



City of Grand Island

Tuesday, September 26, 2006

Council Session

Item F1

#9077 - Consideration of Vacating Easement - St. Francis Medical Center - 2620 W. Faidley Avenue

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: September 26, 2006

Subject: Vacation of Utility Easements– 2620 W Faidley Ave
St Francis Medical Center

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 St. Francis Medical Center, 2620 W Faidley Avenue, in the City of Grand Island, Hall County. The easements were located on top of electric utility cables and two pad-mounted transformers that are in the process of being relocated to facilitate the construction of additions to the St Francis Medical Center.

Discussion

The easements were originally created to provide access to upgrade, maintain, and repair the utility lines and transformers within the easements. Since the lines are being relocated, and buildings need to be constructed in these locations, the easements will no longer be needed.

The easements to be vacated are in two sections. A new easement to replace these will be acquired by a separate document.

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. 9077 to vacate the utility easements as described on the St. Francis Medical Center property.

Sample Motion

Motion to approve Ordinance No. 9077 to vacate the utility easements as described on the St Francis Medical Center property.

ORDINANCE NO. 9077

Vacate easement described in doc # 77-002499
and
Vacate electric easement described in doc # 81-003216

An ordinance to vacate an existing sixteen (16.0) foot wide easement recorded in the Hall County Register of Deeds as document No. 77-002499; and to vacate an existing sixteen (16.0) foot wide electric easement recorded in the Hall County Register of Deeds as document No. 81-003216; both easements being located in part of Lot One (1) Saint Francis Medical Third Subdivision in the City of Grand Island, Hall County, Nebraska;

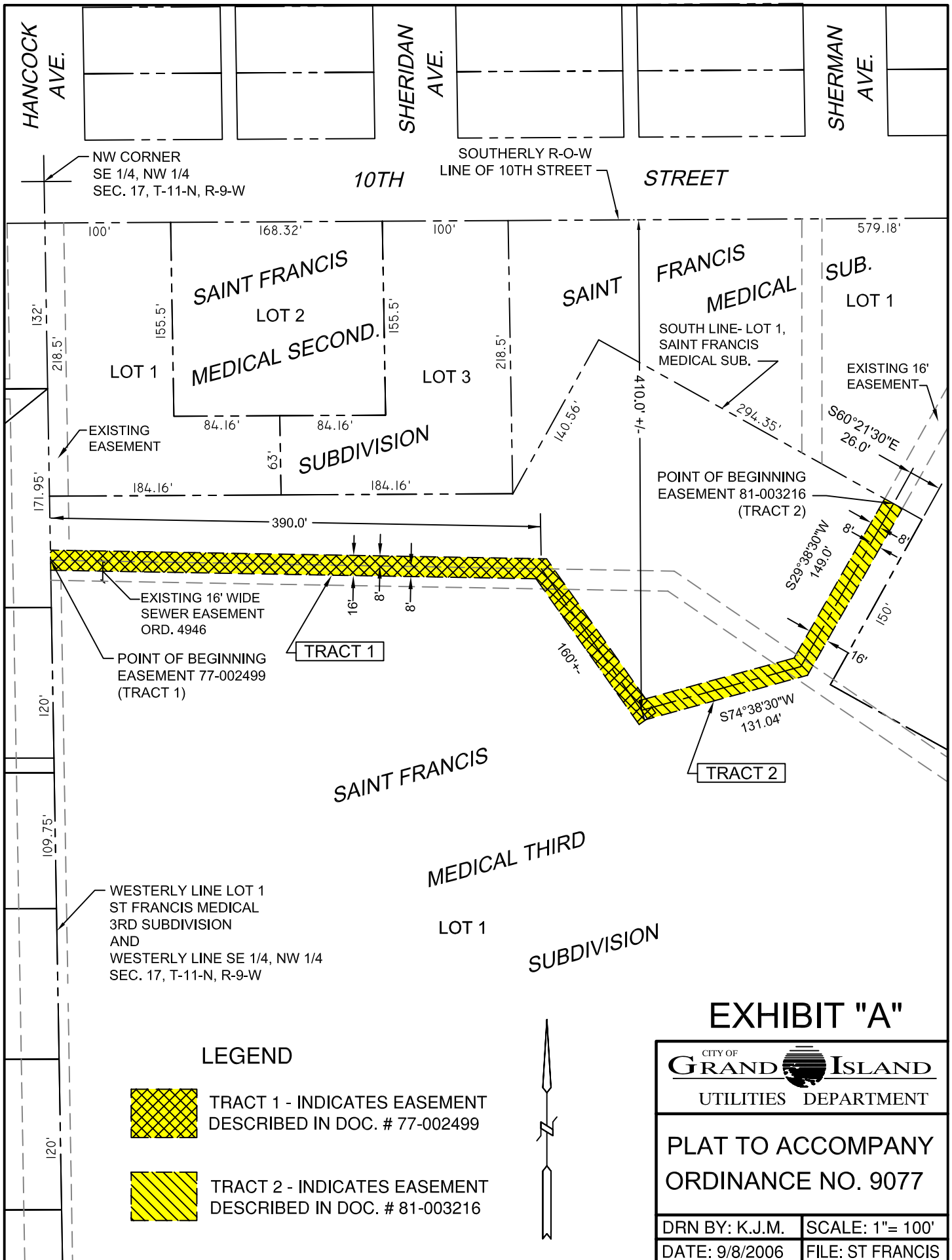
Easement # 77-002499 (Tract 1)

A sixteen (16.0) foot wide tract of land lying eight (8.0) feet on each side of a line described as follows: Beginning at a point where the westerly prolongation of the north line of the sanitary sewer easement in Ordinance No. 4946, recorded in the Misc. Book 21, page 313, in the Register of Deeds office of Hall County, Nebraska, intersects the westerly line of the Southeast Quarter of the Northwest Quarter (SE 1/4, NW 1/4) of Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West; thence running easterly along the northerly line of the said sanitary sewer easement, for a distance of three hundred ninety (390.0) feet; thence running southeasterly a distance of one hundred sixty (160.0) feet, more or less, to a point four hundred ten (410.0) feet, more or less, south of the south right-of-way line of 10th Street and four hundred seventy five (475.0) feet, more or less, west of the west right-of-way line of Howard Avenue.

Easement # 81-003216 (Tract 2)

A sixteen (16.0) foot wide tract of land, the centerline being more particularly described as follows: Commencing at the Northeast corner of Lot One (1) Saint Francis Medical Subdivision; thence west for two hundred thirty six and seventy hundredths (236.70) feet along the north line of said Lot One (1); thence S23°09'52"E, a distance of one hundred forty eight (148.0) feet; thence N60°21'30"W, a distance of thirty eight and seventeen hundredths (38.17) feet; thence S29°38'30"W, a distance of one hundred twenty eight and forty four hundredths (128.44) feet to the ACTUAL Point of Beginning, being a point on the southerly line of said Lot One (1) and S60°21'30"E, a distance of twenty six (26.0) feet to a property corner on said southerly line; thence continuing S29°38'30"W, a distance of one hundred forty nine (149.0) feet; thence S74°38'30"W, a distance of one hundred thirty one and four hundredths (131.04) feet

The above described easements to be vacated are shown and more particularly described on Exhibit "A", dated 9/8/2006, attached hereto.



* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9077

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 May 10, 1977 as Document No. 77-002499, and 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 June 19, 1981, as Document No. 81-003216; 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 May 10, 1977, as Document No. 77-002499, and a portion of an existing sixteen (16.0) foot wide easement recorded in the office of the Hall County Register of Deeds on June 19, 1981, as Document No. 81-003216, and through a part of Lot One (1), Saint Francis Medical Third Subdivision in the City of Grand

Approved as to Form ☐ _____
September 22, 2006 ☐ City Attorney

ORDINANCE NO. 9077 (Cont.)

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.

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 beginning at a point where the westerly prolongation of the north line of the sanitary sewer easement in Ordinance No. 4946, recorded in the Misc. Book 21, page 313, in the Register of Deeds office of Hall County, Nebraska, intersects the westerly line of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West; thence running easterly along the northerly line of the said sanitary sewer easement, for a distance of three hundred ninety (390.0) feet; thence running southeasterly a distance of one hundred sixty (160.0) feet, more or less, to a point four hundred ten (410.0) feet, more or less, south of the south right-of-way line of 10th Street and four hundred seventy five (475.0) feet, more or less, west of the west right-of-way line of Howard Avenue.

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 the Northeast corner of Lot One (1) Saint Francis Medical Subdivision; thence west for two hundred thirty six and seventy hundredths (236.70) feet along the north line of said Lot One (1); thence S23°09'52"E, a distance of one hundred forty eight (148.0) feet; thence N60°21'30"W, a distance of thirty eight and seventeen hundredths (38.17) feet; thence S29°38'30"W, a distance of one hundred twenty eight and forty four hundredths (128.44) feet to the actual point of beginning, being a point on the southerly line of said Lot One (1) and S60°21'30"E, a distance of twenty six (26.0) feet to a property corner on said southerly line; thence continuing S29°38'30"W, a distance of one hundred forty nine (149.0) feet; thence S74°38'30"W, a distance of one hundred thirty one and four hundredths (131.04) 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. 9077 (Cont.)

Enacted: September 26, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk