



City of Grand Island

Tuesday, September 22, 2009

Council Session

Item F2

**#9240 - Consideration of Amendment to Ordinance No. 9232;
Vacation of a Portion of the Public Alley located in Rollins Second
Subdivision**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: September 22, 2009

Subject: Consideration of Amendment to Ordinance No. 9232;
Vacation of a Portion of the Public Alley located in
Rollins Second Subdivision

Item #'s: F-2

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

Background

On September 8, 2009 the City Council approved Ordinance No. 9232, which vacated the public alley between Lot One (1), Block Nine (9) and Lot Ten (10), Block Nine (9) in Rollins Addition.

Discussion

Ordinance No. 9232 incorrectly listed the description for the alley vacation, due to the area being resubdivided. The accurate description for the alley vacation is a portion of the public alley between Lot One (1) and Lot Two (2), Block Nine (9) Rollins Addition and Lot Two (2) in Rollins Second Subdivision.

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

Public Works Administration recommends that the Council approve an ordinance to vacate the alley with the correct legal description.

Sample Motion

Move to approve Ordinance No. 9240.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9240

An ordinance to vacate a portion of the public alley between Lot One (1) and Lot Two (2), Block Nine (9) Rollins Addition and Lot Two (2) in Rollins Second Subdivision 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 a portion of the public alley located between Lot One (1) and Lot Two (2) in Block Nine (9) in Rollins Addition and Lot Two (2) in Rollins Second Subdivision to Grand Island, Hall County, Nebraska is hereby vacated and more particularly described as follows:

COMMENCING THE SOUTHWEST CORNER OF LOT 2 OF SAID BLOCK 9, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID ALLEY RIGHT OF WAY (R.O.W.); THENCE ON AN ASSUMED BEARING OF N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 46.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 59.55 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 9, SAID POINT

Approved as to Form ✕ _____ September 17, 2009 ✕ City Attorney

ORDINANCE NO. 9240 (Cont.)

ALSO BEING THE POINT OF INTERSECTION OF SAID NORTH ALLEY R.O.W. LINE AND THE WEST R.O.W. LINE OF EDDY STREET; THENCE S28°12'23"E A DISTANCE OF 16.15 FEET TO THE NORTHEAST CORNER OF LOT 2 OF ROLLINS SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE OF EDDY STREET AND THE SOUTH LINE OF SAID ALLEY R.O.W.; THENCE S61°35'21"W ALONG SAID SOUTH ALLEY R.O.W. LINE A DISTANCE OF 59.49 FEET; THENCE N28°25'28"W A DISTANCE OF 16.13 FEET TO THE POINT OF BEGINNING. SAID PUBLIC ALLEY R.O.W. CONTAINS 961 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

A public utility easement shall be retained in the area where the alley is vacated. Such public alley 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 the abutting properties.

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

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: September 22, 2009

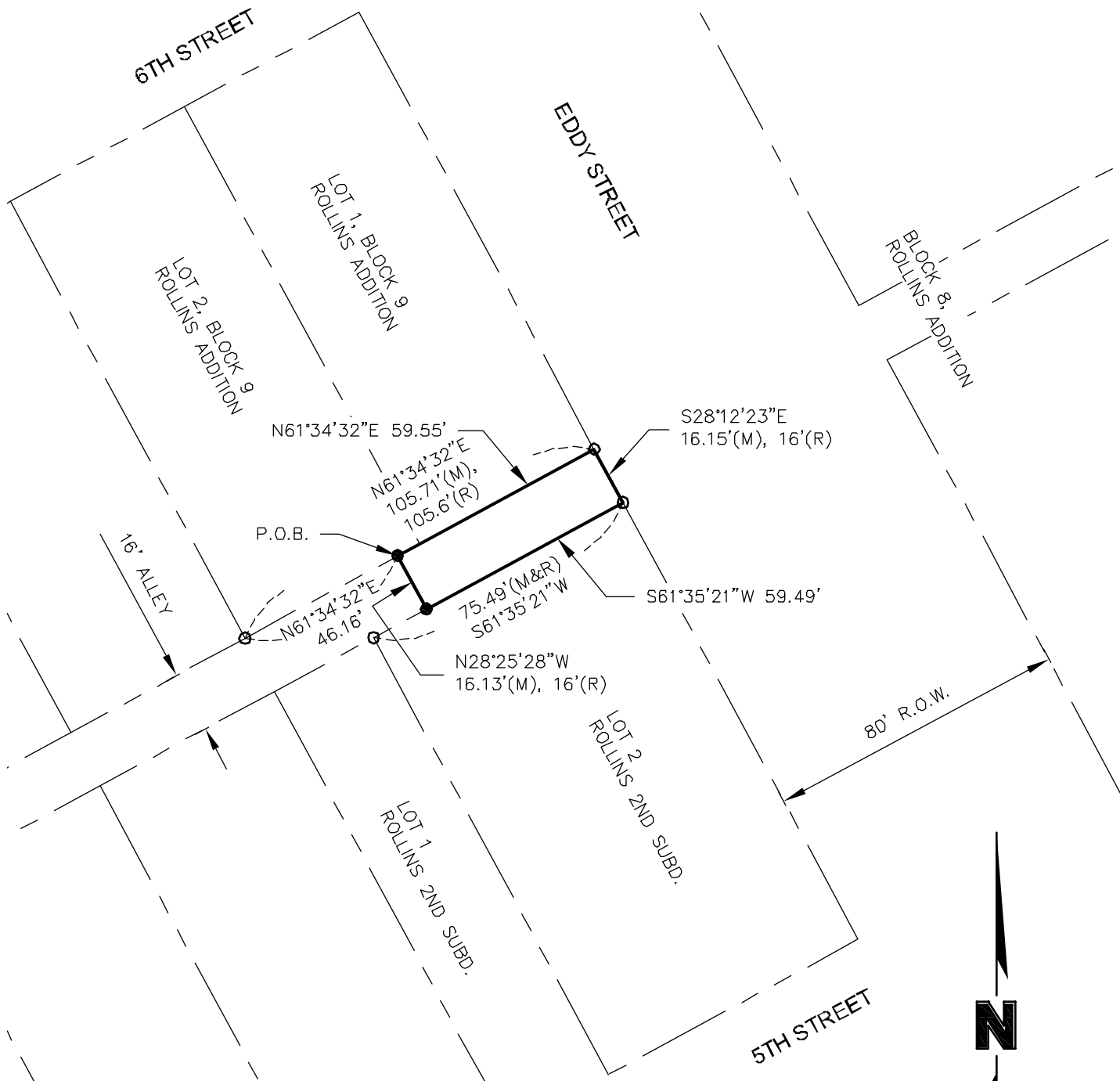
Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

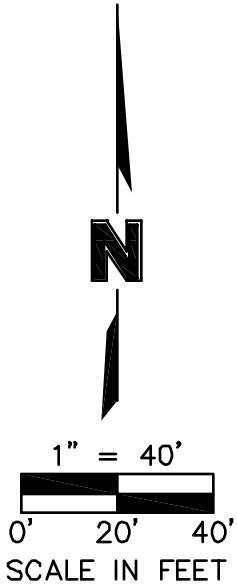
Survey Record

HALL COUNTY, NEBRASKA



LEGEND

- FOUND PROPERTY PIN
- SET 5/8" W/L.S. 458 CAP
- (M) MEASURED DISTANCE
- (R) RECORDED DISTANCE



LEGAL DESCRIPTION

A PUBLIC ALLEY RIGHT OF WAY LOCATED IN BLOCK 9 OF ROLLINS ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHWEST CORNER OF LOT 2 OF SAID BLOCK 9, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID ALLEY RIGHT OF WAY (R.O.W.); THENCE ON AN ASSUMED BEARING OF N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 46.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 59.55 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 9, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID NORTH ALLEY R.O.W. LINE AND THE WEST R.O.W. LINE OF EDDY STREET; THENCE S28°12'23"E A DISTANCE OF 16.15 FEET TO THE NORTHEAST CORNER OF LOT 2 OF ROLLINS SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE OF EDDY STREET AND THE SOUTH LINE OF SAID ALLEY R.O.W.; THENCE S61°35'21"W ALONG SAID SOUTH ALLEY R.O.W. LINE A DISTANCE OF 59.49 FEET; THENCE N28°25'28"W A DISTANCE OF 16.13 FEET TO THE POINT OF BEGINNING. SAID PUBLIC ALLEY R.O.W. CONTAINS 961 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

TIMOTHY J. AITKEN, REGISTERED LAND SURVEYOR NUMBER, LS-458

DWG: F:\Projects\009-0335_SVYO\Final_Plat\090335_ALY VACATE.dwg
 DATE: Sep 16, 2009 5:20pm
 USER: zloomis
 XREFS: 090335_ROW 090335_xtopo



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