



# City of Grand Island

Tuesday, August 11, 2015

Council Session

## Item F-1

**#9548 - Consideration of Vacation of Utility Easements Located at  
602 West Stolley Park Road (Grand Island Public Schools)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** August 11, 2015

**Subject:** Consideration of Vacation of Utility Easements Located at 602 West Stolley Park Road (Grand Island Public Schools)

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

## **Background**

A utility easement was filed with Hall County Register of Deeds on September 13, 1995 as Document No. 95-106189 in Grand Island School Addition Subdivision. Two (2) other utility easements were filed with Hall County Register of Deeds on September 27, 2015 as Instrument No. 200608615. None of these utility easements are needed any longer to accommodate existing or proposed utilities and vacating all three (3) will support the redevelopment of this area.

## **Discussion**

The developer/property owner, Grand Island Public Schools is requesting to vacate such dedicated utility easements within Grand Island School Addition Subdivision. There are no utilities currently within these easements that will be affected by the 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 utility easements located in Grand Island School Addition Subdivision.

### **Sample Motion**

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9548

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 located in part of Lot One (1), Grand Island School Addition Subdivision, in the City of Grand Island, Nebraska, more particularly described as follows:

TRACT 1

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, GRAND ISLAND SCHOOL ADDITION; THENCE ON AN ASSUMED BEARING OF S89°51'55"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF STOLLEY PARK ROAD, A DISTANCE OF 320.09 FEET; THENCE N00°08'05"W A DISTANCE OF 123.01 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING EASEMENT RECORDED IN DOCUMENT NO. 95-106189, FILED SEPTEMBER 13, 1995 HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N19°42'17"W A DISTANCE OF 16.84 FEET TO A POINT ON THE NORTHERLY LINE OF SAID 16' EASEMENT; THENCE N52°06'58"E, ALONG SAID NORTHERLY LINE, A DISTANCE OF 119.09 FEET; THENCE S03°47'58"W ALONG THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 102.03 FEET TO A POINT ON THE SOUTH LINE OF A 16' EASEMENT RECORDED IN BOOK 14, PAGE 559-561; THENCE N45°55'02"W A DISTANCE OF 20.97 FEET TO A POINT ON THE WEST LINE OF SAID 16' EASEMENT RECORDED IN DOCUMENT NO. 95-106189; THENCE N03°47'58"E, ALONG SAID EASEMENT, A DISTANCE OF 52.80 FEET; THENCE S52°06'58"W, ALONG SAID EASEMENT, A DISTANCE OF 88.67 FEET TO

Approved as to Form	by _____
August 7, 2015	City Attorney

ORDINANCE NO. 9548 (Cont.)

THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 2,900 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

AND

TRACT 2

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, GRAND ISLAND SCHOOL ADDITION; THENCE ON AN ASSUMED BEARING OF S89°51'55"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF STOLLEY PARK ROAD, A DISTANCE OF 325.76 FEET; THENCE N00°08'05"W A DISTANCE OF 139.22 FEET TO A POINT ON THE SOUTH LINE OF A 16' EASEMENT RECORDED IN DOCUMENT NO. 79-006977, FILED OCTOBER 23, 1979 HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N04°46'05"W A DISTANCE OF 16.00 FEET TO A POINT ON THE NORTHERLY LINE OF A 16' EASEMENT RECORDED IN INSTRUMENT NO. 200608615 FILED SEPTEMBER 27, 2006 HALL COUNTY REGISTER OF DEEDS; THENCE N85°13'55"E A DISTANCE OF 46.89 FEET; THENCE N43°18'55"E A DISTANCE OF 54.14 FEET; THENCE S46°41'05"E A DISTANCE OF 80.43 FEET; THENCE S89°53'05"E A DISTANCE OF 25.72 FEET; THENCE S40°16'55"E A DISTANCE OF 20.94 FEET; THENCE N89°53'05"W A DISTANCE OF 18.55 FEET; THENCE N46°41'05"W A DISTANCE OF 70.77 FEET; THENCE S43°18'55"W A DISTANCE OF 44.26 FEET; THENCE S85°13'55"W A DISTANCE OF 53.01 FEET TO THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,150 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

AND

TRACT 3

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SILVERWOOD SECOND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N88°50'32"E A DISTANCE OF 115.62 FEET; THENCE N01°07'26"W A DISTANCE OF 44.92 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF A 16' EASEMENT RECORDED IN INSTRUMENT NO. 200608615, HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N45°22'53"W A DISTANCE OF 22.00 FEET; THENCE N01°16'55"E A DISTANCE OF 11.80 FEET; THENCE N45°00'00"E A DISTANCE OF 110.00 FEET; THENCE S45°49'05"E A DISTANCE OF 52.17 FEET TO A POINT ON THE NORTHERLY LINE OF A 16' EASEMENT RECORDED IN DOCUMENT NO. 79-006977, FILED OCTOBER 23, 1979, HALL COUNTY REGISTER OF DEEDS; THENCE N43°03'55"E A DISTANCE OF 110.17 FEET; THENCE S44°34'05"E A DISTANCE OF 16.01 FEET; THENCE S43°03'55"W A DISTANCE OF 125.82 FEET; THENCE N45°49'05"W A DISTANCE OF 52.77 FEET; THENCE S44°57'55"W A DISTANCE OF 87.80 FEET; THENCE S01°16'55"W A DISTANCE OF 20.48 FEET TO THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 4,565 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

is hereby vacated. Such easements to be vacated are shown and more particularly described on

Exhibits 1, 2 & 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.

ORDINANCE NO. 9548 (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: August 11, 2015

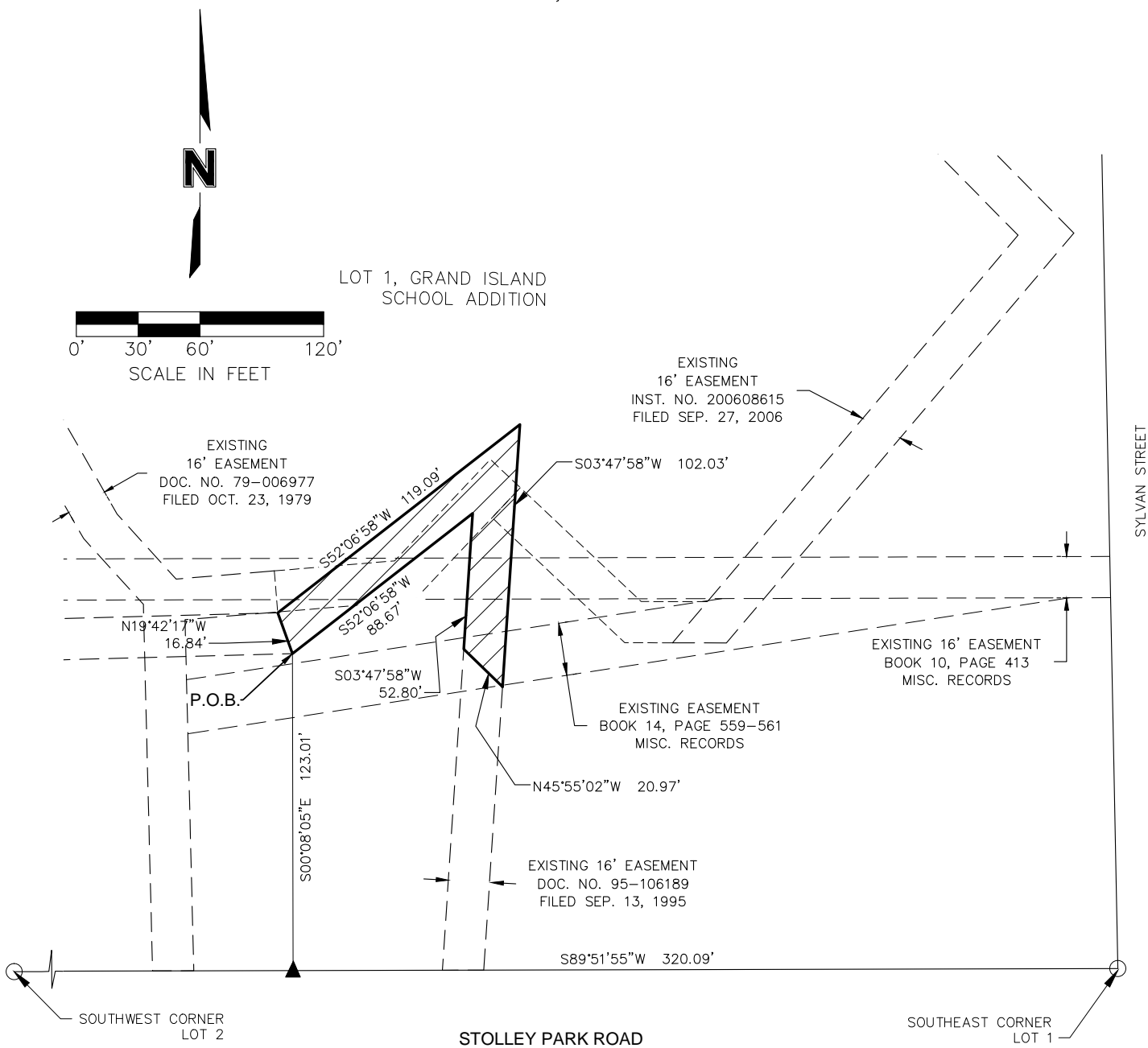
\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

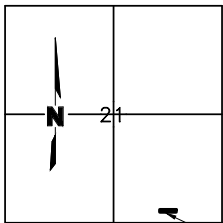
\_\_\_\_\_  
RaNae Edwards, City Clerk

VACATED UTILITY EASEMENT

HALL COUNTY, NEBRASKA



LOCATION MAP  
SEC. 21 T11N, R9W  
NOT TO SCALE



LEGEND

- ▲ ⊕ CALCULATED POINT
- ⊕ FOUND CORNER
- EXISTING EASEMENT LINE
- - - EASEMENT LINE TO BE VACATED
- \_\_\_ PROPERTY LINE
- ▨ UTILITY EASEMENT AREA

VACATED UTILITY EASEMENT DESCRIPTION

A VACATION OF PART OF A 16' UTILITY EASEMENT RECORDED IN DOC. NO. 95-106189, FILED SEP. 13, 1995 HALL COUNTY REGISTER OF DEEDS, LOCATED IN LOT 1, GRAND ISLAND SCHOOL ADDITION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

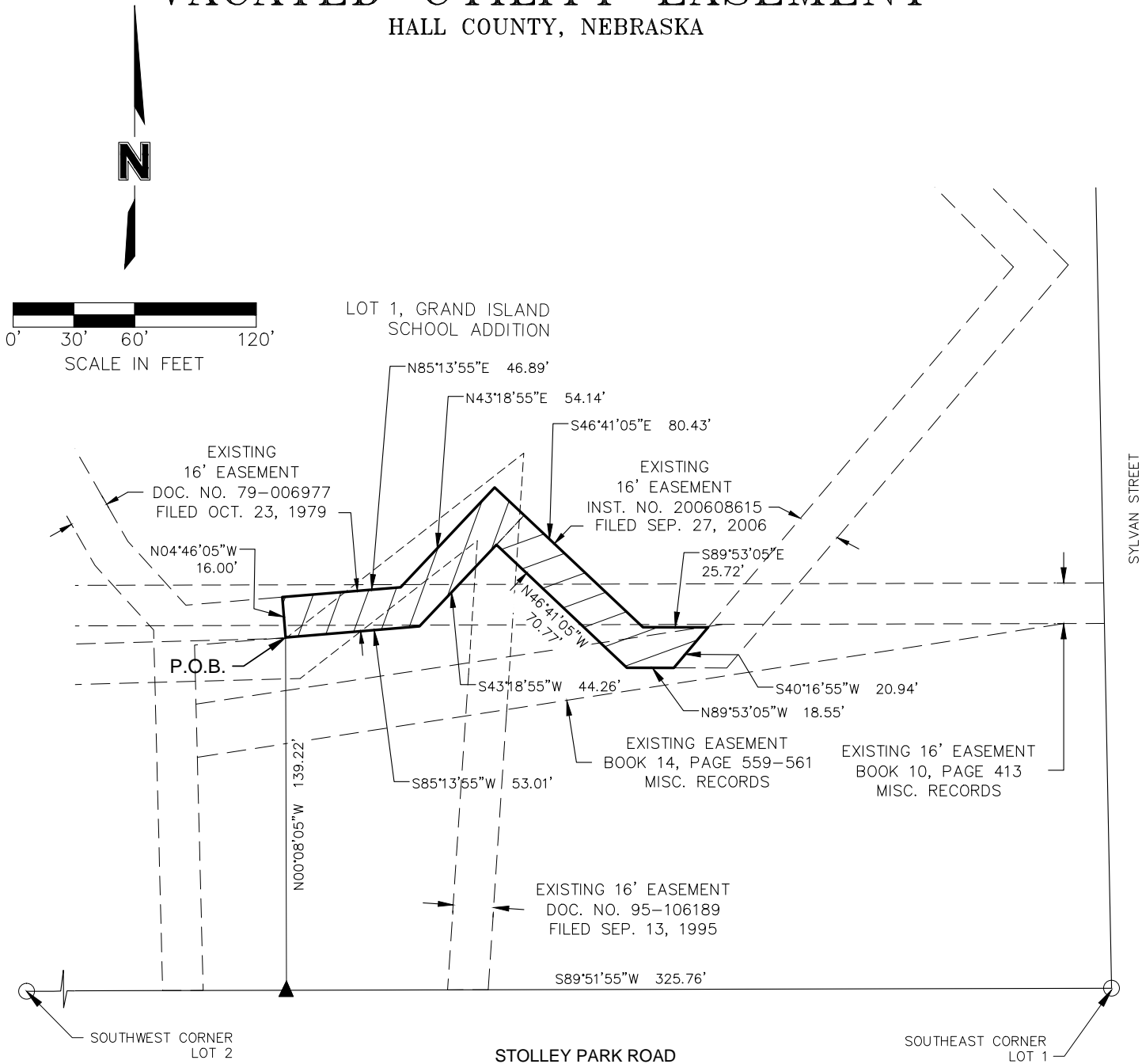
COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, GRAND ISLAND SCHOOL ADDITION; THENCE ON AN ASSUMED BEARING OF S89°51'55"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF STOLLEY PARK ROAD, A DISTANCE OF 320.09 FEET; THENCE N00°08'05"W A DISTANCE OF 123.01 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING EASEMENT RECORDED IN DOC. NO. 95-106189, FILED SEP. 13, 1995 HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N19°42'17"W A DISTANCE OF 16.84 FEET TO A POINT ON THE NORTHERLY LINE OF SAID 16' EASEMENT; THENCE N52°06'58"E, ALONG SAID NORTHERLY LINE, A DISTANCE OF 119.09 FEET; THENCE S03°47'58"W, ALONG THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 102.03 FEET TO A POINT ON THE SOUTH LINE OF A 16' EASEMENT RECORDED IN BOOK 14, PAGE 559-561; THENCE N45°55'02"W A DISTANCE OF 20.97 FEET TO A POINT ON THE WEST LINE OF SAID 16' EASEMENT RECORDED IN DOC. 95-106189; THENCE N03°47'58"E, ALONG SAID EASEMENT, A DISTANCE OF 52.80 FEET; THENCE S52°06'58"W, ALONG SAID EASEMENT, A DISTANCE OF 88.67 FEET TO THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 2,900 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

DWC: F:\projects\015-0312\PBIN\EASEMENTS\015-0312 EASEMENT VACATED.dwg  
 DATE: Apr 30, 2015 4:25pm  
 USER: jramirez  
 XREFS: 015-0312\_PBASE 0142905\_XTOPO Barr

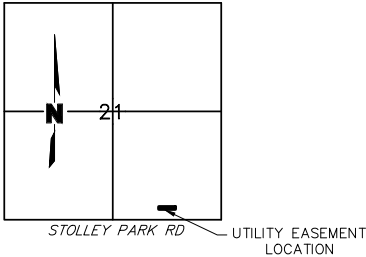
PROJECT NO: 2015-0312	BARR SCHOOL UTILITY VACATE EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JAS				1
DATE: 04/27/2015				

VACATED UTILITY EASEMENT

HALL COUNTY, NEBRASKA



LOCATION MAP  
SEC. 21 T11N, R9W  
NOT TO SCALE



LEGEND

- ▲ FOUND CORNER
- ⊕ CALCULATED POINT
- EXISTING EASEMENT LINE
- - - EASEMENT LINE TO BE VACATED
- \_\_\_ PROPERTY LINE
- ▨ UTILITY EASEMENT AREA

VACATED UTILITY EASEMENT DESCRIPTION

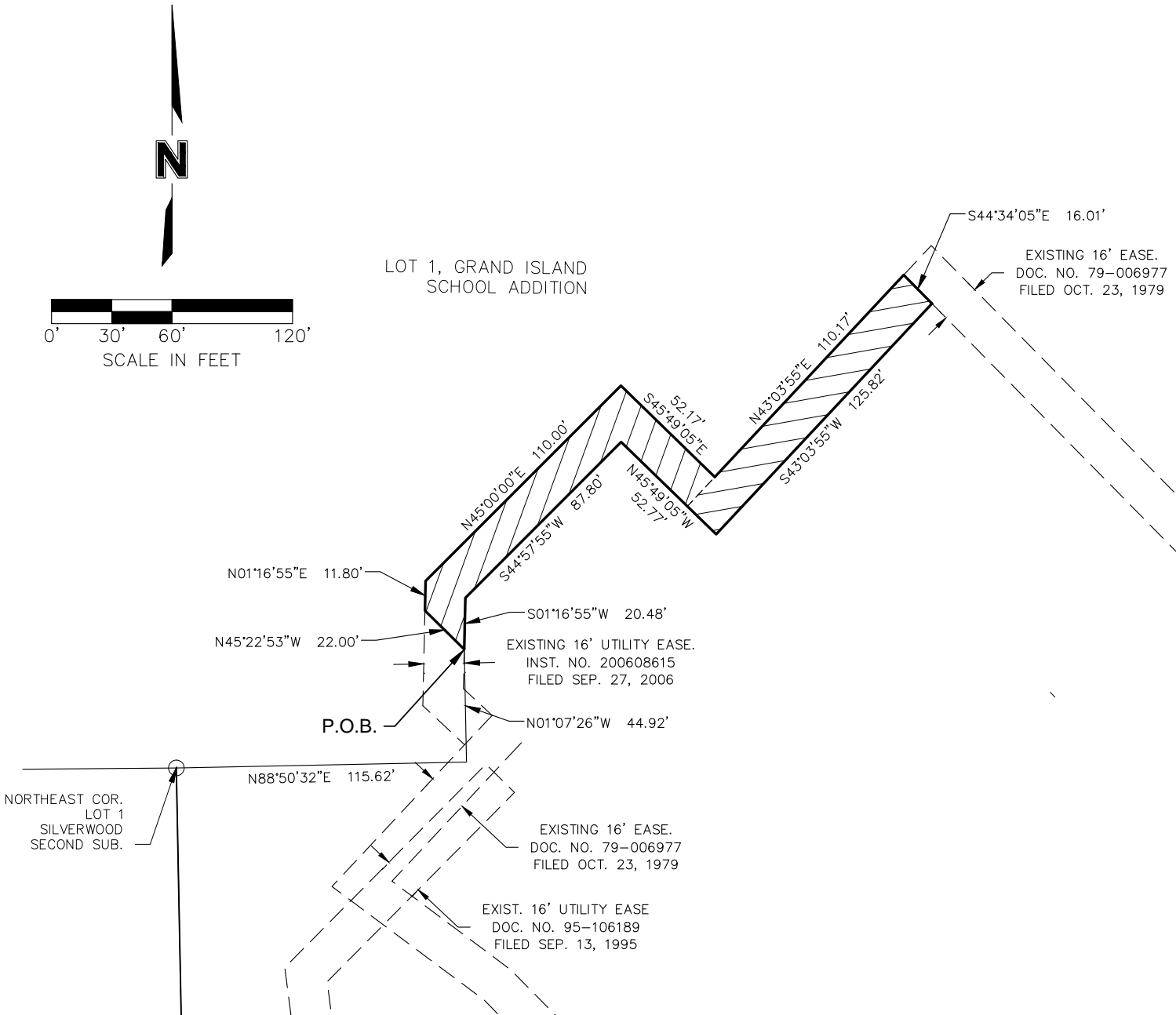
A VACATION OF PART OF A 16' EASEMENT RECORDED IN DOC. NO. 79-006977, FILED OCT. 23, 1979 HALL COUNTY REGISTER OF DEEDS AND PART OF A 16' UTILITY EASEMENT RECORDED IN INST. 200608615 FILED SEP. 27, 2006 HALL COUNTY REGISTER OF DEEDS LOCATED IN LOT 1, GRAND ISLAND SCHOOL ADDITION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, GRAND ISLAND SCHOOL ADDITION; THENCE ON AN ASSUMED BEARING OF S89°51'55"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF STOLLEY PARK ROAD, A DISTANCE OF 325.76 FEET; THENCE N00°08'05"W A DISTANCE OF 139.22 FEET TO A POINT ON THE SOUTH LINE OF A 16' EASEMENT RECORDED IN DOC. NO. 79-006977, FILED OCT. 23, 1979 HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N04°46'05"W A DISTANCE OF 16.00 FEET TO A POINT ON THE NORTHERLY LINE OF A 16' EASEMENT RECORDED IN INST. 200608615 FILED SEP. 27, 2006 HALL COUNTY REGISTER OF DEEDS; THENCE N85°13'55"E A DISTANCE OF 46.89 FEET; THENCE N43°18'55"E A DISTANCE OF 54.14 FEET; THENCE S46°41'05"E A DISTANCE OF 80.43 FEET; THENCE S89°53'05"E A DISTANCE OF 25.72 FEET; THENCE S40°16'55"E A DISTANCE OF 20.94 FEET; THENCE N89°53'05"W A DISTANCE OF 18.55 FEET; THENCE N46°41'05"W A DISTANCE OF 70.77 FEET; THENCE S43°18'55"W A DISTANCE OF 44.26 FEET; THENCE S85°13'55"W A DISTANCE OF 53.01 FEET TO THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,150 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

PROJECT NO: 2015-0312	BARR SCHOOL UTILITY VACATE EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JAS				2
DATE: 04/27/2015				

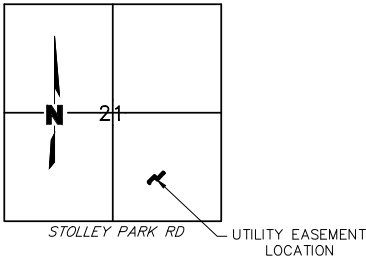


VACATED UTILITY EASEMENT

HALL COUNTY, NEBRASKA



LOCATION MAP  
SEC. 21 T11N, R9W  
NOT TO SCALE



LEGEND

- ⊕ FOUND CORNER
- EXISTING EASEMENT LINE
- - - EASEMENT LINE TO BE VACATED
- \_\_\_ PROPERTY LINE
- ▨ UTILITY EASEMENT AREA

VACATED UTILITY EASEMENT DESCRIPTION

A VACATION OF PART OF A 16' UTILITY EASEMENT RECORDED IN INST. NO. 200608615, HALL COUNTY REGISTER OF DEEDS AND A 16' EASEMENT RECORDED IN DOC. NO. 79-006977, FILED OCT. 23, 1979, HALL COUNTY REGISTER OF DEEDS LOCATED IN LOT 1, GRAND ISLAND SCHOOL ADDITION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SILVERWOOD SECOND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N88°50'32"E A DISTANCE OF 115.62 FEET; THENCE N01°07'26"W A DISTANCE OF 44.92 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF A 16' EASEMENT RECORDED IN INST. NO. 200608615, HALL COUNTY REGISTER OF DEEDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE N45°22'53"W A DISTANCE OF 22.00 FEET; THENCE N01°16'55"E A DISTANCE OF 11.80 FEET; THENCE N45°00'00"E A DISTANCE OF 110.00 FEET; THENCE S45°49'05"E A DISTANCE OF 52.17 FEET TO A POINT ON THE NORTHERLY LINE OF A 16' EASEMENT RECORDED IN DOC. NO. 79-006977, FILED OCT. 23, 1979, HALL COUNTY REGISTER OF DEEDS; THENCE N43°03'55"E A DISTANCE OF 110.17 FEET; THENCE S44°34'05"E A DISTANCE OF 16.01 FEET; THENCE S43°03'55"W A DISTANCE OF 125.82 FEET; THENCE N45°49'05"W A DISTANCE OF 52.77 FEET; THENCE S44°57'55"W A DISTANCE OF 87.80 FEET; THENCE S01°16'55"W A DISTANCE OF 20.48 FEET TO THE POINT OF BEGINNING. SAID VACATED UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 4,565 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

PROJECT NO: 2015-0312	BARR SCHOOL UTILITY VACATE EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JMR				3
DATE: 04/27/2015				