



# City of Grand Island

Tuesday, June 26, 2007

Council Session

## Item F2

**#9122 - Consideration of Partial Vacation of Utility Easement -  
Principal Financial Group**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director

**Meeting:** June 26, 2007

**Subject:** Partial Vacation of Easement – Principal Financial

**Item #'s:** F-2

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

## **Background**

The Principal Financial Group and their contractor, Lacy Construction, are in the process of expanding their Grand Island facilities. A 47' wide easement extends across the property east to west on the south side of their existing building. The new construction, as currently designed, will extend into that easement approximately 8'.

At the request of the developer, the Utilities Department has researched the feasibility of reducing the size of the easement to accommodate the facility expansion. The location of the existing utilities (electric, cable TV, and telephone) in that easement were verified and checked.

A map of the easement area is attached for reference. The north 10' of the easement adjacent to the new construction can be vacated without negatively impacting any of the utilities.

## **Discussion**

The construction project is currently held up pending the vacation of part of the easement, so a building permit can be issued and construction started. If Council concurs in the reduction of the easement width, it is requested that the rules be waived so the ordinance can be approved at a single meeting, allowing construction to begin as soon as possible.

## **Alternatives**

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

1. Move to approve
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 #9122 to vacate part of the easement on Principal Financial property.

## **Sample Motion**

Motion to approve Ordinance #9122 to vacate part of the easement on Principal Financial property.

PRINCIPAL FINANCE  
3025 W COLLEGE ST.

6' SIDEWALK

EDGE OF NEW  
BLD. ADDITION

4.5' BLDG.  
OVERHANG

GRASS AREA

10' SIDEWALK

10'

111.0'

105.5'

EXISTING  
47' EASEMENT

37.0'

9.5'

1.5'

35.5'

26.5'

35'

TELEPHONE  
CABLE TV

TV

TV

TV

TV

TV

TV

TV

TV

TV

TV

TV

TV

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

U

GRASS AREA

6' SIDEWALK

SOUTHERLY LINE OF  
EXISTING 47' WIDE EASEMENT

LEGEND



EASEMENT TO BE VACATED BY ORD 9122



EXISTING BUILDING



NEW ADDITION



|   |                 |
|---|-----------------|
|  |                 |
| CITY OF<br><b>GRAND ISLAND</b>  |                 |
| UTILITIES DEPARTMENT  |                 |
| EXHIBIT "B"   |                 |
| PRINCIPAL FINANCE   |                 |
| EASEMENT VACATION DETAIL  |                 |
| ORDINANCE 9122  |                 |
| DRN BY: K.J.M.  | SCALE: 1"= 30'  |
| DATE: 6/12/2007   | FILE: PRINCIPAL |



\* This Space Reserved for Register of Deeds \*

## ORDINANCE NO. 9122

An ordinance to vacate a portion of an existing forty-seven foot (47') wide easement 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 an existing forty-seven foot (47') wide easement in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Commencing at the most southeasterly corner of the Replat of Block 3 Continental Gardens; thence northerly along an easterly line of the said Replat of Block 3 Continental Gardens, a distance of two hundred twenty nine and eighty five hundredths (229.85) feet; thence westerly along a line of said Replat of Block 3 Continental Gardens, a distance of twenty four and fifteen hundredths (24.15) feet; thence northerly along an easterly line of said Replat of Block 3 Continental Gardens, a distance of thirty seven (37.0) feet; thence westerly, parallel with the southerly line of a platted forty seven (47.0) foot wide easement, a distance of sixteen (16.0) feet to the ACTUAL Point of Beginning; thence continuing westerly and parallel with the southerly line of said platted existing forty seven (47.0) foot wide easement, a distance of four hundred and forty nine and sixty four hundredths (449.64) feet to a point eight (8.0) foot easterly and thirty seven (37.0) feet northerly of the southeasterly corner of Lot One (1) Block 4 Continental Gardens; thence northerly parallel with a westerly line of said Replat

ORDINANCE NO. 9122

of Block 3 Continental Gardens, a distance of ten (10.0) feet; thence easterly along the northerly line of said seven (47.0) foot wide easement, a distance of 449.64 to a point sixteen (16.0) feet west of an easterly line of said Replat of Block 3 Continental Gardens; thence southerly parallel with an easterly line of said Replat of Block 3 Continental Gardens, a distance ten (10.0) feet to the said point of beginning, containing 0.103 acres more or less, as shown on the plat dated 611/2007, marked Exhibit "A" and attached hereto.

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.

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: June 24, 2007.

---

Margaret Hornady, Mayor

Attest:

---

RaNae Edwards, City Clerk