



City of Grand Island

Tuesday, September 12, 2006

Council Session

Item F1

**#9067 - Consideration of Vacation of Utility Easements - 602 West
Stolley Park Road - Barr Middle School**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: September 12, 2006

Subject: Vacation of Utility Easement – 602 West Stolley Park Road – Barr Middle School

Item #'s: F-1

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

Background

The Utilities Department needs to vacate two easements relative to the property of the School District of Grand Island, located on the north side and south side of Barr Middle School, 602 West Stolley Park Road, in the City of Grand Island, Hall County. The easements were located on top of water lines that have been relocated to facilitate the construction of additions to the Barr Middle School.

Discussion

The easements were originally created to provide access to upgrade, maintain, and repair the water lines within the easements. Since the lines have been relocated, buildings have been constructed in these locations therefore, the easements are 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 vacation of the 16 ft. utility easements
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 Ordinance No.9067 to vacate the utility easement as described on the Barr Middle School property.

Sample Motion

Motion to approve Ordinance No. 9067 to vacate the utility easement as described on Barr Middle School property.

Ordinance No. 9067

Vacation of portion of a sixteen (16.0) foot wide easement recorded in the office of the Hall County Register of Deeds – document 79-006977 dated 10/19/1979

... and through a part of Lot One (1), part of Lot Two (2), and part of Lot Three (3), each of Grand Island School Addition, in the City of Grand Island, Hall County, Nebraska; being more particularly described as follows:

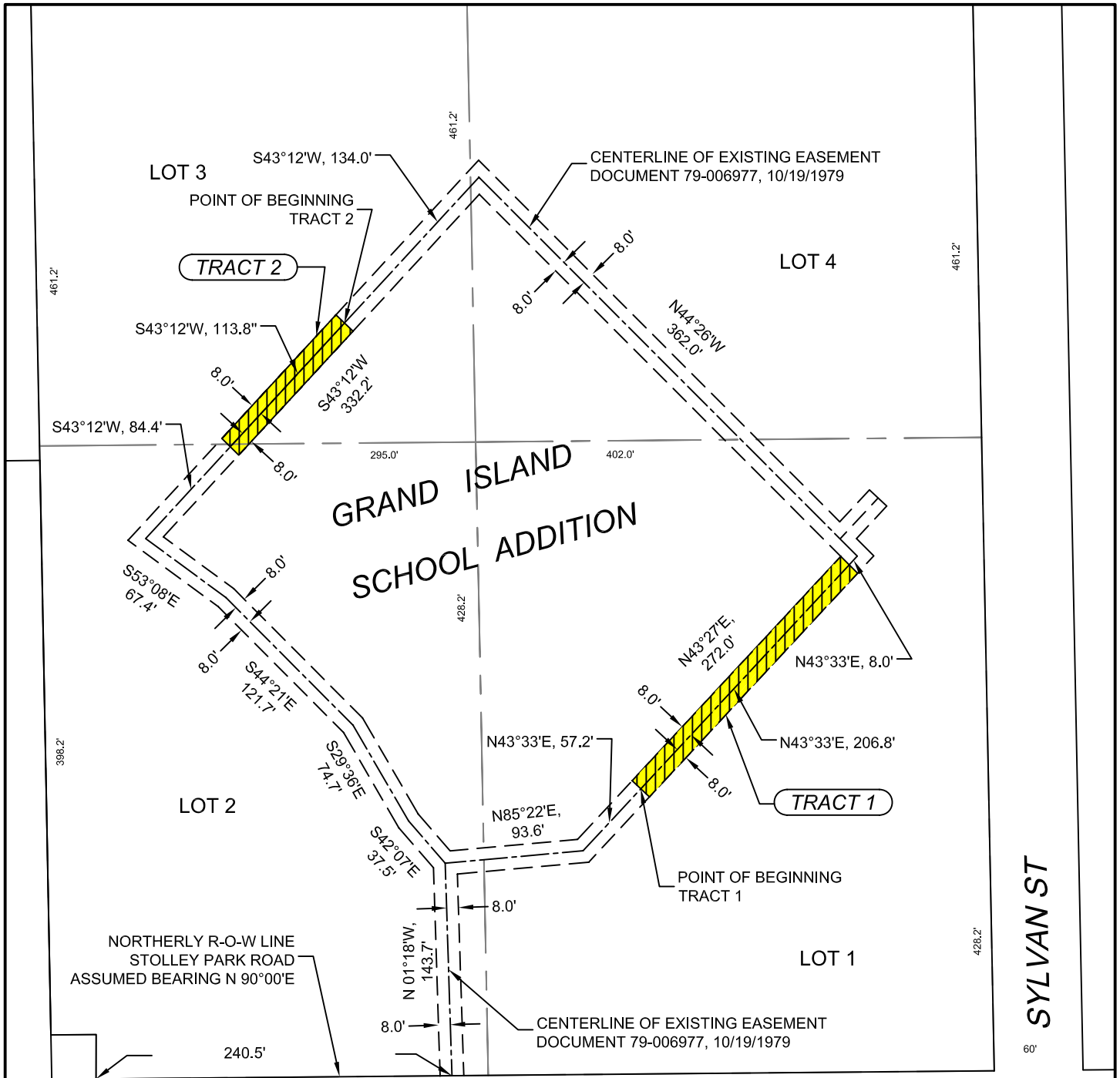
TRACT NO. 1

A sixteen (16.0) foot wide tract of land lying eight (8.0) feet on each side of a line described as commencing at a point on the northerly right-of-way line of Stolley Park Road, being two hundred forty and five tenths (240.5) feet east of the southerly most southwesterly corner of Lot Two (2) Grand Island School Addition; thence $N01^{\circ}18'W$ along the centerline of an existing easement recorded in the office of the Hall County Register of Deeds as Document 79-006977, a distance of one hundred forty three and seven tenths (143.7) feet; thence $N85^{\circ}22'E$ along said centerline, a distance of ninety three and six tenths (93.6) feet; thence $N43^{\circ}27'E$ along said centerline, a distance of fifty seven and two tenths (57.2) feet to the actual point of beginning of Tract 1; thence continuing $N43^{\circ}27'E$ along said centerline, a distance of two hundred six and eight tenths (206.8) feet.

TRACT NO. 2

A sixteen (16.0) foot wide tract of land lying eight (8.0) feet on each side of a line described as commencing at a point on the northerly right-of-way line of Stolley Park Road, being two hundred forty and five tenths (240.5) feet east of the southerly most southwesterly corner of Lot Two (2) Grand Island School Addition; thence $N01^{\circ}18'W$ along the centerline of an existing easement recorded in the office of the Hall County Register of Deeds as Document 79-006977, a distance of one hundred forty three and seven tenths (143.7) feet; thence $N85^{\circ}22'E$ along said centerline, a distance of ninety three and six tenths (93.6) feet; thence $N43^{\circ}27'E$ along said centerline, a distance of two hundred seventy two (272.0) feet; thence $N44^{\circ}26'W$ along said centerline, a distance of three hundred sixty two (362.0) feet; thence $S43^{\circ}12'W$ along said centerline, a distance of one hundred thirty four (134.0) feet to the actual point of beginning of Tract 2; thence continuing $S43^{\circ}12'W$ along said centerline, a distance of one hundred thirteen and eight tenths (113.8) feet.

... containing a combined total of 0.118 acres, more or less, as shown on the plat dated 8/16/2006.



NORTHERLY R-O-W LINE
STOLLEY PARK ROAD
ASSUMED BEARING N 90°00'E



LEGEND



INDICATES PORTION OF 16'
WIDE EASEMENT VACATED
BY ORDINANCE NO. 9067

RIVERSIDE DR

STOLLEY PARK ROAD

SYLVAN ST

CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

PLAT TO ACCOMPANY
ORDINANCE NO. 9067

| | |
|-----------------|-----------------|
| DRN BY: K.J.M. | SCALE: 1"= 100' |
| DATE: 8/16/2006 | FILE: GI SCHOOL |

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9067

An ordinance to vacate a portion of an existing sixteen (16.0) foot wide easement recorded in the office of the Hall County Register of Deeds on October 10, 1979 as Document No. 79-006977, and through a part of Lot One (1), part of Lot Two (2), and part of Lot Three (3), each of Grand Island School Addition to 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 a portion of an existing sixteen (16.0) foot wide easement recorded in the office of the Hall County Register of Deeds on October 10, 1979 as Document No. 79-006977, and through a part of Lot One (1), part of Lot Two (2), and part of Lot Three (3), each of Grand Island School Addition to the City of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby vacated. Such easement to be vacated is shown and more particularly described on Exhibit A attached hereto.

| | |
|---------------------|-----------------|
| Approved as to Form | ☐ _____ |
| September 8, 2006 | ☐ City Attorney |

ORDINANCE NO. 9067 (Cont.)

TRACT NO. 1:

A sixteen (16.0) foot wide tract of land lying eight (8.0) feet on each side of a line described as commencing at a point on the northerly right-of-way line of Stolley Park Road, being two hundred forty and five tenths (240.5) feet east of the southerly most southwesterly corner of Lot Two (2) Grand Island School Addition; thence N01°18'W along the centerline of an existing easement recorded in the office of the Hall County Register of Deeds as Document 79-006977, a distance of one hundred forty three and seven tenths (143.7) feet; thence N85°22'E along said centerline, a distance of ninety three and six tenths (93.6) feet; thence N43°27'E along said centerline, a distance of fifty seven and two tenths (57.2) feet to the actual point of beginning of Tract 1; thence continuing N43°27'E along said centerline, a distance of two hundred six and eight tenths (206.8) feet.

TRACT NO. 2:

A sixteen (16.0) foot wide tract of land lying eight (8.0) feet on each side of a line described as commencing at a point on the northerly right-of-way line of Stolley Park Road, being two hundred forty and five tenths (240.5) feet east of the southerly most southwesterly corner of Lot Two (2) Grand Island School Addition; thence N01°18'W along the centerline of an existing easement recorded in the office of the Hall County Register of Deeds as Document 79-006977, a distance of one hundred forty three and seven tenths (143.7) feet; thence N85°22'E along said centerline, a distance of ninety three and six tenths (93.6) feet; thence N43°27'E along said centerline, a distance of two hundred seventy two (272.0) feet; thence N44°26'W along said centerline, a distance of three hundred sixty two (362.0) feet; thence S43°12'W along said centerline, a distance of one hundred thirty four (134.0) feet to the actual point of beginning of Tract 2; thence continuing S43°12'W along said centerline, a distance of one hundred thirteen and eight tenths (113.8) feet.

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.

ORDINANCE NO. 9067 (Cont.)

Enacted: September 12, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk