



City of Grand Island

Tuesday, March 23, 2010

Council Session

Item F4

#9257 - Consideration of Vacation of a Portion of the Alley Right-of-Way South of 4th Street, from Cedar Street to Walnut Street (USave Pharmacy)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: March 23, 2010

Subject: Consideration of Vacation of a Portion of the Alley
Right-of-Way South of 4th Street, from Cedar Street to
Walnut Street (USave Pharmacy)

Item #'s: F-4

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

Background

An ordinance is necessary for the vacation of Street or Alley Right-of-Way.

Discussion

USave Pharmacy has requested to vacate a portion of the alley south of 4th Street, from Cedar Street to Walnut Street, through Lots 3 & 4 of Block 39 of Original Town and Lot 1 of Hometown Subdivision. With the vacation of this alley the proposed USave Pharmacy to be built at 423 W 4th Street will have adequate space for traffic using the drive thru. A public utility easement, in the same location of the alley being vacated, is being retained to allow for maintenance of public utilities.

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

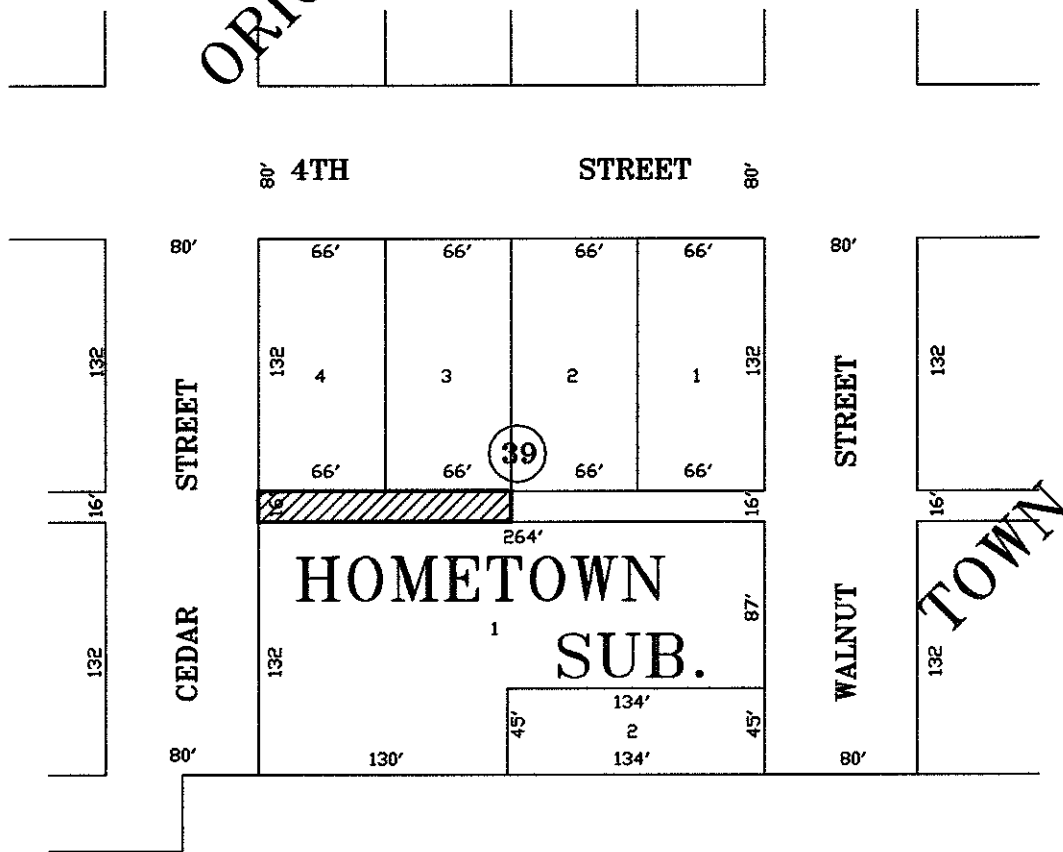
Recommendation

Public Works Administration recommends that the Council vacate the west end of the alley located south of 4th Street, from Cedar Street to Walnut Street.

Sample Motion

Move to vacate a portion of the alley and retain a public utility easement.

ORIGINAL



LEGEND



AREA OF ALLEY TO BE VACATED AND
PUBLIC UTILITY EASEMENT RETAINED

EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 3/18/10
DRN BY: L.D.C.
SCALE: 1"=100'

PLAT TO ACCOMPANY
ORDINANCE

ORDINANCE NO. 9257

An ordinance to vacate a portion of an alley located south of 4th Street, east of Cedar Street in the City of Grand Island, Hall County, Nebraska; to provide for the filing of this ordinance in the office of the Register of Deeds of Hall County, Nebraska; 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 portion of the alley located south of 4th Street, from Cedar Street to Walnut Street in the City of Grand Island, Hall County, Nebraska, is hereby vacated. Such portion of the alley is more particularly described as follows:

ALLEY RIGHT OF WAY ADJACENT TO LOTS 3 & 4 OF BLOCK 39, ORIGINAL TOWN NOW CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND LOT 1, HOMETOWN SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

A public utility easement shall be retained in the area where the alley is vacated. Such public alley to be vacated is shown and more particularly described on Exhibit A attached hereto.

ORDINANCE NO. 9257 (Cont.)

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 abutting the same in proportion to the respective ownership of such real estate.

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: March 23, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk