



City of Grand Island

Tuesday, January 23, 2007

Council Session

Item F4

#9104 - Consideration of Vacating 16' Utility Easements in Grand Island Industrial Park West Subdivision (The Evangelical Lutheran Good Samaritan Society)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: January 23, 2007

Subject: Consideration of Vacating 16' Utility Easements in Grand Island Industrial Park West Subdivision (The Evangelical Lutheran Good Samaritan Society)

Item #'s: F-4

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

Background

Vacation of easements requires council action through passing of an ordinance. The developer is re-platting lots Five (5) thru Ten (10) of Grand Island Industrial Park West Subdivision and the un-platted area to the west of Grand Island Industrial Park West Subdivision as Good Samaritan Subdivision.

Discussion

The developer has requested vacation of the utility easements to facilitate their development. No utilities are in the 16' easements and the easements are no longer needed and can be vacated. Any needed easements are being dedicated with the subdivision.

Alternatives

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

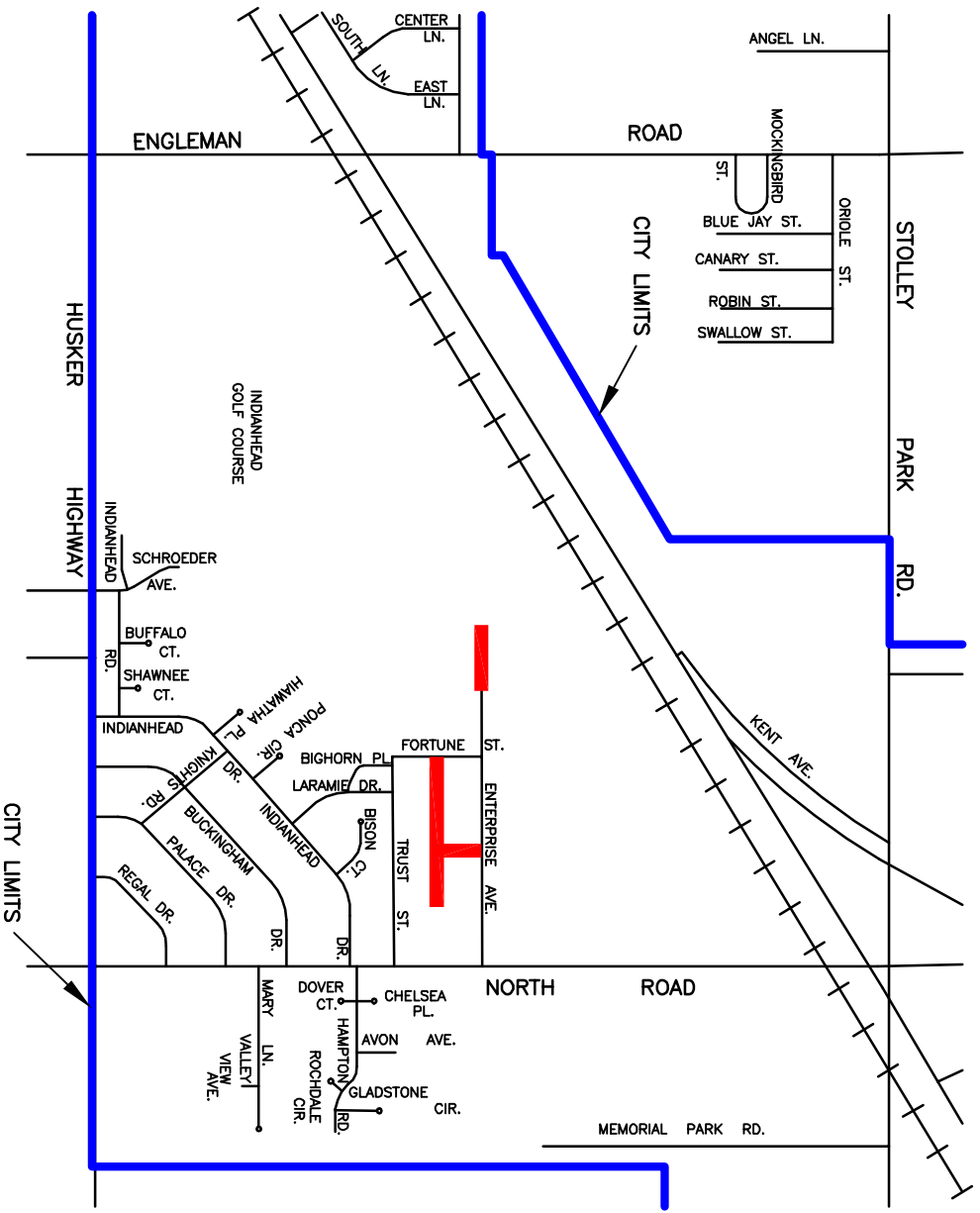
1. Move to approve the ordinance vacating the Utility Easements.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the Ordinance for the vacation of the easement s.

Sample Motion

Motion to approve the vacation of the Utility Easements.



EASEMENT TO BE VACATED



* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9104

An ordinance to vacate a portion of existing sixteen foot (16') wide easements 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 existing sixteen foot (16') wide easements in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

The North 8.0 feet of Lots Forty-two (42), Forty-three (43), Forty-four (44), Forty-five (45), Forty-six (46), Forty-seven (47), Forty-eight (48), Forty-nine (49), and Fifty (50), inclusive, and the South 8.0 feet Lots Fifty-one (51), Fifty-two (52), Fifty-three (53), Fifty-four (54), Fifty-five (55), Fifty-six (56), Fifty-seven (57), Fifty-eight (58), and Fifty-nine (59), inclusive, and the East 8.0 feet of Lot Fifty-five (55) and the West 8.0 feet of Lot Fifty-six (56), all in Grand Island Industrial Park West Subdivision, Hall County, Nebraska.

AND

The 16.0 foot electrical easement as described at Document No. 88-105953 and filed on November 4, 1988 in the Hall County Register of Deeds Office more particularly described as follows:

Approved as to Form	<input type="checkbox"/> _____
January 18, 2007	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9104

Beginning at the Southwest corner of Lot Ten (10), said Grand Island Industrial Park West Subdivision; thence Westerly a distance of six hundred seventy one and forty-six hundredths (671.46) feet, to a point on a West side of said Lot Sixty-six (66), the above said point being four hundred (400.0) feet South of a Northwest corner of said Lot Sixty-six (66).

AND

That part of the 16.0 foot electrical easement as described at Document No. 88-106305 and filed November 28, 1988 in the Hall County Register of Deeds Office which is located on the following described tract of land:

A tract of land being part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-Six (26), Township Eleven (11) North, Range Ten (10) West of the Sixth Principal Meridian, Hall County, Nebraska, with said tract of land being part of Vacated Lot 66, Grand Island Industrial Park West Subdivision, a subdivision to the City of Grand Island, Hall County, Nebraska, said tract of land being more particularly described as follows: Referring to the Southwest Corner of the Northeast Quarter of Section 26 and assuming the West line of the Northeast Quarter of said Section 26 as bearing N 00°11'28" E and all bearings contained herein are relative thereto; thence N 00°11'28" E and on the West line of the Northeast Quarter of said Section 26, a distance of 26.04 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 00°11'28" E and on the West line of the Northeast Quarter of said Section 26, a distance of 459.81 feet to the Southwesterly Corner of Lot 4 in said Grand Island Industrial Park West Subdivision; thence S 89°05'03" E and on the South line of said Lot 4 a distance of 667.96 feet to the Northwest Corner of Lot 10 of said Grand Island Industrial Park West Subdivision; thence S 00°16'52" E and on the West line of Lot 10 of said Grand Island Industrial Park West Subdivision (if extended Southerly) a distance of 459.75 feet to a point on the South line of Enterprise Avenue an avenue in the City of Grand Island, Hall County, Nebraska; thence N 89°05'44" W a distance of 671.95 feet to the place of beginning.

is hereby vacated. Such easement 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.

ORDINANCE NO. 9104

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: January 23, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk