



City of Grand Island

Tuesday, May 26, 2009

Council Session

Item F4

**#9219 - Consideration of Vacation of Easement in Vacated
Jefferson Street; Adjacent to Lot One (1), Block Eleven (11)
Wallich's Addition (1314 W 7th Street)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 26, 2009

Subject: Consideration of Vacation of Easement in Vacated Jefferson Street; Adjacent to Lot One (1), Block Eleven (11) Wallich's Addition (1314 W 7th Street)

Item #'s: F-4

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

Background

Council action is required for vacation of a public utility easement through the passing of an Ordinance. Grand Island Public Schools has requested the vacation of the public utility easement due to pending construction of a new annex addition to Jefferson Elementary on this recently purchased property.

Discussion

The existing utility easement to be vacated is currently used for power supply to the school crossing signal. The power supply is being relocated at school expense. A new public utility easement will be dedicated at tonight's meeting with a memo prepared by the Utilities Department.

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 the vacation of the public utility easement in vacated Jefferson Street; adjacent to Lot One (1), Block Eleven (11) Wallich's Addition to Grand Island, Hall County, Nebraska.

Sample Motion

Motion to approve the vacation of the public utility easement in vacated Jefferson Street; adjacent to Lot One (1), Block Eleven (11) Wallich's Addition to Grand Island, Hall County, Nebraska.

ORDINANCE NO. 9219

An ordinance to vacate the public utility easement in vacated Jefferson Street; adjacent to Lot One (1), Block Eleven (11) Wallich's Addition to Grand Island, Hall County, Nebraska and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinances in conflict herewith; 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 the public utility easement located in the west 16' of vacated Jefferson Street; more particularly described as follows:

BEGINNING AT THE NORTHEAST CORNER OF LOT ONE (1), BLOCK ELEVEN (11), WALLICHS ADDITION, THENCE EASTERLY ON THE SOUTH LINE OF 8TH STREET FOR A DISTANCE OF 16', THENCE SOUTHERLY ON A LINE 16' EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOT ONE (1), BLOCK ELEVEN (11), WALLICHS ADDITION FOR A DISTANCE OF 132', THENCE WEST ON A LINE PERPENDICULAR TO THE EAST LINE OF SAID LOT ONE (1) FOR A DISTANCE OF 16' TO THE SOUTHEAST CORNER OF LOT ONE (1) BLOCK ELEVEN (11) WALLICHS ADDITION, THENCE NORTHERLY ON THE EAST LINE OF LOT ONE (1), BLOCK ELEVEN (11) WALLICHS ADDITION TO THE POINT OF BEGINNING

is hereby vacated. Such public utility easement to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to that part of vacated Jefferson Street upon which it is situated.

SECTION 3. This Ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

ORDINANCE NO. 9219 (Cont.)

SECTION 4. 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: May 26, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk