



City of Grand Island

Tuesday, October 12, 2010

Council Session

Item F2

**#9278 - Consideration of Amending Ordinance No. 9141 for
Sidewalk District No. 1, 2007 (Second and Final Reading)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 12, 2010

Subject: Amending Ordinance No. 9141 for Sidewalk District No. 1, 2007 (Second and Final Reading)

Item #'s: F-1

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

Background

On September 25, 2007 City Council approved Ordinance No. 9141, which created Sidewalk District No. 1, 2007. Property owners at 519 & 523 E 14th Street, which are in Sidewalk District No. 1, 2007, have requested their two (2) lots be removed from the District, as they are on a dead end street that leads to the overhead railway. Council action is necessary to make any amendments to an Ordinance.

Discussion

All locations included in Sidewalk District No. 1, 2007, except 519 & 523 E 14th Street; 706 Kennedy Drive; and 424 E 14th Street have sidewalk installed. In order to final this project and assess the properties involved, a resolution needs to be reached as to whether the property at 519 & 523 E 14th Street will be removed from the District or if the sidewalk will be built.

Council considered the request at the September 28, 2010 regular council meeting and passed the ordinance on 1st reading. The ordinance to remove the properties at 519 & 523 E 14th Street from the sidewalk district was passed based on council's finding of fact that requiring sidewalk does not serve a public purpose. This evening's council meeting could be the 2nd and final reading for the ordinance.

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 amend Ordinance No. 9141 to remove the property at 519 E 14th Street and 523 E 14th Street from Sidewalk District No. 1, 2007.

Sample Motion

Move to approve amendment of Ordinance No. 9141.

ORDINANCE NO. 9278

An ordinance to amend Ordinance No. 9141; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, City Council has approved removing 519 E 14th Street and 523 E 14th Street from Sidewalk District No. 1, 2007.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. 519 E 14th Street and 523 E 14th Street are hereby removed from Sidewalk District No. 1, 2007.

SECTION 2. The district where sidewalks shall be constructed shall include the following lots and parcels of ground:

ADDRESS	LEGAL DESCRIPTION
507 E 13 th St	Lot 4, Block 65, Wheeler & Bennett's 2 nd Addition
511 E 13 th St	Lot 3, Block 65, Wheeler & Bennett's 2 nd Addition
515 E 13 th St	Lots 1 & 2, Block 65, Wheeler & Bennett's 2 nd Addition
412 E 14 th St	Lot 8, Block 78, Wheeler & Bennett's 3 rd Addition
424 E 14 th St	Lot 10, Block 78, Wheeler & Bennett's 3 rd Addition
504 E 14 th St	Lot 6, Block 79, Wheeler & Bennett's 3 rd Addition
507 E 14 th St	Lot 4, Block 66, Wheeler & Bennett's 2 nd Addition
304 E 16 th St	Lot 6, Block 91, Wheeler & Bennett's 4 th Addition
667 Bischeld St	Lot 1, Block 9, Meves 1 st Addition
2224 S Blaine St	Lot 1, Elmer's Subdivision
2226 S Blaine St	Lot 2, Elmer's Subdivision, an addition to the City of Grand Island, Hall County, Nebraska, excepting therefrom a tract conveyed to the City of Grand Island by warranty deed recorded as Document NO. 88-101716
2305 S Blaine St	Lots 31 & 33, Block C, Parkview Subdivision
2315 S Blaine St	Lots 32 & 34, Block C, Parkview Subdivision
2409 S Blaine St	Lot 40, Block D, Parkview Subdivision

ORDINANCE NO. 9278 (Cont.)

2410 S Blaine St	A tract of land comprising a part of the West Half of the Northeast Quarter (W1/2NE1/4) of Section Twenty-Nine (29), Township Eleven (11) North, Range Nine (9) West of the 6 th p.m., in Hall County, Nebraska, more particularly described as follows: Beginning at a point on the east line of said West Half of the Northeast Quarter (W1/2NE1/4), said point being One Thousand Three Hundred Twenty-Five and Seven Tenths (1,325.7) feet west and One Thousand Three Hundred Twenty-One and Five Tenths (1,321.5) feet south of the northeast corner of said Section Twenty-Nine (29); thence running westerly and parallel to the north line of said West Half of the Northeast Quarter (W1/2NE1/4), a distance of Four Hundred Twenty-Eight (428.0) feet; thence southerly parallel to the east line of said West Half of the Northeast Quarter (W1/2NE1/4), a distance of Six Hundred Nine and Fifty-Five Hundredths (609.55) feet; thence easterly, a distance of Four Hundred Twenty-Eight (428.0) feet, to a point on the east line of said West Half of the Northeast Quarter (W1/2NE1/4); thence northerly along the east line of said West Half of the Northeast Quarter (W1/2NE1/4), a distance of Six Hundred Ten and Seven Tenths (610.7) feet to the place of beginning and containing 5.995 acres, more or less.
4177 W Capital Ave	The easterly Eighty Eight and Ninety Four Hundredths (88.94) feet of Lot Two (2) and the westerly Nineteen and Seventy Hundredths (19.70) feet of Lot Three (3) in Sunset Subdivision, in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Eleven (11), Township Eleven (11) North, Range Ten (10), West of the 6 th p.m., in Hall County, Nebraska.
230 S Cherry St	Lot 5, Griesman Subdivision
234 S Cherry St	Lot 4, Griesman Subdivision
238 S Cherry St	Lot 3, Griesman Subdivision
246 S Cherry St	Lot 1, Griesman Subdivision
250 N Darr Ave	Lot 4, and the South Six (6) feet of Lot Five (5), Block 20, Packer & Barr's 2 nd Addition
667 Groff St	Lot 1, Block 10 Joehnck's Addition
706 Kennedy Dr	Lot 10, Block 1, Colonial Estates 2 nd Subdivision
2104 W North Front St	Lot 1, Block 13, Packer & Barr's Addition
2117 W North Front St	The Easterly One-Half (E1/2) of Lot 6, in Block Twenty (20), in Packer & Barr's 2 nd Addition
2123 W North Front St	The West Half (W1/2) of Lot Six (6), in Block Twenty (20), in Packer & Barr's 2 nd Addition
414 N Oak St	Lot 2, Habitat for Humanity Subdivision
2526 Pioneer Ave	Lot 2, Parkview 2nd Subdivision

ORDINANCE NO. 9278 (Cont.)

359 S Plum St	The North Fifty-Four (54) Feet of Lot Twenty Two (22), in Block One (1), in Koehler Place an addition to the City of Grand Island, Hall County, Nebraska and also a certain part of Lot Twenty-Two (22) in Block One (1), Koehler Place as originally platted, more particularly described in warranty deed recorded as Document No. 97-104819
828 Saint Paul Rd	Lot 1, Nabob Subdivision – Being a part of Lot Twenty (20), part of Lots Twenty-One (21) and Twenty Two (22) of the County Subdivision of the West Half of the Southwest Quarter (W1/2SW1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9), West of the 6th p.m., Hall County, Nebraska and in part of Lots One (1) and Two (2) and Three (3), Block Four (4), Voitle’s Addition, all in the City of Grand Island, Hall County, Nebraska
930 Saint Paul Rd	Lot 5, Nabob Subdivision
1020 Saint Paul Rd	Those portions of Lots 1, 2, 3, 4, 7, 8, and 9 of Block 33 of Russell Wheeler’s Addition to Grand Island, Hall County, Nebraska, lying West of Saint Paul Road and lying Easterly of a line drawn parallel with a distance 65.0 feet Easterly, as measure at right angles from the Westerly line of said Block 33 AND also known as a tract of land comprising all of Lots Two (2), Three (3) and Eight (8) and a part of Lots Four (4) and Seven (7) and that part of the vacated alley lying adjacent to said aforementioned lots, all being in Block Thirty Three (33), Russell Wheeler’s Addition to the City of Grand Island, Hall County, Nebraska, more particularly described as follows: Beginning at the point of intersection of the northwesterly line of said Block Thirty Three (33) and the Westerly right of way line of Saint Paul Road; thence running Southerly, along and upon said Westerly right of way line of Saint Paul Road, a distance of Two Hundred Eighty Nine and Forty Seven Hundredths (289.47) feet; thence deflecting right 150 degrees 06’24’ and running northwesterly, a distance of Two Hundred Fifty Two and Five Tenths (252.50) feet to a point on the Northwesternly line of said Block Thirty Three (33); thence deflecting right 90 degrees 36’49’’ and running Northeasterly along and upon the northwesterly line of said Block Thirty Three (33), a distance of One Hundred Forty Four and Twenty Seven Hundredths (144.27) feet to the point of beginning
1804 N Webb Rd	Lot 1, Conestoga North Subdivision
1812 N Webb Rd	Lot 2, Conestoga North Subdivision
1816 N Webb Rd	Lot 3, Conestoga North Subdivision

ORDINANCE NO. 9278 (Cont.)

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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: October 12, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk