



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item F1

#9058 - Consideration of Vacating a 10' Easement on Lots One (1) and Two (2) of Summerfield Estates 6th Subdivision (Little B's Corporation)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Consideration of Vacating a 10' Easement on Lots One (1) and Two (2) of Summerfield Estates 6th Subdivision (Little B's Corporation)

Item #'s: F-1

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

Background

Vacation of easements requires council action through passing of an ordinance.

Discussion

When sanitary sewer was constructed along Summerfield Avenue for the Summerfield Estate 3rd Subdivision, a sewer service was not built to serve the property east of Summerfield Avenue and south of Warbler Road, it would be served by a future Sanitary Sewer Main. When the lots for Summerfield Estates 5th Subdivision were platted, a sanitary sewer easement was needed to serve Lot No. 2. The developer reconfigured the lots with Summerfield Estates 6th Subdivision therefore the easement is no longer needed.

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 Utility Easement.
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 easement.

Sample Motion

Motion to approve the vacation of the Utility Easement.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9058

An ordinance to vacate an existing easement located in a part of Lots One (1), Two (2), and Three (3), Block Two (2) in Summerfield Estates Fifth Subdivision in the City of Grand Island, Hall County, Nebraska; 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 the twenty (20.0) foot wide easement located in a portion of Lots One (1), Two (2) and Three (3), Block Two (2), Summerfield Estates Fifth Subdivision in the City of Grand Island, Hall County, Nebraska, is hereby vacated. Such easement to be vacated is the easterly ten (10.0) feet of Lots One (1) and Two (2), Block Two (2), and the westerly ten (10.0) feet of Lot Three (3), Block Two (2), all in Summerfield Estates Fifth Subdivision as shown and more particularly described on Exhibit A attached hereto.

Approved as to Form ☐ _____
August 3, 2006 ☐ City Attorney

ORDINANCE NO. 9058 (Cont.)

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: August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk