



City of Grand Island

Tuesday, March 24, 2015

Council Session

Item F-1

#9526 - Consideration of Vacation of Utility Easements Located in Sterling Estates Second Subdivision (SB Communities, LLC)

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: March 24, 2015

Subject: Consideration of Vacation of Utility Easements Located in Sterling Estates Second Subdivision (SB Communities, LLC)

Item #'s: F-1

Presenter(s): John Collins PE, Public Works Director

Background

Utility easements were dedicated with the original Sterling Estates Second Subdivision plat on August 28, 2012. Such easements are not necessary to accommodate existing or proposed utilities and vacating them will support the remaining development of Sterling Estates Second Subdivision.

Discussion

The developer/property owner of Sterling Estates Second Subdivision is requesting to vacate the originally dedicated easements for this area. There are no utilities currently within these easements that will be affected by this vacation. The attached sketch details the referenced easements to be vacated.

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 pass an ordinance vacating the specified easements located in Sterling Estates Second Subdivision.

Sample Motion

Move to pass an ordinance vacating the specified easements.

ORDINANCE NO. 9526

An ordinance to vacate existing utility easements and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; 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 existing utility easements comprising a part of Lots One (1) and Two (2), Sterling Estates Second Subdivision, in the City of Grand Island, Nebraska, more particularly described as follows:

A TRACT OF LAND IN PART OF LOT 1, STERLING ESTATES SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF N00°59'26"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°59'26"E, ALONG SAID WEST LINE OF LOT 1, A DISTANCE OF 114.00 FEET; THENCE S89°00'34"E A DISTANCE OF 15.00 FEET; THENCE S00°59'26"W, PARALLEL TO SAID WEST LINE OF LOT 1, A DISTANCE OF 114.00 FEET; THENCE N89°00'34"W A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1710 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

AND

A TRACT OF LAND IN PART OF LOT 1, STERLING ESTATES SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Approved as to Form	▣ _____
March 20, 2015	▣ City Attorney

ORDINANCE NO. 9526 (Cont.)

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF N00°59'26"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 159.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°59'26"E, ALONG SAID WEST LINE OF LOT 1, A DISTANCE OF 173.00 FEET; THENCE S89°00'34"E A DISTANCE OF 15.00 FEET; THENCE S00°59'26"W, PARALLEL TO SAID WEST LINE OF LOT 1, A DISTANCE OF 173.00 FEET; THENCE N89°00'34"W A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 2595 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

AND

ALL EASEMENTS IN LOT 2, STERLING ESTATES SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

is hereby vacated. Such easements to be vacated are shown and more particularly described on Exhibit 2 and 3 attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate upon which the easement is located.

SECTION 3. This ordinance is directed to be filed, with the drawing, 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, within fifteen days in one issue of the Grand Island Independent as provided by law.

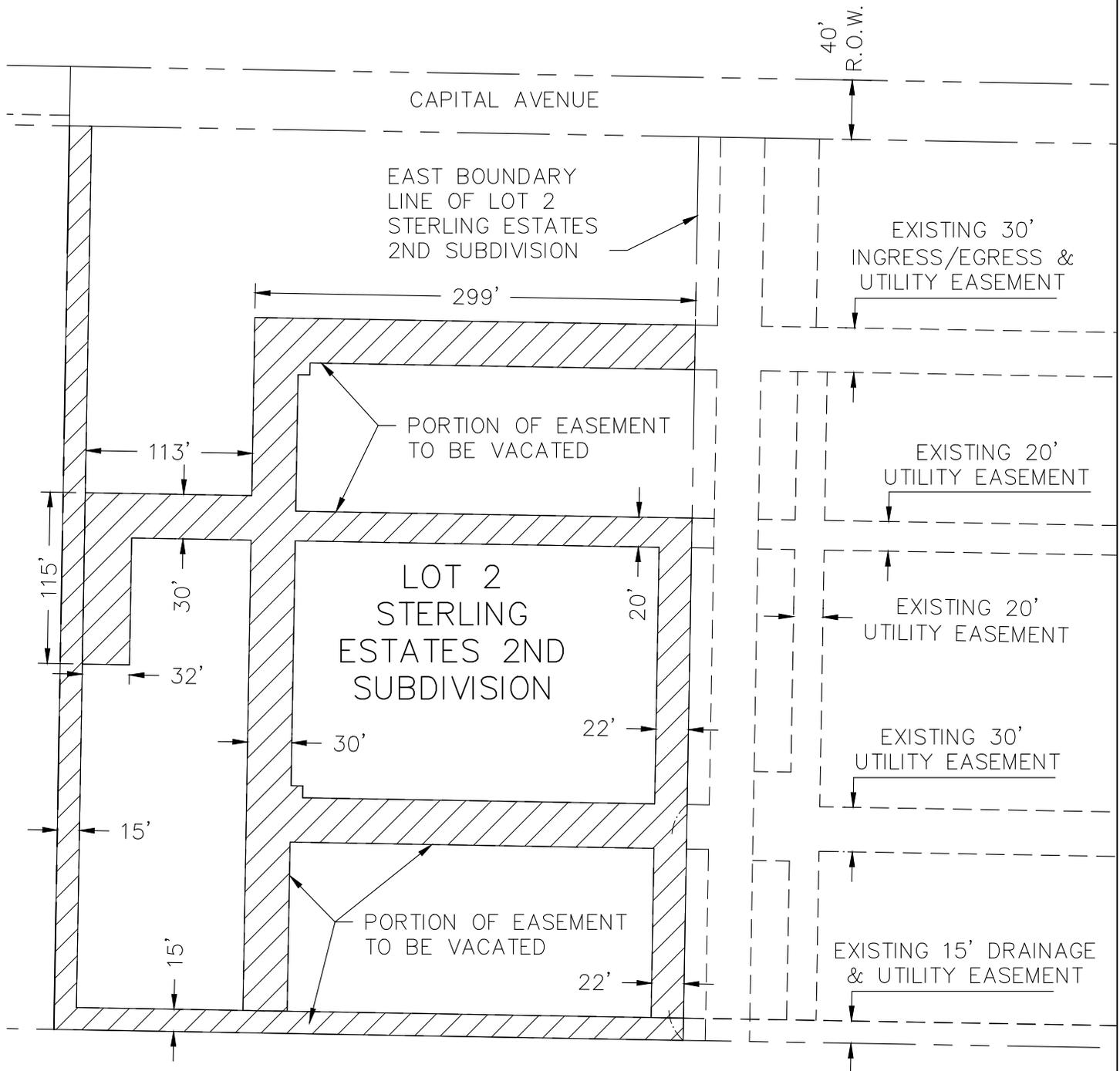
Enacted: March 24, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

DWG: F:\projects\014-2919_PBIN\Final_Plat\014-2919_EASE-VACATE.dwg USER: lwheeler
 DATE: Mar 04, 2015 7:58am XREFS: 014-2919_ROW



EASEMENTS DESCRIPTION

ALL EASEMENTS IN LOT 2, STERLING ESTATES SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY NEBRASKA.

PROJECT NO:	2014-2919
DRAWN BY:	LJW
DATE:	03/03/15

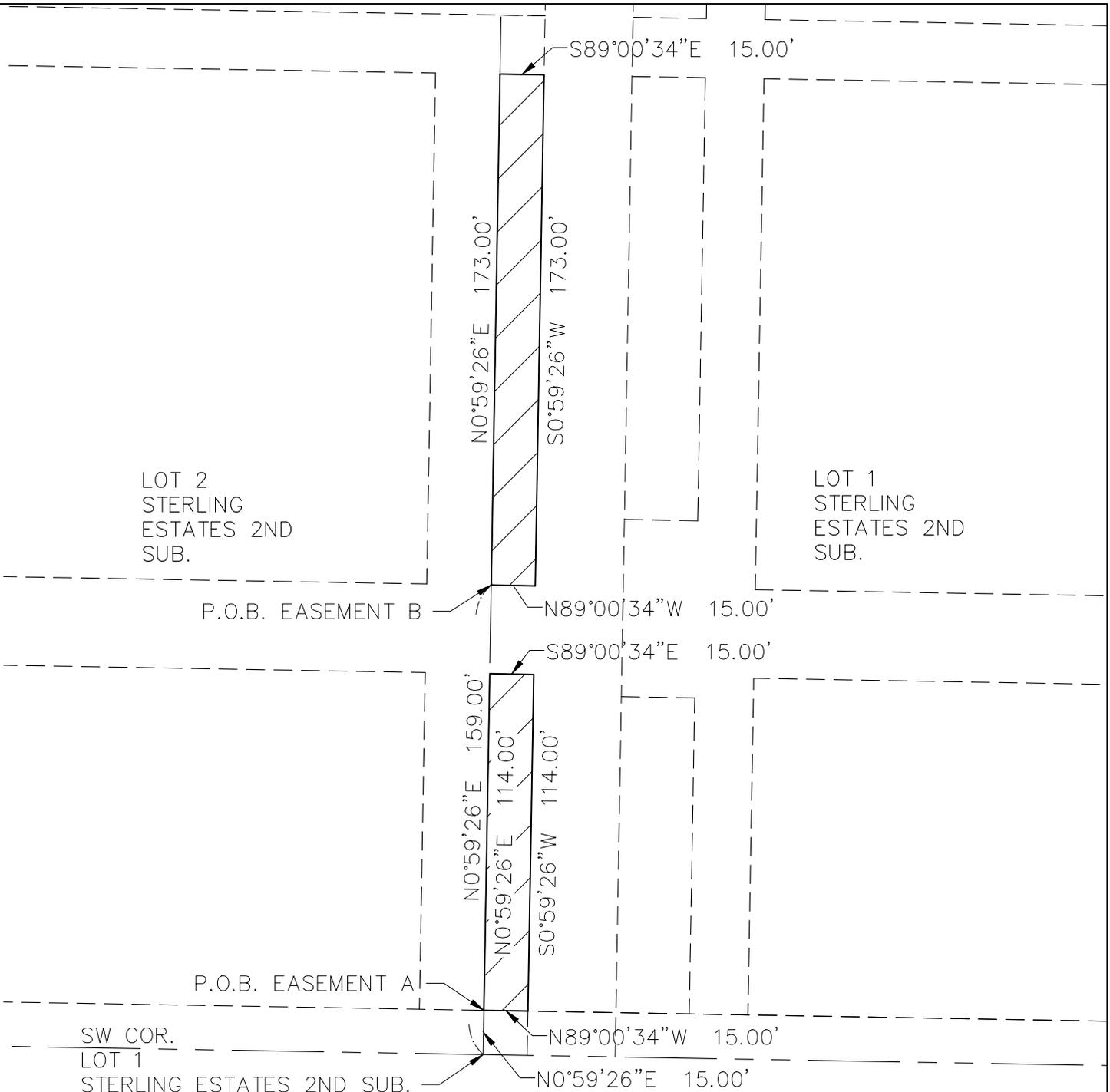
**EASEMENT
VACATION**



201 East 2nd Street
 P.O. Box 1072
 Grand Island, NE 68802-1072
 TEL 308.384.8750
 FAX 308.384.8752

EXHIBIT
2

USER: lwheeler
 DWG: F:\projects\014-2919\014-2919_Final_Plot\014-2919_EASE-VACATE.dwg
 DATE: Mar 04, 2015 7:52am
 XREFS: 014-2919_ROW



LEGAL DESCRIPTION EASEMENT A

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LEGAL DESCRIPTION EASEMENT B

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EXHIBIT
3