



# City of Grand Island

Tuesday, November 24, 2009

Council Session

## Item F3

**#9244 - Consideration of Vacation of Lueth Drive South of  
Seedling Mile Road**

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 Lueth Drive South of Seedling Mile Road

**Item #'s:** F-3

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

## **Background**

In 1953 a portion of a public street right-of-way at 16.5' was dedicated. The 16.5' wide right-of-way is currently known as Lueth Drive and lies just south of Seedling Mile Road, between 2415 and 2505 E Seedling Mile Road, and extends to Gregory Avenue. The vacation of this public right-of-way is necessary to accommodate the replatting of Windolph Subdivision, as Hehnke Subdivision.

## **Discussion**

The developer of the property is requesting that the existing Lueth Drive be vacated. All work related to the vacation will be performed at the developers cost to allow for development of the property as planned. There is no anticipated future need for this section of Lueth Drive. The vacated right-of-way will revert to the abutting property owners on each side of the vacated street.

## **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 Lueth Drive in Windolph's Subdivision.

## **Sample Motion**

Move to pass an ordinance vacating Lueth Drive in Windolph's Subdivision.

ORDINANCE NO. 9244

An ordinance to vacate a portion of an existing public roadway 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 public roadway, known as Lueth Drive, south of Seedling Mile Road and north of Gregory Avenue, adjacent to Lot One (1) of Windolph's Subdivision in Grand Island, Hall County, Nebraska, more particularly described as follows:

THE WEST 16.5' OF WINDOLPH'S SUBDIVISION, EXCEPT THE SOUTH 16.5' OF WINDOLPH'S SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA;

is hereby vacated. Such public roadway 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 owner or owners according to law.

ORDINANCE NO. 9244 (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 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.

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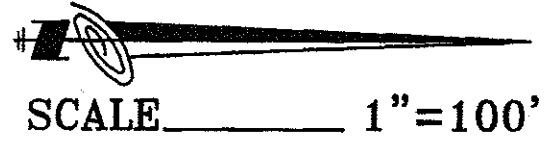
Margaret Hornady, Mayor

Attest:

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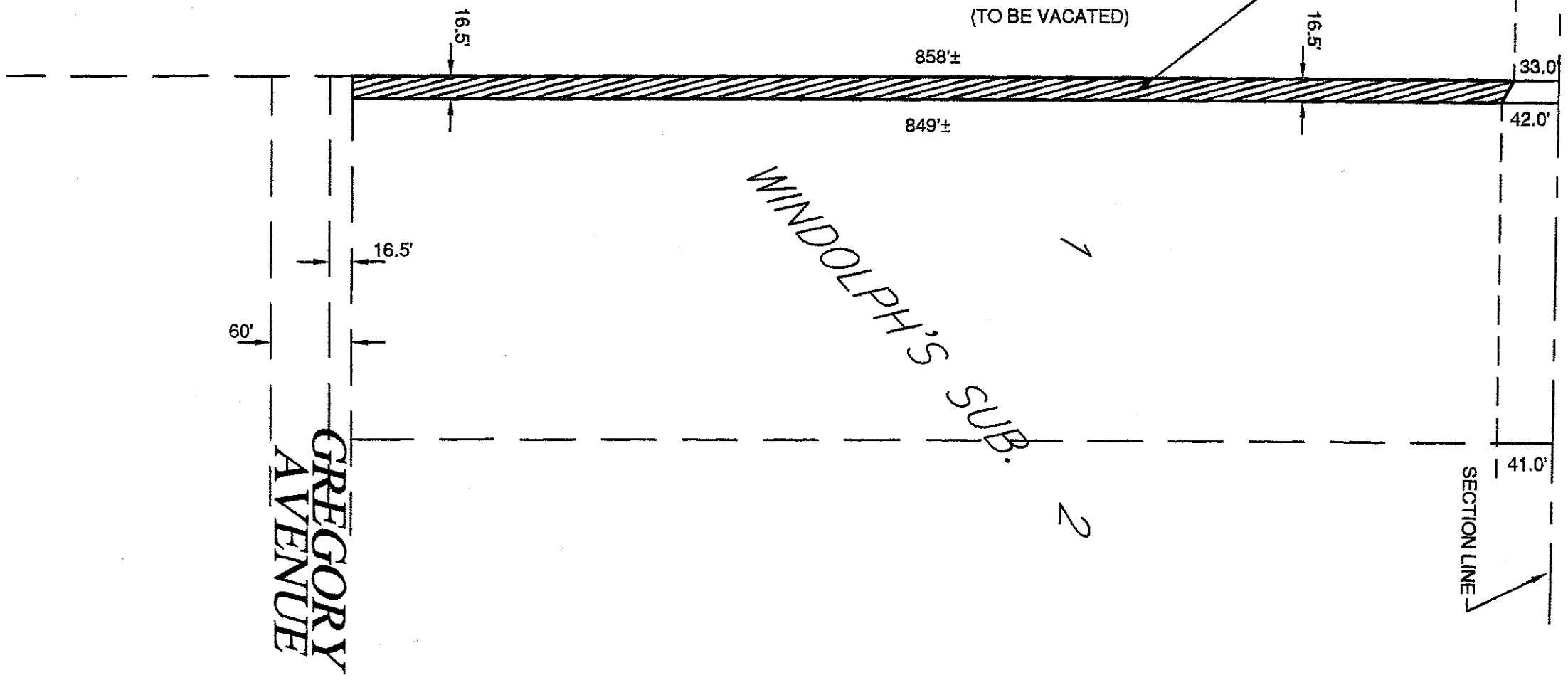
RaNae Edwards, City Clerk

PT. E1/2 NW1/4  
SECTION 14-T11N-R9W



SEEDLING MILE ROAD

LUETH DRIVE  
(TO BE VACATED)



GREGORY  
AVENUE