



City of Grand Island

Tuesday, May 22, 2012

Council Session

Item F3

**#9384 - Consideration of Vacation of Utility & Sidewalk Easements
Located in Westwood Park Eleventh Subdivision (Tim C. Plate)**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: May 22, 2012

Subject: Consideration of Vacation of Utility & Sidewalk Easements Located in Westwood Park Eleventh Subdivision (Tim C. Plate)

Item #'s: F-3

Presenter(s): John Collins, Public Works Director

Background

Two (2) twenty (20) foot wide utility easements, as well as a ten (10) foot sidewalk easement were dedicated on March 11, 2008 through the Westwood Park Eleventh Subdivision plat. There are no conflicts with utilities.

Discussion

The developer of the Westwood Park Eleventh Subdivision has requested that each of the three (3) easements be vacated to allow for redesign of the development. The Planning Department is presenting the Westwood Park Twelfth Subdivision at tonight's meeting, which will dedicate new easements for this 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 approve the passing of an ordinance vacating the utility and sidewalk easements in Westwood Park Eleventh Subdivision.

Sample Motion

Move to approve the passing of an ordinance vacating the utility and sidewalk easements in Westwood Park Eleventh Subdivision.

ORDINANCE NO. 9384

An ordinance to vacate existing utility and sidewalk easements and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; 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 the existing utilities easement located in a tract of land comprising that portion of Westwood Park Eleventh Subdivision, more particularly described as follows:

20' WIDE UTILITY EASEMENT

A TRACT OF LAND LYING TEN (10) FEET EITHER SIDE OF THE NORTHERLY LINE OF LOT FIVE (5), WESTWOOD PARK ELEVENTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, EXCEPTING THEREFROM THE WESTERLY TEN (10) FEET THEREOF, SAID TRACT CONTAINING APPROXIMATELY 1,200 SQ. FT. (0.028 ACRES) MORE OR LESS.

10' WIDE SIDEWALK EASEMENT

A TRACT OF LAND LYING FIVE (5) FEET EITHER SIDE OF THE NORTHERLY LINE OF LOT FOUR (4), WESTWOOD PARK ELEVENTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, EXCEPTING THEREFROM THE WESTERLY TEN (10) FEET THEREOF, SAID TRACT CONTAINING APPROXIMATELY 1,206 SQ FT (0.028 ACRES) MORE OR LESS.

Approved as to Form	▣ _____
May 21, 2012	▣ City Attorney

ORDINANCE NO. 9384 (Cont.)

20' WIDE UTILITY EASEMENT

A TRACT OF LAND LYING TEN (10) FEET EITHER SIDE OF THE EASTERLY LINE OF LOT THREE (3), WESTWOOD PARK ELEVENTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, EXCEPTING THEREFROM THE SOUTHERLY TEN (10) FEET THEREOF, SAID TRACT CONTAINING APPROXIMATELY 1,262 SQ. FT. (0.050 ACRES) MORE OR LESS.

is hereby vacated. Such easement 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 owner or owners of the real estate upon which the easement is located.

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

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: May 22, 2012.

Jay Vavricek, Mayor

Attest:

RaNa Edwards, City Clerk

