



City of Grand Island

Tuesday, April 10, 2007

Council Session

Item G9

**#2007- - Approving Acquisition of Utility Easement - West of
Shady Bend Road, 1/4 Mile North of Schimmer Drive - Ballou**

This item relates to the aforementioned Public Hearing Item E-2.

Staff Contact: Gary R. Mader

RESOLUTION 2007-80

WHEREAS, a public utility easement is required by the City of Grand Island, from Frances L. Ballou, an individual, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on April 10, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the Southeast Quarter (SE ¼) of Section Thirty Five (35), Township Eleven (11) North, Range Nine (9), West of the 6th P.M., Hall County, Nebraska, the twenty (20.0) foot wide utility easement, being more particularly described as follows:

TRACT NO. 1

The northerly line of a twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows: Commencing at the southeast corner of the Southeast Quarter (SE1/4) of Section Thirty Five (35), Township Eleven (11) North, Range Nine (9) West; thence N01°35'00"W, along the easterly line of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35), a distance of one thousand three hundred twenty four and twenty one hundredths (1,324.21) feet, to the northwest corner of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35); thence S89°07'24"W, along the northerly line of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35), a distance of thirty three (33.0) feet, to a point on the westerly right-of-way line of Shady Bend Road, being the Actual point of beginning of Tract No. 1; thence continuing S89°07'24"W, along the northerly line of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35), a distance of one thousand two hundred eighty five and twenty one hundredths (1,285.21) feet, to the northwest corner of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35); thence S90°21'20"W, a distance of two hundred fifty three and ninety five hundredths (253.95) feet, to a point on the easterly line of Lot One (1) Gilbert Acres Subdivision, being fifty three (53.0) feet south of the northeast corner of said Lot One (1) Gilbert Acres Subdivision. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

TRACT NO. 2

The easterly line of a twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows: Commencing at the southeast corner of the Southeast Quarter (SE1/4) of Section Thirty Five (35), Township Eleven (11) North, Range Nine (9) West; thence N01°35'00"W, along the easterly line of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35), a distance of one thousand three hundred twenty four and twenty one hundredths (1,324.21) feet, to the northwest corner of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Thirty Five (35); thence S89°07'24"W, along the northerly line of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty

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| Approved as to Form | ☐ _____ |
| April 5, 2007 | ☐ City Attorney |

Five, a distance of one thousand three hundred eighteen and twenty one hundredths (1,318.21) feet, to the northwest corner of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) said Section Thirty Five (35), being the Actual point of beginning of Tract No. 2; thence N01°42'51"W, along the easterly line of the West Half of the Southeast Quarter (W1/2, SE1/4) said Section Thirty Five (35); a distance of seven hundred forty three and forty nine hundredths (743.49) feet. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing a combined total of 1.05 acres, more or less, as shown on the plat dated 3/20/2007, marked Exhibit "A", attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Frances L. Ballou, an individual, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, April 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk