



City of Grand Island

Tuesday, August 23, 2011

Council Session

Item G7

#2011-217 - Approving Agreement for Temporary Ingress/Egress Easement to Access Outlot "A" in Springdale Second Subdivision - Part of SW ¼, NE ¼ of Section 23-11-10 (Barry W. and Jo Lynn Niedfelt)

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, Public Works Project Manager

Meeting: August 23, 2011

Subject: Approving Agreement for Temporary Ingress/Egress Easement to Access Outlot "A" in Springdale Second Subdivision – Part of SW ¼, NE ¼ of Section 23-11-10 (Barry W. and Jo Lynn Niedfelt)

Item #'s: G-7

Presenter(s): John Collins, Public Works Director

Background

The original plat of Springdale Second Subdivision provided for a 10' wide easement at the back (west end) of Lots 1 through 7, which was vacated by City Council on July 8, 2008 at the request of the developer.

An Ingress/Egress easement was then obtained at the same July 8, 2008 Council meeting, to allow for access to Outlot A, which is the detention cell serving the Springdale Second Subdivision area. This access easement consists of the north 10' feet of Lot 2 and the south 10' of Lot 3 in Springdale Second Subdivision, and replaces the vacated easement. During the development of homes on Lot 2 and Lot 3 a utility transformer was placed in the easement, blocking use of the easement to reach the detention cell.

Discussion

With homes on the north, south, and east side of the detention cell a temporary ingress/easement is needed to access the cell on the west side. During discussions with Mr. Barry Niedfelt, who owns the farm ground directly west of the detention cell, he agreed to a temporary easement on a yearly basis for access to the cell.

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

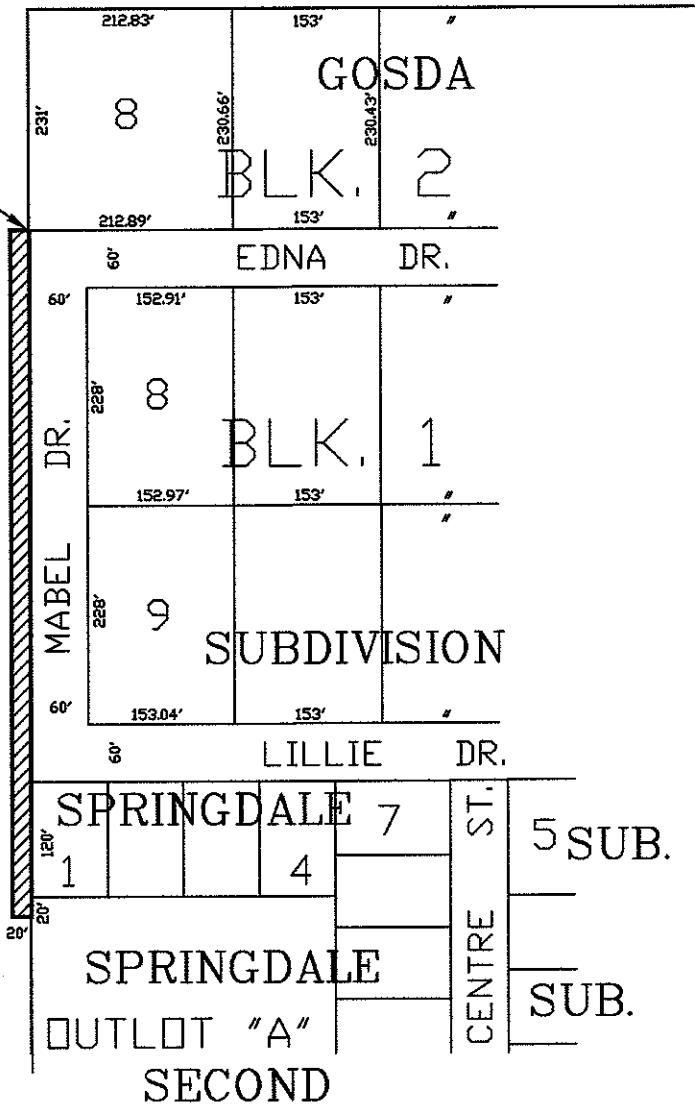
City Administration recommends that the Council approve the Agreement for Temporary Ingress/Egress Easement between the City of Grand Island, Public Works Department and Barry W. and Jo Lynn Niedfelt.

Sample Motion

Motion to approve the Temporary Ingress/Egress Easement.

ACTUAL POINT OF BEGINNING

PART OF
S.W. 1/4, N.E. 1/4
SECTION 23-11-10



LEGEND



 AREA OF TEMPORARY INGRESS/EGRESS EASEMENT

EXHIBIT "A"


CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 7/25/11
DRN BY: L.D.C.
SCALE: NONE

PLAT TO ACCOMPANY
TEMPORARY
EASEMENT

RESOLUTION 2011-217

WHEREAS, a temporary Ingress/Egress easement is required by the City of Grand Island, from Barry W. and Jo Lynn Niedfelt, for access to Outlot "A" in Springdale Second Subdivision, as follows:

BEGINNING AT THE NE CORNER OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N (ALSO BEING THE NW CORNER OF GOSDA SUBDIVISION IN THE CITY OF GRAND ISLAND), THENCE SOUTHERLY ON THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N (ALSO BEING THE WEST LINE OF LOT EIGHT (8) OF GOSDA SUBDIVISION) FOR A DISTANCE OF 231' TO THE SW CORNER OF LOT EIGHT (8) OF GOSDA SUBDIVISION, TO THE ACTUAL POINT OF BEGINNING, THENCE CONTINUING SOUTHERLY ON THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N (ALSO BEING THE WEST LINE OF GOSDA SUBDIVISION), A DISTANCE OF 576' TO THE SW CORNER OF GOSDA SUBDIVISION, THENCE CONTINUING SOUTHERLY ON THE EAST LINE OF SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N (ALSO BEING THE WEST LINE OF LOT ONE (1) OF SPRINGDALE SUBDIVISION) FOR A DISTANCE OF 120', THENCE CONTINUING SOUTHERLY ON THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N (ALSO BEING THE WEST LINE OF OUTLOT "A" OF SPRINGDALE SECOND SUBDIVISION) A DISTANCE OF 20', THENCE WESTERLY A DISTANCE OF 20', THENCE NORTHERLY ON A LINE 20' WEST OF AND PARALLEL TO THE EAST LINE OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N TO A POINT 231' SOUTH OF THE NORTH LINE OF THE SW ¼ OF THE NE ¼ OF SECTION 23, RANGE 11W, TOWNSHIP 10N, THENCE EASTERLY 20' TO THE ACTUAL POINT OF BEGINNING.

WHEREAS, an Agreement for Temporary Ingress/Egress Easement has been reviewed and approved by the City Legal Department.

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 enter into the Agreement for Temporary Ingress/Egress Easement on the above described tract of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreements on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 23, 2011.

Approved as to Form	☐ _____
August 19, 2011	☐ City Attorney

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk