



# City of Grand Island

Tuesday, April 24, 2012

Council Session

## Item F3

**#9380 - Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

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

**Meeting:** April 24, 2012

**Subject:** Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)

**Item #'s:** F-3

**Presenter(s):** John Collins, Public Works Director

## **Background**

Council action is required for vacation of a public street.

## **Discussion**

Niedfelt Property Management Preferred LLC owns 3778 Norseman Avenue, and Starostka Rentals LLC owns 3779 Norseman Avenue; both of which are requesting to vacate the easterly two (2) feet of street right-of-way abutting each lot on Ebony Lane. This vacation will allow the proper lot size for the proposed structures on each lot.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve or deny.
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 request for the vacation of the easterly two (2) feet of street right-of-way abutting 3778 & 3779 Norseman Avenue.

## **Sample Motion**

Move to approve the Ordinance.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

### ORDINANCE NO. 9380

An ordinance to vacate a portion of the public street on the west side of Lot One (1), Block Three (3), Sterling Estates Subdivision and the west side of Lot One (1), Block Seven (7), Sterling Estates Subdivision, City of Grand Island, Hall County, Nebraska and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That a portion of the public street consisting of a tract of land comprising that portion of Ebony Lane lying west of the west line of Lot One (1), Block Three (3), Sterling Estates; and also lying west of the west line of Lot One (1), Block Seven (7), Sterling Estates, City of Grand Island, Hall County, Nebraska, more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3), STERLING ESTATES SUBDIVISION; THENCE RUNNING NORTHWEST FOR A DISTANCE OF FOURTEEN AND FOURTY HUNDREDTHS (14.41) FEET, THENCE RUNNING NORTHERLY ON THE WEST LINE OF LOT ONE (1) BLOCK THREE (3) FOR

ORDINANCE NO. 9380 (Cont.)

A DISTANCE OF ONE HUNDRED AND TEN (110.0) FEET TO THE NORTHWEST CORNER OF LOT ONE (1) BLOCK THREE (3) STERLING ESTATES SUBDIVISION, THENCE RUNNING WEST FOR A DISTANCE OF TWO (2.0) FEET. THENCE RUNNING SOUTH AND PARALLEL TO THE WEST LINE OF LOT ONE (1) BLOCK THREE (3) STERLING ESTATES SUBDIVISION FOR A DISTANCE OF ONE HUNDRED TWENTY (120.0) FEET; THENCE RUNNING EASTERLY FOR A DISTANCE OF TWELVE AND NINETEEN HUNDREDTHS (12.19) FEET BACK TO THE POINT OF BEGINNING.

**AND**

BEGINNING AT THE NORTHWEST CORNER OF LOT ONE (1) BLOCK SEVEN (7) STERLING ESTATES SUBDIVISION AND RUNNING SOUTHWESTERLY FOR A DISTANCE OF FOURTEEN AND FOURTY ONE HUNDREDTHS (14.41) FEET, THENCE RUNNING SOUTHERLY ON THE WEST LINE OF LOT ONE (1) BLOCK SEVEN (7) STERLING ESTATES SUBDIVISION FOR A DISTANCE OF ONE HUNDRED THIRTEEN AND EIGHTY FIVE HUNDREDTHS (113.85) FEET TO THE SOUTHWEST CORNER OF LOT ONE (1) BLOCK SEVEN (7) STERLING ESTATES SUBDIVISION. THENCE RUNNING WESTERLY FOR A DISTANCE OF TWO (2.0) FEET THENCE RUNNING NORTHERLY AND PARALLEL TO THE WEST LINE OF LOT ONE (1) BLOCK SEVEN (7) STERLING ESTATES SUBDIVISION. FOR A DISTANCE OF ONE HUNDRED TWENTY THREE AND EIGHTY FOUR HUNDREDTHS (123.84) FEET; THENCE RUNNING EASTERLY FOR A DISTANCE OF TWELVE (12.0) FEET BACK TO THE POINT OF BEGINNING.

Such public street to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the abutting properties.

SECTION 3. This Ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

ORDINANCE NO. 9380 (Cont.)

Enacted: April 24, 2012

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

Attest:

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

10

**STERLING**

2'

1

2

3

14.14'

**BLK.3**

**NORSEMAN AVE**



VACATED STREET  
RIGHT OF WAY

**EBONY LANE**

14.14'

**ESTATES**

1

2

3

2'

**BLK.7**

1

2



**EXHIBIT "A"**

DATE: 04-06-2012

DRAWN BY: M W L

APPROV BY:

PLAT TO ACCOMPANY  
VACATED STREET

PLAN

1/



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