

# **City of Grand Island**

Tuesday, January 22, 2008 Council Session

### Item E2

Public Hearing on Acquisition of Public Utility/Drainage Easement Located at 731 Allen Drive in Meadowlark West Third and West Fourth Subdivision (Allen Phase III, LLC)

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

City of Grand Island City Council

## Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: January 22, 2008

**Subject:** Public Hearing on Acquisition of Public Utility and

Drainage Easement in Lot 10 of Meadowlark West Third Subdivision and Lot 15 of Meadowlark West Fourth

Subdivision

**Item #'s:** E-2 & G-13

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

#### **Background**

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. A public utility and drainage easement is needed on Lot 10 of Meadowlark West Third Subdivision and Lot 15 of Meadowlark West Fourth Subdivision to accommodate public utilities and drainage. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities and drainage within the easement. The public utility and drainage easement will replace a drainage easement being vacated at tonight's council meeting.

#### **Discussion**

The developer will build storm sewer in the new easement to replace the storm sewer that will be removed in the easement being vacated. The new easement and storm sewer will be along the south side of Lot 10 and the east side of Lot 10 & 15. The sixty foot that was originally dedicated for the drainage easement is more width then what is now needed. The new and relocated easement will be twenty five foot (25') wide and will serve as both a drainage and a utility easement.

#### **Alternatives**

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

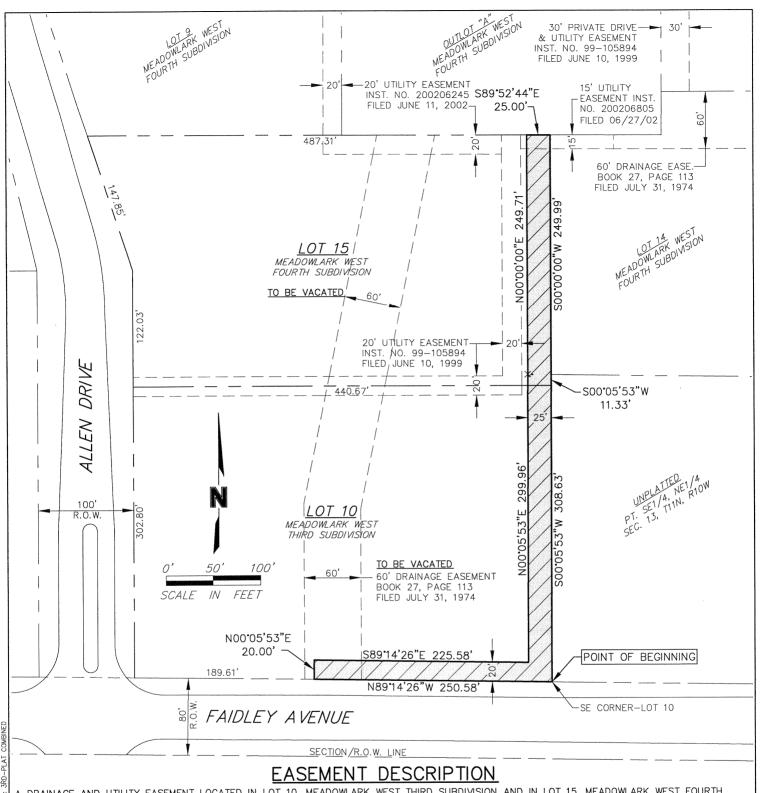
- 1. Move to approve
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

#### Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Easement.

#### **Sample Motion**

Move to approve the acquisition of the Easement.



A DRAINAGE AND UTILITY EASEMENT LOCATED IN LOT 10, MEADOWLARK WEST THIRD SUBDIVISION AND IN LOT 15, MEADOWLARK WEST FOURTH SUBDIVISION. ALL IN THE CITY OF GRAND ISLAND, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 10, MEADOWLARK WEST THIRD SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89"14'26"W ON THE SOUTH LINE OF SAID LOT 10, ALSO BEING ON THE NORTH RIGHT OF WAY (R.O.W.) LINE OF FAIDLEY AVENUE A DISTANCE OF 250.58 FEET; THENCE NO0'05'53"E A DISTANCE OF 20.00 FEET; THENCE S89"14'26"E AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 225.58 FEET; THENCE NO0'05'53"E AND PARALLEL WITH THE EAST LINE OF SAID LOT 10 A DISTANCE OF 299.96 FEET; THENCE NOO'00'00"E AND PARALLEL WITH THE EAST LINE OF SAID LOT 15, MEADOWLARK WEST FOURTH SUBDIVISION A DISTANCE OF 249.71 FEET TO THE NORTH LINE OF SAID LOT 15, ALSO BEING THE SOUTH LINE OF OUTLOT "A", MEADOWLARK WEST FOURTH SUBDIVISION; THENCE S89'52'44"E ON SAID LINE A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15, MEADOWLARK WEST FOURTH SUBDIVISION; THENCE S00'00'00"W ON THE EAST LINE OF SAID LOT 15 A DISTANCE OF 249.99 FEET; THENCE S00'05'53"W CONTINUING ON THE EAST LINE OF SAID LOT 15 A DISTANCE OF 11.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, MEADOWLARK WEST THIRD SUBDIVISION; THENCE CONTINUING S00'05'53"W ON THE EAST LINE OF SAID LOT 10 A DISTANCE OF 308.63 FEET TO THE POINT OF BEGINNING. SAID DRAINAGE AND UTILITY EASEMENT TRACT CONTAINS A CALCULATED AREA OF 18,757 SQUARE FEET OR 0.431 ACRES MORE OR

2003-1327 PROJECT NO: DRAWN BY: **JDM** 

12/28/07

DATE:

DRAINAGE & UTILITY EASEMENT LOT 10, MEADOWLARK WEST 3RD LOT 15, MEADOWLARK WEST 4TH GRAND ISLAND, NE



201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 **EXHIBIT**