



City of Grand Island

Tuesday, December 20, 2011

Council Session

Item E5

**Public Hearing on Acquisition of Public Utility Easement in Oak
Pointe Subdivision (R.B.O., L.L.C.)**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: December 20, 2011

Subject: Public Hearing on Acquisition of Public Utility Easement
in Oak Pointe Subdivision (R.B.O., L.L.C.)

Item #'s: E-5 & G-12

Presenter(s): John Collins, Public Works Director

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. A public utility easement is needed in the Oak Pointe Subdivision to accommodate public utilities. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

Discussion

To allow for redesign of the development area it is requested that the existing sixty (60) foot utility easement be vacated. This new easement will be a fifty (50) foot wide easement on the south side of the subdivision, with a ten (10) foot wide easement running north and south on the east side of the subdivision. The proposed easement will allow sufficient access to existing utilities within the area.

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

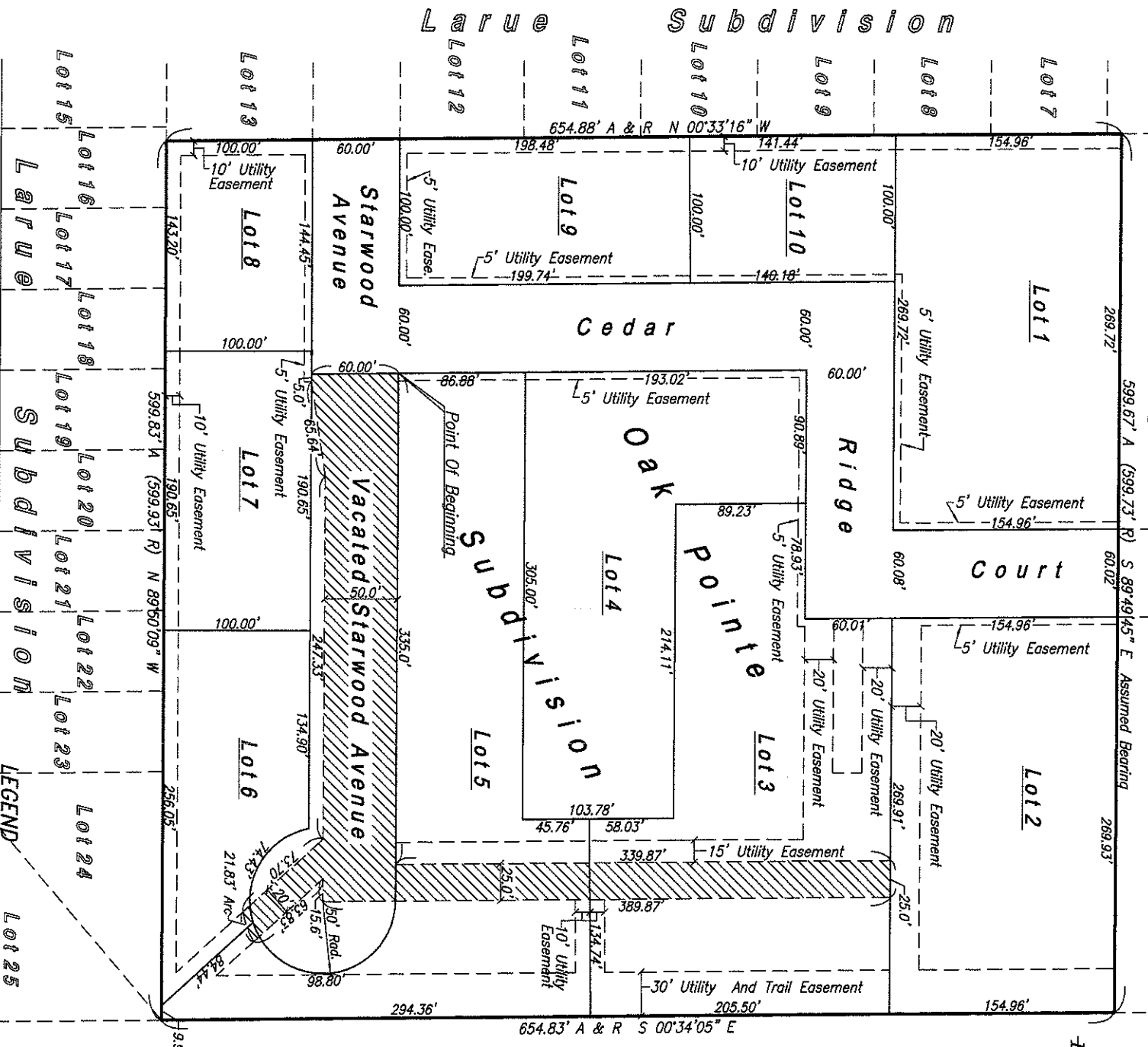
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Easement.

Sample Motion

Move to approve the acquisition of the Easement.

Cedar Ridge Second Subdivision



Description Frostfire Avenue - Indicates Easement To Be Dedicated

A tract of land comprising a part of Oak Pointe Subdivision, in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of Lot Five (5), Oak Pointe Subdivision; thence running easterly on the south line of Lot Five (5), Oak Pointe Subdivision, a distance of Three Hundred Thirty Five (335.0) feet; thence running northerly parallel with the east line of Cedar Ridge Court, a distance of Three Hundred Thirty Nine and Eighty Seven Hundredths (339.87) feet, to a point on the south line of Lot Two (2), Oak Pointe Subdivision; thence running easterly on the south line of Lot Two (2), Oak Pointe Subdivision, a distance of Twenty Five (25.0) feet; thence running southerly parallel with the east line of Cedar Ridge Court, a distance of Three Hundred Eighty Nine and Eighty Seven Hundredths (389.87) feet; thence running westerly parallel with the north line of Lot Five (5), Oak Pointe Subdivision, a distance of Fifteen and Six Tenths (15.6) feet; thence running southeasterly parallel with the northeasterly line of Lot Six (6), Oak Pointe Subdivision, if Extended, a distance of Sixty Three and Eighty Three Hundredths (63.83) feet, to a point on a curve; thence running southwesterly on the arc of a curve to the right whose radius is Fifty Five (55.0) feet, an arc distance of Twenty One and Eighty Three Hundredths (21.83) feet; thence running northwesterly parallel with the northeasterly line of Lot Six (6), Oak Pointe Subdivision, if Extended, a distance of Seventy Three and Seventy Hundredths (73.70) feet; thence running westerly parallel with the south line of Lot Five (5), Oak Pointe Subdivision, a distance of Two Hundred Forty Seven and Thirty Three Hundredths (247.33) feet; thence running southwesterly a distance of Two Sixty Five and Sixty Four Hundredths (65.64) feet, to a point on the north line of Lot Seven (7), Oak Pointe Subdivision; thence running westerly on the north line of Lot Seven (7), Oak Pointe Subdivision, a distance of Five (5.0) feet; thence running northerly on the west line of Lot Five (5), Oak Pointe Subdivision, if Extended, a distance of Sixty (60.0) feet, to the Point of Beginning, said tract containing 0.649 acres more or less.

Date: November 14, 2011

Exhibit 'B'



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