



City of Grand Island

Tuesday, December 21, 2010

Council Session

Item G4

**#2010-357 - Approving Acquisition of Utility Easement - 2820
Riverside Drive - Country Club Holding Association**

This item relates to the aforementioned Public Hearing Item E-3.

Staff Contact: Gary R. Mader

RESOLUTION 2010-357

WHEREAS, a public utility easement is required by the City of Grand Island, from Country Club Holding Association, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on December 21, 2010, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

TRACT #1

The centerline of a twenty (20.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW ¼) of Section Twenty Eight (28), Township Eleven (11) North, Range Nine (9) West; thence northerly along the west line of the Southwest Quarter (SW ¼) of said Section Twenty Eight (28) on an assumed bearing of N00°17'14"W, a distance of two hundred one and fifty hundredths (201.50) feet; thence N34°59'46"E, along the northerly line of present L.E. Ray Park property, a distance of five hundred fifty eight (558.0) feet; thence N70°06'46"E, along the northerly line of the said present L.E. Ray Park property, a distance of eight hundred eleven and sixteen hundredths (811.16) feet; thence N49°47'46"E, along the northerly line of said present L.E. Ray Park property, a distance of five hundred forty two and forty eight hundredths (542.48) feet to the ACTUAL Point of Beginning of Tract #1; thence N89°06'16"W, a distance of one hundred thirty nine and ninety four hundredths (139.94) feet; thence N21°48'22"W, a distance of two hundred (200.0) feet.

TRACT #2

The southerly line of a ten (10.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW ¼) of Section Twenty Eight (28), Township Eleven (11) North, Range Nine (9) West; thence northerly along the west line of the Southwest Quarter (SW ¼) of said Section Twenty Eight (28) on an assumed bearing of N00°17'14"W, a distance of two hundred one and fifty hundredths (201.50) feet; thence N34°59'46"E, along the northerly line of present L.E. Ray Park property, a distance of five hundred fifty eight (558.0) feet; thence N70°06'46"E, along the northerly line of the said present L.E. Ray Park property, a distance of eight hundred eleven and sixteen hundredths (811.16) feet; thence N49°47'46"E, along the northerly line of said present L.E. Ray Park property, a distance of five hundred forty two and forty eight hundredths (542.48) feet to the

Approved as to Form	by _____
December 17, 2010	City Attorney

ACTUAL Point of Beginning of Tract #2; thence S89°06'16"E, along the northerly line of the said present L.E. Ray Park property, a distance of one thousand one hundred fifty nine and forty hundredths (1,159.40) feet.

TRACT #3

The westerly line of a ten (10.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW ¼) of Section Twenty Eight (28), Township Eleven (11) North, Range Nine (9) West; thence northerly along the west line of the Southwest Quarter (SW ¼) of said Section Twenty Eight (28) on an assumed bearing of N00°17'14"W, a distance of two hundred one and fifty hundredths (201.50) feet; thence N34°59'46"E, along the northerly line of present L.E. Ray Park property, a distance of five hundred fifty eight (558.0) feet; thence N70°06'46"E, along the northerly line of the said present L.E. Ray Park property, a distance of eight hundred eleven and sixteen hundredths (811.16) feet; thence N49°47'46"E, along the northerly line of said present L.E. Ray Park property, a distance of five hundred forty two and forty eight hundredths (542.48); thence S89°06'16"E, along the northerly line of the said present L.E. Ray Park property, a distance of one thousand one hundred fifty nine and forty hundredths (1,159.40) feet to the ACTUAL Point of Beginning of Tract #3; thence S00°05'46"E, along the easterly line of the said present L.E. Ray Park property, a distance of one thousand two hundred forty five and twenty one hundredths (1,245.21) feet to a point on the northerly right-of-way line of U.S. Highway 34.

TRACT #4

The centerline of a twenty (20.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW ¼) of Section Twenty Eight (28), Township Eleven (11) North, Range Nine (9) West; thence northerly along the west line of the Southwest Quarter (SW ¼) of said Section Twenty Eight (28) on an assumed bearing of N00°17'14"W, a distance of two hundred one and fifty hundredths (201.50) feet; thence N34°59'46"E, along the northerly line of present L.E. Ray Park property, a distance of five hundred fifty eight (558.0) feet; thence N70°06'46"E, along the northerly line of the said present L.E. Ray Park property, a distance of eight hundred eleven and sixteen hundredths (811.16) feet; thence N49°47'46"E, along the northerly line of said present L.E. Ray Park property, a distance of five hundred forty two and forty eight hundredths (542.48) feet; thence S89°06'16"E, along the northerly line of the said present L.E. Ray Park property, a distance of one thousand one hundred fifty nine and forty hundredths (1,159.40) feet to the ACTUAL Point of Beginning of Tract #4; thence N23°20'50"E, a distance of three hundred twenty seven and sixteen hundredths (327.16) feet; thence N28°42'15"W, a

distance of one hundred twenty two and eighty four hundredths (122.84) feet; thence N60°13'12"E, a distance of two hundred thirty (230.0) feet.

TRACT #5

The centerline of a twenty (20.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW ¼) of Section Twenty Eight (28,) Township Eleven (11) North, Range Nine (9) West; thence northerly along the west line of the Southwest Quarter (SW ¼) of said Section Twenty Eight (28) on an assumed bearing of N00°17'14"W, a distance of two hundred one and fifty hundredths (201.50) feet; thence N34°59'46"E, along the northerly line of present L.E. Ray Park property, a distance of five hundred fifty eight (558.0) feet; thence N70°06'46"E, along the northerly line of the said present L.E. Ray Park property, a distance of eight hundred eleven and sixteen hundredths (811.16) feet; thence N49°47'46"E, along the northerly line of said present L.E. Ray Park property, a distance of five hundred forty two and forty eight hundredths (542.48) feet; thence S89°06'16"E, along the northerly line of the said present L.E. Ray Park property, a distance of one thousand one hundred fifty nine and forty hundredths (1,159.40) feet; thence N23°20'50"E, a distance of three hundred twenty seven and sixteen hundredths (327.16) feet to the ACTUAL Point of Beginning of Tract #5; thence N50°10'03"E, a distance of one hundred ninety eight and thirty four (198.34) feet; thence N69°23'00"E, a distance of six hundred eight and twenty four hundredths (608.24) feet; thence N45°00'03"E, a distance of two hundred fourteen and twenty eight hundredths (214.28) feet; thence N77°22'06"E, a distance of sixty eight (68.0) feet.

TRACT #6

The centerline of a twenty (20.0) foot wide utility easement and right-of way tract being more particularly described as follows:

Commencing at the southeast corner of Lot One (1), Larsen Acres Subdivision; thence southwesterly along the southerly line of said Lot One (1), on an assumed bearing of S54°44'35"W, a distance of one hundred eight and seventy one hundredths (108.71) feet to the southwest corner of said Lot One (1), being the ACTUAL Point of Beginning of Tract #6; thence S00°05'18"W, a distance of one hundred twenty five (125.0) feet.

The side lines of the above described tracts shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way tracts containing a combined total of 1.57 acres more or less, as shown on the plat dated 11/23/2010, marked Exhibit "A" attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF

THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Country Club Holding Association, on the above-described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 21, 2010.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

