



# City of Grand Island

Tuesday, March 09, 2010

Council Session

## Item F1

**#9252 - Consideration of Vacation of a Utility Easement Located at  
435 S Stuhr Road (Swift Beef Company)**

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Director

**Meeting:** March 9, 2010

**Subject:** Consideration of Vacation of a Utility Easement Located at 435 S Stuhr Road (Swift Beef Company)

**Item #'s:** F-1

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

## **Background**

A Ten (10) foot wide utility easement, as well as a twenty (20) foot trail and utility easement were filed with Hall County on June 28, 2005 as part of the platting & filing of V & C Subdivision. These easements do not have any utilities within it, nor is there a need anticipated in the future.

## **Discussion**

The developer of the property is requesting that the existing 10' wide utility easement along the east side of the lot be vacated. They are also requesting the existing 20' wide utility & trail easement along the south side of the lot be vacated. This utility & trail easement will be replaced with the re-platting of the property. 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 utility easements in Lot One (1) of V & C Subdivision.

## **Sample Motion**

Move to pass an ordinance vacating the utility easements in Lot One (1) of V & C Subdivision.

# EASEMENT VACATION V&C SUBDIVISION

DWG: F:\projects\010-0081\_SVY0\Final\_Plat\0100081\_Vacated Easements.dwg USER: gsmith  
 DATE: Feb 23, 2010 4:50pm XREFS: 0100081\_ROW 0100081\_pbase

SHEET 1 OF 1

SW COR. W 1/2 NW 1/4  
 SEC. 14-T11N-R9W

THE SOUTHERN 20' TRAIL  
 AND UTILITY EASEMENT  
 AND THE EASTERN 10' UTILITY  
 EASEMENT OF LOT 1,  
 V&C SUBDIVISION TO BE  
 VACATED WITH THIS PLAT.

PART OF 15-11-9  
 (NOT A PART)

S89°50'00"W 13.06'(M) 13.00'(R1)

73'  
 ROAD R.O.W.  
 40'

N00°27'53"E 510.06'(M) 509.98'(R1)

240.84'

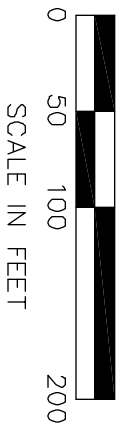
VACATED V&C SUBDIVISION

10' UTILITY EASEMENT  
 TO BE VACATED

20' TRAIL AND UTILITY EASEMENT  
 TO BE VACATED

N00°26'55"E 66.00'(M) 66.00'(R1)

N89°26'51"W 258.39'(M) 258.27'(R1)  
 S89°25'27"E 39.89'(M) 40.00'(R1)



# WOLSSON

ASSOCIATES

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## LEGEND



EASEMENT TO BE VACATED

ORDINANCE NO. 9252

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 the existing utility easements at 435 S Stuhr Road in Grand Island, Hall County, Nebraska, more particularly described as follows:

THE EAST TEN (10) FEET AND THE SOUTH TWENTY (20) OF LOT ONE (1), V & C SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

is hereby vacated. Such easements to be vacated are 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.

SECTION 3. This ordinance is directed to be filed, with the drawing, in the office of the Register of Deeds of Hall County, Nebraska.

ORDINANCE NO. 9252 (Cont.)

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: March 9, 2010.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk