



# **City of Grand Island**

**Tuesday, February 12, 2008**

**Council Session**

## **Item E5**

**Public Hearing on Acquisition of Public Utility Easement in Lot 1  
& Lot 2 of Meadowlark West Fifth Subdivision (Allen Phase III,  
LLC)**

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

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Director

**Meeting:** February 12, 2008

**Subject:** Public Hearing on Acquisition of Public Utility Easement  
in Lot 1 and Lot 2 of Meadowlark West Fifth  
Subdivision

**Item #'s:** E-5 & G-23

**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 easement is needed on Lot 1 and Lot 2 of Meadowlark West Fifth Subdivision to accommodate public utilities. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

## **Discussion**

The new easement will be 26.44 feet wide and will provide a utility easement for extending sanitary sewer. The easement is an extension of an existing easement that will serve the newly changed Lot 2.

## **Alternatives**

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

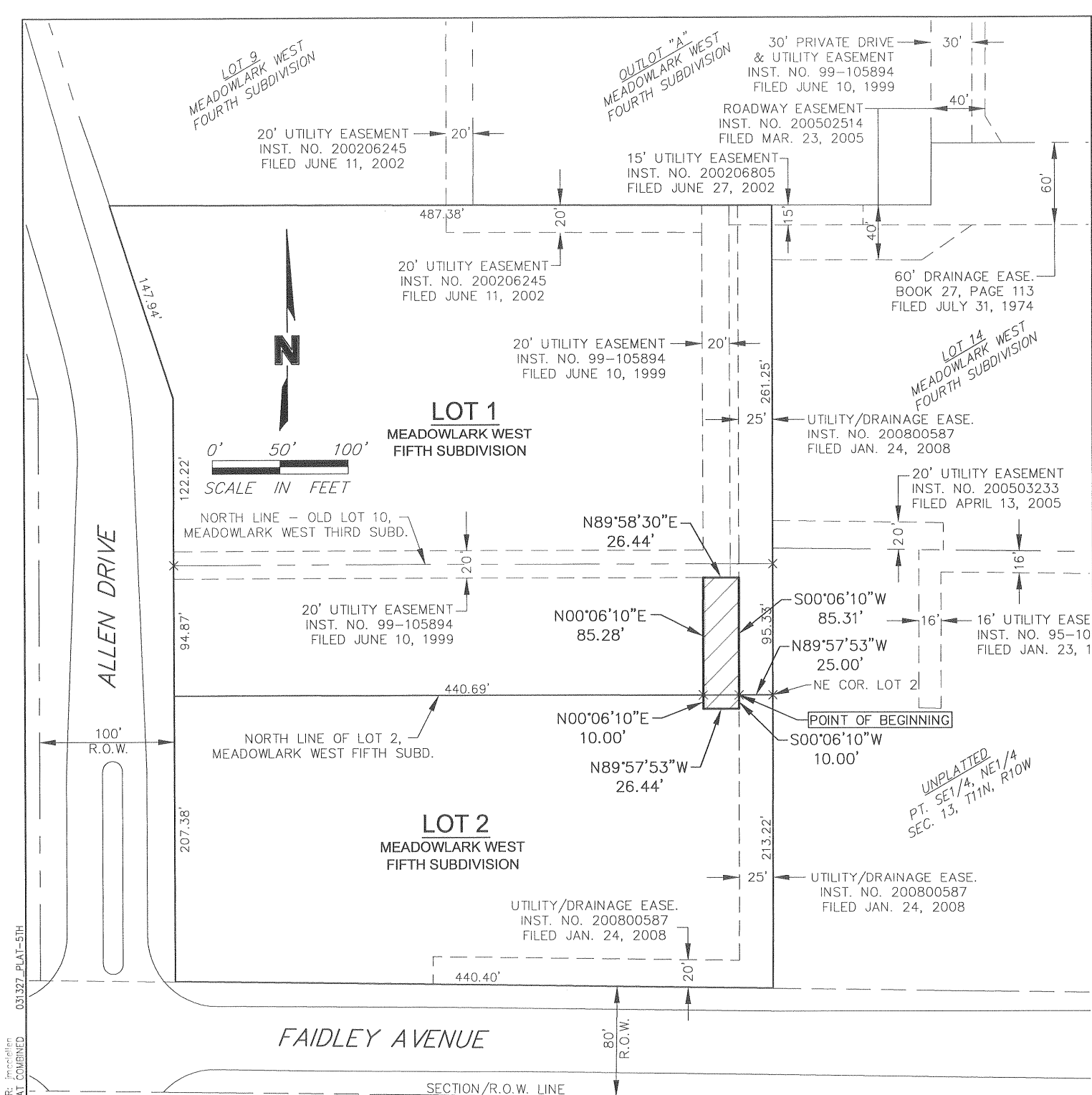
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **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.



## EASEMENT DESCRIPTION

A UTILITY EASEMENT LOCATED IN LOT 1 AND LOT 2, MEADOWLARK WEST FIFTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, MEADOWLARK WEST FIFTH SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N89°57'53\"W ON THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 25.00 FEET TO THE WEST LINE OF AN EXISTING UTILITY AND DRAINAGE EASEMENT RECORDED AS INSTRUMENT NUMBER 200800587, FILED JANUARY 24, 2008 AT HALL COUNTY REGISTER OF DEEDS, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S00°06'10\"W ON SAID EASEMENT LINE AND PARALLEL WITH THE EAST LINE OF SAID LOT 2 A DISTANCE OF 10.00 FEET; THENCE N89°57'53\"W AND PARALLEL WITH THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 26.44 FEET; THENCE N00°06'10\"E AND PARALLEL WITH THE EAST LINE OF SAID LOT 2 A DISTANCE OF 10.00 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE CONTINUING N00°06'10\"E A DISTANCE OF 85.28 FEET TO THE SOUTH LINE OF AN EXISTING 20 FEET UTILITY EASEMENT RECORDED AS INSTRUMENT NUMBER 99-105894, FILED JUNE 10, 1999 AT HALL COUNTY REGISTER OF DEEDS, SAID UTILITY EASEMENT LINE RUNS 10 FEET SOUTH AND PARALLEL WITH THE NORTH LINE OF OLD LOT 10, MEADOWLARK WEST THIRD SUBDIVISION; THENCE N89°58'30\"E ON SAID EXISTING UTILITY EASEMENT LINE A DISTANCE OF 26.44 FEET TO THE WEST LINE OF SAID EXISTING UTILITY AND DRAINAGE EASEMENT RECORDED AS INSTRUMENT NUMBER 200800587, FILED JANUARY 24, 2008 AT HALL COUNTY REGISTER OF DEEDS; THENCE S00°06'10\"W ON SAID EASEMENT LINE A DISTANCE OF 85.31 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT TRACT CONTAINS A CALCULATED AREA OF 2,520 SQUARE FEET OR 0.058 ACRES MORE OR LESS.

PROJECT NO: 2003-1327

### UTILITY EASEMENT

DRAWN BY: JDM

LOTS 1 & 2, MEADOWLARK WEST 5TH

DATE: 01/25/08

GRAND ISLAND, NE

**MOLSSON**  
ASSOCIATES

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EXHIBIT

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