



# **City of Grand Island**

**Tuesday, March 13, 2012**

**Council Session**

## **Item E5**

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

**Staff Contact: Terry Brown, Public Manager of Engineering Service**

# **Council Agenda Memo**

**From:** Terry Brown, PW Manager of Engineering Services

**Meeting:** March 13, 2012

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

**Item #'s:** E-5 & G-11

**Presenter(s):** Terry Brown, Public Works Manager of Engineering Services

## **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 five (5) foot utility easement be vacated. This new easement will be adjusted, per the attached sketch, to allow for this area to be redeveloped as a cul-de-sac. 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:

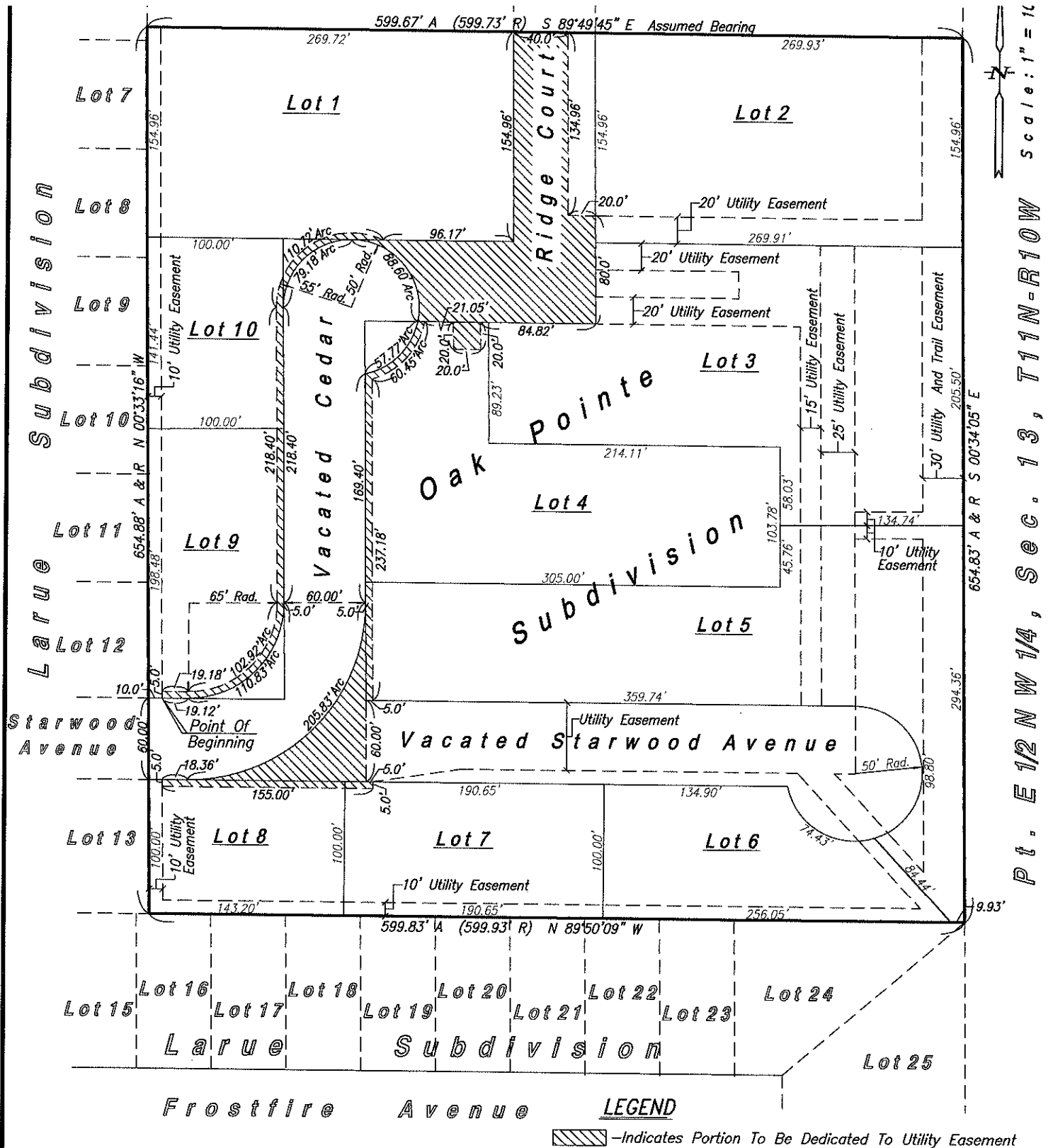
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **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.



## Description

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

Beginning at a point on the south line of Lot Nine (9), Oak Pointe Subdivision, said point being Ten (10.0) feet east of the southwest corner of Lot Nine (9), Oak Pointe Subdivision; thence running northerly parallel with the west line of Lot Nine (9), Oak Pointe Subdivision, a distance of Five (5.0) feet; thence running easterly parallel with the south line of Lot Nine (9), Oak Pointe Subdivision, a distance of Nineteen and Eighteen Hundredths (19.18) feet, to a point of curvature; thence running northeasterly on the arc of a curve to the left whose radius is Sixty Five (65.0) feet, an arc distance of One Hundred Two and Ninety Two Hundredths (102.92) feet; thence running northerly parallel with the east line of Lots Nine (9) and Ten (10)

of Lot One (1), Oak Pointe Subdivision, a distance of Ninety Six and Seventeen Hundredths (96.17) feet, to the southeast corner of Lot One (1), Oak Pointe Subdivision; thence running northerly on the east line of Lot One (1), Oak Pointe Subdivision, a distance of One Hundred Fifty Four and Ninety Six Hundredths (154.96) feet, to the northeast corner of Lot One (1), Oak Pointe Subdivision; thence running easterly on the north line of said Oak Pointe Subdivision, a distance of Forty (40.0) feet; thence running southerly parallel with the east line of Lot One (1), Oak Pointe Subdivision, a distance of One Hundred Thirty Four and Ninety Six Hundredths (134.96) feet; thence running easterly parallel with the north line of said Oak Pointe Subdivision, a distance of Twenty (20.0) feet, to a point on the west line of Lot Two (2), Oak Pointe Subdivision; thence running southerly on the west line of Lots Two (2) and Three (3), Oak Pointe Subdivision, a distance of Eighty (80.0) feet, to a point on the north line of Lot Three (3), Oak Pointe Subdivision; thence running westerly on the north line of Lots Three (3) and Four (4), Oak Pointe Subdivision, a distance of Eighty Four and Eighty Two Hundredths (84.82) feet; thence running southerly parallel with the west line of Lot Four (4), Oak Pointe Subdivision, a distance of Twenty (20.0) feet; thence running westerly parallel with the north line of Lot Four (4), Oak Pointe Subdivision, a distance of Twenty (20.0) feet; thence running northerly parallel with the west line of Lot Four (4), Oak Pointe Subdivision, a distance of Twenty (20.0) feet, to a point on the north line of Lot Four (4), Oak Pointe Subdivision; thence running westerly on the north line of Lot Four (4), Oak Pointe Subdivision, a distance of Twenty One and Five Hundredths (21.05) 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 Sixty and Forty Five Hundredths (60.45) feet; thence running southerly parallel with the west line of Lots Four (4) and Five (5), Oak Pointe Subdivision, a distance of Two Hundred Thirty Seven and Eighteen Hundredths (237.18) feet, to a point on the south line of Lot Five (5), Oak Pointe Subdivision; thence running westerly on the south line of Lot Five (5), Oak Pointe Subdivision, a distance of Five (5.0) feet, to the southwest corner of Lot Five (5), Oak Pointe Subdivision; thence running southerly on the west line of Lot Five (5), Oak Pointe Subdivision, if extended, a distance of Sixty (60.0) feet, to a point on the north line of Lot Seven (7), Oak Pointe Subdivision; thence running easterly on the north line of Lot Seven (7), Oak Pointe Subdivision, a distance of Five (5.0) feet; thence running southerly parallel with the west line of Lot Five (5), Oak Pointe Subdivision, if extended, a distance of Five (5.0) feet; thence running westerly parallel with the north line of Lots Seven (7) and Eight (8), Oak Pointe Subdivision, a distance of One Hundred Fifty Five (155.00) feet, to a point Ten (10.0) feet east of the west line of Lot Eight (8), Oak Pointe Subdivision; thence running northerly parallel with the west line of Lot Eight (8), Oak Pointe Subdivision, a distance of Five (5.0) feet, to a point on the north line of Lot Eight (8), Oak Pointe Subdivision; thence running easterly on the north line of Lot Eight (8), Oak Pointe Subdivision, a distance of Eighteen and Thirty Six Hundredths (18.36) feet, to a point of curvature; thence running northeasterly on the arc of a curve to the left whose radius is One Hundred Thirty (130.0) feet, an arc distance of Two Hundred Five and Eighty Three Hundredths (205.83) feet, to a point on the west line of Lot Five (5), Oak Pointe Subdivision; thence running northerly on the west line of Lots Four (4) and Five (5), Oak Pointe Subdivision, a distance of One Hundred Sixty Nine and Forty Hundredths (169.40) feet, to a point on a curve; thence running northeasterly on an arc of a curve to the left whose radius is Fifty (50.0) feet, an arc distance of Fifty Five and Seventy Seven Hundredths (55.77) feet, to a point on the north line of Lot Four (4), Oak Pointe Subdivision; thence continuing northwesterly on the arc of a curve to the left whose radius is Fifty (50.0) feet, an arc distance of Eighty Eight and Sixty Hundredths (88.60) feet, to a point on the south line of Lot One (1), Oak Pointe Subdivision; thence continuing southwesterly on an arc of a curve to the left whose radius is Fifty (50.0) feet, an arc distance of Seventy Nine and Eighteen Hundredths (79.18) feet, to a point on the east line of Lot Ten (10), Oak Pointe Subdivision; thence running southerly on the east line of Lots Nine (9) and Ten (10), Oak Pointe Subdivision, a distance of Two Hundred Eighteen and Forty Hundredths (218.40) feet, to a point of curvature; thence running southwesterly on the arc of a curve to the right whose radius is Seventy (70.0) feet, an arc distance of One Hundred Ten and Eighty Three Hundredths (110.83) feet, to a point on the north line of Lot Nine (9), Oak Pointe Subdivision; thence running westerly on the north line of Lot Nine (9), Oak Pointe Subdivision, a distance of Nineteen and Twelve Hundredths (19.12) feet, to the point of beginning and containing 0.540 acres more or less.