



# City of Grand Island

Tuesday, October 25, 2011

Council Session

## Item G7

**#2011-314 - Approving Acquisition of Public Sanitary Sewer  
Utility Easement in SE 1/4 of Section 23-11N-10 - Chief Industries,  
Inc.**

*This item relates to the aforementioned Public Hearing item E-11.*

Staff Contact: John Collins, Public Works Director

RESOLUTION 2011-314

WHEREAS, a public sanitary sewer utility easement is required by the City of Grand Island, from Chief Industries, Inc. in the southeast quarter of the southeast quarter (SE ¼, SE 1/4 of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) west of the 6<sup>th</sup> P.M., Hall County, Nebraska and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23-11-10; THENCE WEST ALONG THE SOUTH LINE OF SECTION 23-11-10 A DISTANCE OF 1320.46 FEET; THENCE N1°03'35"W TO THE NORTH RIGHT OF WAY OF STOLLEY PARK ROAD A DISTANCED OF 33.01 FEET; THENCE N1°04'01"W A DISTANCE OF 943.38 FEET, SAID POINT BEING THE POINT OF BEGINNING. THENCE N54°20'37"W TO A POINT ON THE EAST LINE OF FREEDOM ACRES SUBDIVISON A DISNTANCE OF 204.45 FEET; THENCE NORTH ALONG THE EAST LINE OF FREEDOM ACRES SUBDIVISION A DISTANCE OF 24.95 FEET; THENCE S54°20'37"E TO A POINT ON THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 204.44 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 24.95 FEET TO THE POINT OF BEGINNING.

WHEREAS, an Agreement for the public sanitary sewer utility 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 the public sanitary sewer utility 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, October 25, 2011.

\_\_\_\_\_  
Jay Vavricek, Mayor

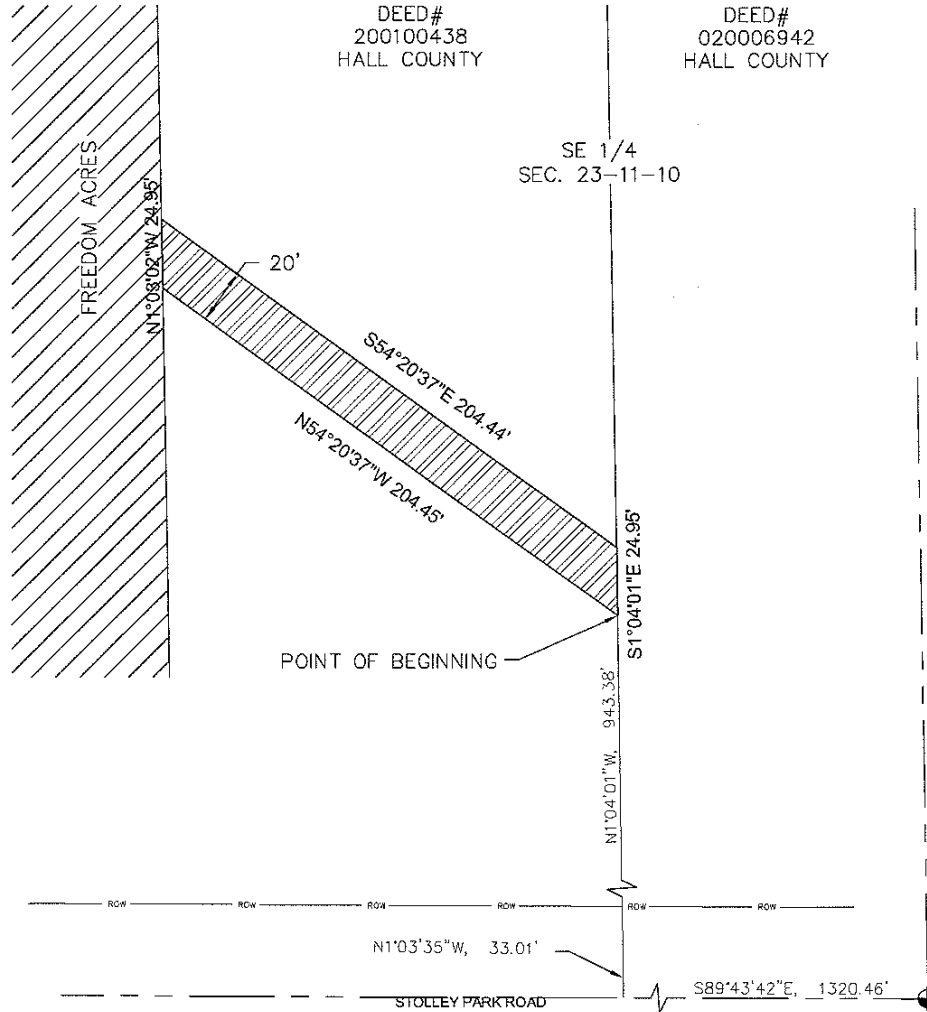
Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2011	☐ City Attorney

# Survey Record

## SANITARY SEWER EASEMENT DESCRIPTION HALL COUNTY, NEBRASKA



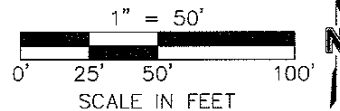
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### EASEMENT DESCRIPTION

A TRACT OF LAND CONSISTING PART OF AN UNPLATTED TRACT OF LAND AS DESCRIBED IN DEED RECORD #200100438, HALL COUNTY REGISTER OF DEEDS, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4 SE1/4) OF SECTION TWENTYTHREE (23), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23-11-10; THENCE WEST ALONG THE SOUTH LINE OF SECTION 23-11-10 A DISTANCE OF 1320.46 FEET; THENCE NORTH ALONG THE SOUTH LINE OF SECTION 23-11-10 A DISTANCE OF 33.01 FEET; THENCE N1°04'01"W A DISTANCE OF 943.38 FEET, SAID POINT BEING THE POINT OF BEGINNING. THENCE N54°20'37"W TO A POINT ON THE EAST LINE OF FREEDOM ACRES SUBDIVISION A DISTANCE OF 204.45 FEET; THENCE NORTH ALONG THE EAST LINE OF FREEDOM ACRES SUBDIVISION A DISTANCE OF 24.95 FEET; THENCE S54°20'37"E TO A POINT ON THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 204.44 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 24.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 0.09 ACRES MORE OR LESS.

- LEGEND**
- SECTION CORNER
  - SECTION LINE
  - EASEMENT LINE
  - LOT LINE
  - RIGHT OF WAY LINE



PROJECT NO:	2011-1345
DRAWN BY:	BJD
DATE:	9/7/11

**SANITARY SEWER  
EASEMENT**

**MOLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.384.8752

EXHIBIT	2
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## **PUBLIC SANITARY SEWER UTILITY EASEMENT**

CHIEF INDUSTRIES, INC., a Delaware Corporation, herein called the Grantor, in consideration of ONE DOLLAR (\$1.00) and other consideration, receipt of which is hereby acknowledged, hereby grants and conveys unto the

CITY OF GRAND ISLAND, NEBRASKA,

a municipal corporation in Hall County, State of Nebraska, herein called the Grantee, a permanent and perpetual easement and right-of-way to construct, operate, maintain, extend, repair, replace, and remove sanitary sewers, manholes, pipelines, surface markers, and other appurtenances, upon, over, along, across, in, underneath and through a tract of land consisting part of an unplatted tract of land as described in deed record #200100438, Hall County Register of Deeds, located in part of the southeast quarter of the southeast quarter (SE ¼, SE ¼) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) west of the 6<sup>th</sup> P.M., Hall County, Nebraska, and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23-11-10; THENCE WEST

ALONG THE SOUTH LINE OF SECTION 23-11-10 A DISTANCE OF 1320.46 FEET; THENCE N1°03'35"W TO THE NORTH RIGHT OF WAY OF STOLLEY PARK ROAD A DISTANCED OF 33.01 FEET; THENCE N1°04'01"W A DISTAINCE OF 943.38 FEET, SAID POINT BEING THE POINT OF BEGINNING. THENCE N54°20'37"W TO A POINT ON THE EAST LINE OF FREEDOM ACRES SUBDIVISON A DISTANCE OF 204.45 FEET; THENCE NORTH ALONG THE EAST LINE OF FREEDOM ACRES SUBDIVISION A DISTANCE OF 24.95 FEET; THENCE S54°20'37"E TO A POINT ON THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 204.44 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 24.95 FEET TO THE POINT OF BEGINNING.

together with the following rights, namely, unrestricted ingress and egress under, over, and across such land for the purpose of exercising the rights herein granted, to excavate and refill ditches and trenches, and the right to clear and keep clear of trees, roots, brush, hedges, undergrowth, and other obstructions from the surface of such tracts interfering with the location, construction, inspection, repair, replacement, removal, and maintenance of such utilities. Any such utilities and appurtenances placed upon, over, and under such tracts of land shall remain the property of the Grantee and may be removed or replaced at any time.

The Grantors, for themselves, their heirs, executors, administrators, successors, and assigns, hereby covenant that no buildings, fences, or structures shall be erected or permitted on said tract and that the easement herein granted shall run with the title to such tract of land and be binding upon the Grantors, their successors and assigns.

DATED: \_\_\_\_\_, 2011

GRANTOR:

Chief Industries, Inc.,  
A Delaware Corporatoin

BY \_\_\_\_\_

STATE OF NEBRASKA )

COUNTY OF HALL                    ) ss  
  )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ of Chief Industries, A Delaware Corporation, to me known to be the identical person who signed the foregoing Public Utilities Easement and acknowledges the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

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Notary Public