



City of Grand Island

Tuesday, November 24, 2009

Council Session

Item F2

**#9243 - Consideration of Vacation of a Utility Easement Located at
1808 & 1810 South Locust Street (Goodwill Industries)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 24, 2009

Subject: Consideration of Vacation of a Utility Easement Located at 1808 & 1810 South Locust Street (Goodwill Industries)

Item #'s: F-2

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

Background

Three (3) twenty foot (20') wide utility easements were filed with Hall County on November 26, 2003 as part of the platting & filing of Goodwill Fifth Subdivision. Lots One (1), Two (2), and Three (3) of Goodwill Fifth Subdivision are being combined into one lot for development and the three (3) easements are located where the proposed building is to be built. These easements do not have any utilities within them, nor is there a need anticipated in the future.

Discussion

The developer of the property is requesting that the three (3) existing 20' wide utility easements be vacated. All work related to the vacation will be performed at the developers cost to allow for improvement of the property as planned.

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 the passing of an ordinance vacating the three (3) utility easements in Lot One (1), Lot Two (2), and Lot Three (3) of Goodwill Fifth Subdivision.

Sample Motion

Move to pass an ordinance vacating the three (3) utility easements in Lot One (1), Lot Two (2), and Lot Three (3) of Goodwill Fifth Subdivision.

ORDINANCE NO. 9243

An ordinance to vacate a portion of an 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 the existing utilities easements at 1808 & 1810 South Locust Street in Grand Island, Hall County, Nebraska, more particularly described as follows:

A TWENTY (20.0) FOOT WIDE EASEMENT LOCATED IN LOT ONE (1), GOODWILL FIFTH SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LOT TWO (2), GOODWILL FIFTH SUBDIVISION AND SIXTY EIGHT (68.0) FEET SOUTH OF THE NORTHWEST CORNER OF LOT TWO (2), GOODWILL FIFTH SUBDIVISION; THENCE RUNNING WESTERLY TO A POINT SIXTY NINE AND FOUR TENTHS (69.4) FEET SOUTH OF AND ONE HUNDRED AND FOUR TENTHS (100.4) FEET WEST OF THE NORTHWEST CORNER OF LOT TWO (2), GOODWILL FIFTH SUBDIVISION, RECORDED AS DOCUMENT NO. 0200315419 IN THE OFFICE OF THE REGISTER OF DEEDS OF HALL COUNTY, NEBRASKA; AND

A TWENTY (20.0) FOOT WIDE EASEMENT LOCATED IN LOT ONE (1), GOODWILL FIFTH SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT THREE (3), GOODWILL FIFTH SUBDIVISION; THENCE RUNNING WESTERLY ON THE SOUTH LINE OF LOT THREE (3), GOODWILL FIFTH

ORDINANCE NO. 9243 (Cont.)

SUBDIVISION, IF EXTENDED A DISTANCE OF FIFTY TWO (52.0) FEET; THENCE RUNNING NORTHERLY PARALLEL TO THE WEST LINE OF LOT THREE (3), GOODWILL FIFTH SUBDIVISION, A DISTANCE OF TWENTY (20.0) FEET; THENCE RUNNING EASTERLY A DISTANCE OF FIFTY TWO (52.0) FEET, TO A POINT ON THE WEST LINE OF LOT THREE (3), GOODWILL FIFTH SUBDIVISION; THENCE RUNNING SOUTHERLY ON THE WEST LINE OF LOT THREE (3), GOODWILL FIFTH SUBDIVISION, A DISTANCE OF TWENTY (20.0) FEET, TO THE POINT OF BEGINNING, RECORDED AS DOCUMENT NO. 0200315419 IN THE OFFICE OF THE REGISTER OF DEEDS OF HALL COUNTY, NEBRASKA; AND

A TWENTY (20.0) FOOT WIDE EASEMENT COMPRISING THE WESTERLY TWENTY (20.0) FEET OF LOTS TWO (2) AND THREE (3), GOODWILL FIFTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, RECORDED AS DOCUMENT NO. 0200315419 IN THE OFFICE OF THE REGISTER OF DEEDS OF HALL COUNTY, NEBRASKA.

are hereby vacated. Such easements 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 easements are 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.

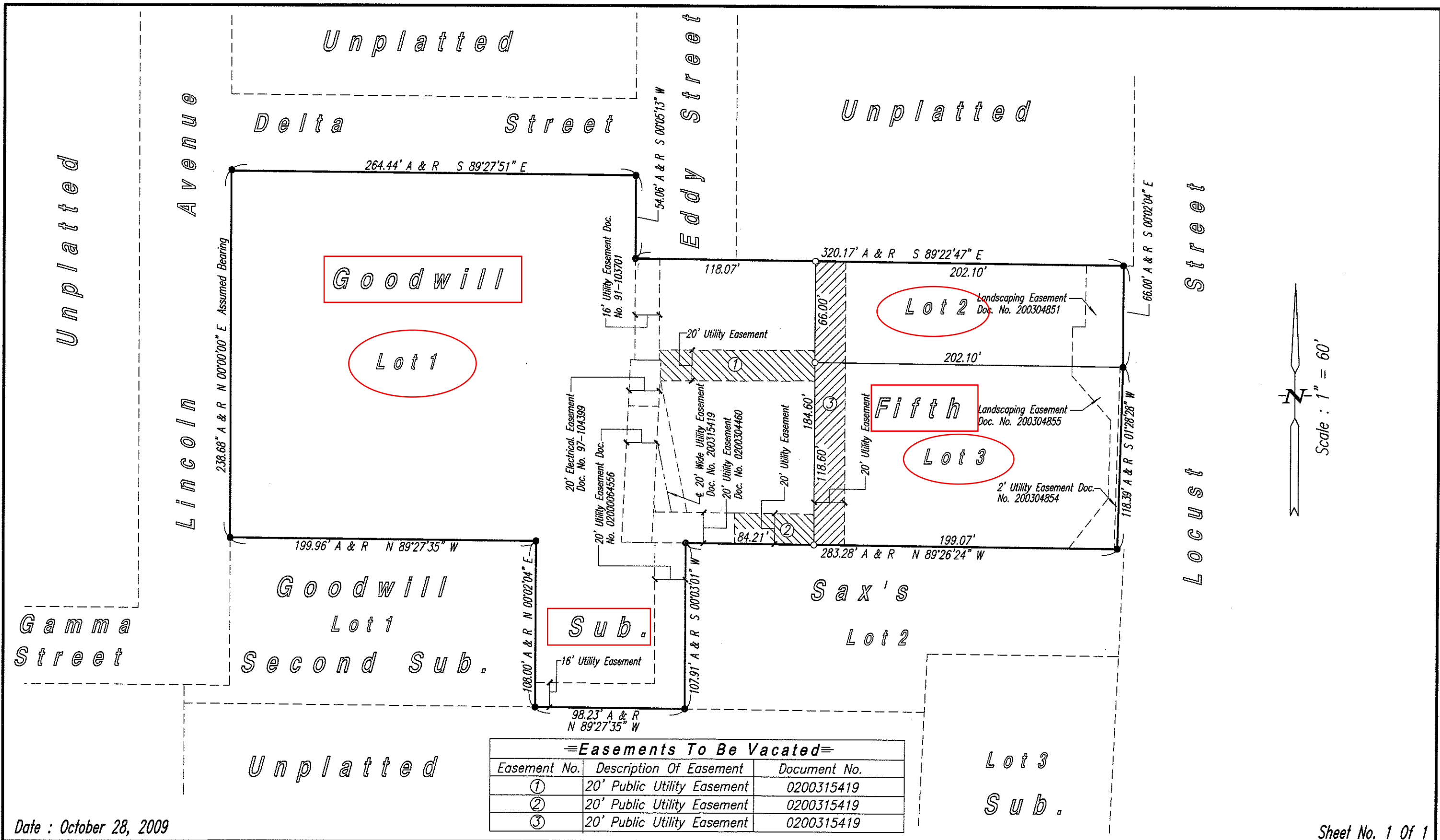
SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: November 24, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



=Easements To Be Vacated=

Easement No.	Description Of Easement	Document No.
①	20' Public Utility Easement	0200315419
②	20' Public Utility Easement	0200315419
③	20' Public Utility Easement	0200315419

Date : October 28, 2009

Sheet No. 1 Of 1

EXIHIBIT 'A'

*Goodwill Fifth Subdivision
In The City Of Grand Island, Hall County, Nebraska*



2510 NORTH WEBB ROAD, GRAND ISLAND, NEBRASKA 68802 P.O. BOX 549
E-MAIL surveyor@computer-concepts.com PHONE (308) 382-1472 FAX (308) 382-1423