



City of Grand Island

Tuesday, July 14, 2015

Council Session

Item F-2

#9545 - Consideration of Vacation of a Utility Easement Located in Luzenac Third Subdivision (Central Nebraska Transload, LLC)

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 14, 2015

Subject: Consideration of Vacation of a Utility Easement Located in Luzenac Third Subdivision (Central Nebraska Transload, LLC)

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

Background

A utility easement was filed with Hall County Register of Deeds on July 7, 1983, as Document No. 83-003609, in Luzenac Third Subdivision. Such easement is not necessary to accommodate existing or proposed utilities and vacating it will support the development of this area.

Discussion

The developer/property owner, Central Nebraska Transload, LLC, is requesting to vacate such dedicated easement within Lot Two (2) of Luzenac Third Subdivision. There are no utilities currently within this easement that will be affected by this vacation. The attached sketch details the referenced easement 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 easement located in Lot Two (2), Luzenac Third Subdivision.

Sample Motion

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9545

An ordinance to vacate existing utility easement 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 an existing utility easement located in part of Lot Two (2), Luzenac Third Subdivision, in the City of Grand Island, Nebraska, more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, LUZENAC SECOND SUBDIVISION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 2, LUZENAC SECOND SUBDIVISION, A DISTANCE OF 24.85 FEET TO A POINT BEING THE POINT OF BEGINNING OF THE CENTERLINE OF A 20' EASEMENT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF LOT 2, LUZENAC THIRD SUBDIVISION AND BEING 80 FEET WEST OF SAID LINE A DISTANCE OF 661'± TO A POINT OF TERMINATION. SAID EASEMENT CONTAINS A CALCUALTED AREA OF 13,222.57 SQUARE FEET OR 0.304 ACRES MORE OR LESS.

is hereby vacated. Such 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 the owner or owners of the real estate upon which the easement is located.

Approved as to Form	▣ _____
July 10, 2015	▣ City Attorney

ORDINANCE NO. 9545 (Cont.)

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: July 14, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

