FEET OR 0.33 ACRES MORE OR LESS.



**MOLSSON**  
ASSOCIATES

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\* This Space Reserved for Register of Deeds \*

### ORDINANCE NO. 9093

An ordinance to vacate a portion of an existing right of way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; 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 a portion of an existing right of way of James Road located in the Southeast Quarter (SE1/4) of Section 36, Township 11 North, Range 10 West of the 6th p.m. in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Commencing at the Northeast Corner of said SE1/4; thence on an assumed bearing of S88°06'48"W along the north line of said SE1/4 of Section 36 a distance of 118.70 feet to the point of intersection of said North Line and the West right-of-way (R.O.W.) line of U.S. highway #281; thence S01°28'17"E upon and along said West R.O.W. line a distance of 40.04 feet; thence S01°28'45"E a distance of 9.96 feet to the point of intersection of said West R.O.W. line and the South R.O.W. line of Rae Road; thence S88°06'48"W along said South R.O.W. line a distance of 199.86 feet to the point of intersection of said south R.O.W. line and the East R.O.W. Line of James Road, said point also being the point of beginning; thence S01°52'36"E upon and along said East R.O.W. line a distance of 40.03 feet to a point of curvature; thence around a curve in a counter clockwise direction having a delta angle of 23°28'29", a arc length of 69.65 feet, a radius of 170.00 feet and a chord bearing S13°34'55"E for a distance of 69.16 feet to a

Approved as to Form	☐ _____
November 21, 2006	☐ City Attorney

ORDINANCE NO. 9093

point of continued curvature; thence around a curve in a counter clockwise direction having a delta angle of  $26^{\circ}30'55''$ , a arc length of 78.67 feet, a radius of 170.00 feet and a chord bearing  $S38^{\circ}40'49''E$  for a distance of 77.97 feet; thence  $S51^{\circ}53'59''E$  a distance of 26.39 feet; thence departing said East R.O.W. line  $S41^{\circ}38'10''W$  a distance of 60.14 feet to a point on the West R.O.W. line of James Road; thence  $N51^{\circ}54'40''W$  upon and along said West R.O.W. line a distance of 22.64 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of  $29^{\circ}47'37''$ , a arc length of 119.60 feet, a radius of 230.00 feet and a chord bearing  $N37^{\circ}00'08''W$  for a distance of 118.26 feet to a point of continued curvature; thence around a curve in a clockwise direction having a delta angle of  $20^{\circ}13'40''$ , a arc length of 81.20 feet, a radius of 230.00 feet and a chord bearing  $N11^{\circ}51'01''W$  for a distance of 80.78 feet; thence  $N02^{\circ}04'52''W$  a distance of 39.93 feet to the point of intersection of said West R.O.W. line and the South R.O.W. line of Rae Road; thence departing said West R.O.W. line  $N88^{\circ}06'48''E$  a distance of 59.97 feet to the point of beginning. said public road right of way contains 14,331 square feet or 0.33 acres more or less.

is hereby vacated. Such right-of-way to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: November 28, 2006.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk