



# City of Grand Island

Tuesday, October 9, 2012

Council Session

## Item F3

**#9404 - Consideration of Vacation of a Portion of Del Mar Avenue in Hornady Subdivision (JEH Holdings, LLC) (Second and Final Reading)**

Staff Contact: Terry Brown, Interim Public Works Director

# **Council Agenda Memo**

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

**Meeting:** October 9, 2012

**Subject:** Consideration of Vacation of a Portion of Del Mar Avenue in Hornady Subdivision (JEH Holdings, LLC)

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

**Presenter(s):** Terry Brown, Interim Public Works Director

## **Background**

Council action is required for vacation of a public street.

## **Discussion**

JEH Holdings, LLC is developing Hornady Subdivision and is requesting to vacate a portion of Del Mar Avenue to accommodate replatting of the subdivision. This vacation will allow for new street access, easement, and lots.

## **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 a portion of Del Mar Avenue.

## **Sample Motion**

Move to approve the Ordinance.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9404

An ordinance to vacate a portion of the public street on the west side of Del Mar Avenue; a vacation of right-of-way of part of Del Mar Avenue in the City of Grand Island in part of the Southeast Quarter of the Southeast Quarter (SE ¼, SE ¼) of Section Twenty (20), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., 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 Del Mar Avenue in the City of Grand Island in part of the Southeast Quarter of the Southeast Quarter (SE ¼, SE ¼) of Section Twenty (20), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., Hall County, Nebraska, and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE ¼, SE ¼; THENCE ON AN ASSUMED BEARING OF N90°00'00"W, ALONG THE SOUTH LINE OF SAID SE ¼, SE ¼,

Approved as to Form    ☐ \_\_\_\_\_  
October 5, 2012        ☐ City Attorney

ORDINANCE NO. 9404 (Cont.)

A DISTANCE OF 175.00 FEET; THENCE N01°07'46"E A DISTANCE OF 333.03 FEET TO A POINT BEING THE NORTHEAST CORNER OF LOT 1, HORNADY SUBDIVISION; THENCE N89°59'22"W A DISTANCE OF 130.00 FEET; THENCE N01°08'39"W A DISTANCE OF 288.74 FEET TO A POINT ON THE SOUTH RIGHT OF WAY (R.O.W.) LINE OF DEL MAR AVENUE; THENCE S88°49'09"W, ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 37.44 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE AROUND A CURVE IN A COUNTER CLOCK-WISE DIRECTION WITH A DELTA ANGLE OF 24°28'25", HAVING A RADIUS OF 95.00 FEET, AND CHORD BEARING OF S76°53'28"W A CHORD DISTANCE OF 40.27 FEET; THENCE AROUND A CURVE IN A CLOCK-WISE DIRECTION WITH A DELTA ANGLE OF 245°58'46", HAVING A RADIUS OF 51.50 FEET, AND CHORD BEARING OF N87°43'00"W A CHORD DISTANCE OF 86.39 FEET; THENCE N35°16'23"E A DISTANCE OF 32.86 FEET; THENCE S46°02'28"E A DISTANCE OF 3.11 FEET; THENCE S46°16'42"E A DISTANCE OF 29.92 FEET; THENCE N88°49'09"E A DISTANCE OF 82.72 FEET TO THE POINT OF BEGINNING. SAID VACATION CONTAINS A CALCULATED AREA OF 7,973.45 SQUARE FEET OR 0.18 ACRES MORE OR LESS.

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.

Enacted: October 9, 2012

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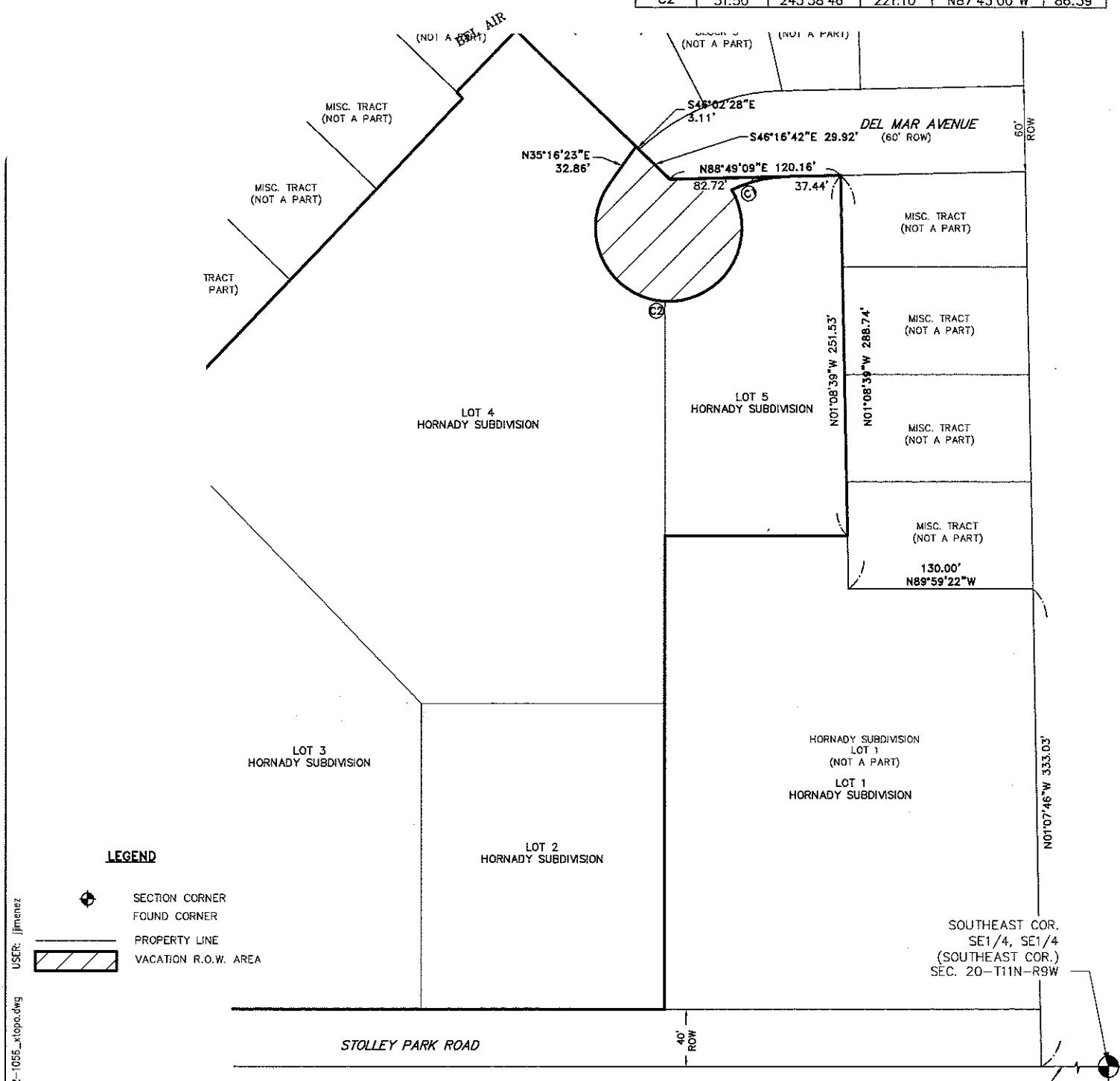
Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHD. BRG.	CHORD
C1	95.00'	24°28'25"	40.58'	S76°53'28"W	40.27'
C2	51.50'	245°58'46"	221.10'	N87°43'00"W	86.39'



**LEGEND**

- SECTION CORNER
- FOUND CORNER
- PROPERTY LINE
- VACATION R.O.W. AREA

**VACATION OF RIGHT OF WAY DESCRIPTION**

A VACATION OF RIGHT OF WAY OF PART OF DEL MAR AVENUE IN THE CITY OF GRAND ISLAND IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4, SE1/4) OF SECTION TWENTY (20), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE1/4, SE1/4; THENCE ON AN ASSUMED BEARING OF N90°00'00"W, ALONG THE SOUTH LINE OF SAID SE1/4, SE1/4, A DISTANCE OF 175.00 FEET; THENCE N01°07'46"E A DISTANCE OF 333.03 FEET TO A POINT BEING THE NORTHEAST CORNER OF LOT 1, HORNADY SUBDIVISION; THENCE N89°59'22"W A DISTANCE OF 130.00 FEET; THENCE N01°08'39"W A DISTANCE OF 288.74 FEET TO A POINT ON THE SOUTH RIGHT OF WAY (R.O.W.) LINE OF DEL MAR AVENUE; THENCE S88°49'09"W, ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 37.44 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE AROUND A CURVE IN A COUNTER CLOCK-WISE DIRECTION WITH A DELTA ANGLE OF 24°28'25", HAVING A RADIUS OF 95.00 FEET, AND CHORD BEARING OF S76°53'28"W A CHORD DISTANCE OF 40.27 FEET; THENCE AROUND A CURVE IN A CLOCK-WISE DIRECTION WITH A DELTA ANGLE OF 245°58'46", HAVING A RADIUS OF 51.50 FEET, AND CHORD BEARING OF N87°43'00"W A CHORD DISTANCE OF 86.39 FEET; THENCE N35°16'23"E A DISTANCE OF 32.86 FEET; THENCE S46°02'28"E A DISTANCE OF 3.11 FEET; THENCE THENCE S46°16'42"E A DISTANCE OF 29.92 FEET; THENCE N88°49'09"E A DISTANCE OF 82.72 FEET TO THE POINT OF BEGINNING. SAID VACATION CONTAINS A CALCULATED AREA OF 7.973.45 SQUARE FEET OR 0.18 ACRES MORE OR LESS.

PROJECT NO:	2012-1056
DRAWN BY:	JMJ
DATE:	07.19.2012

**VACATION OF RIGHT OF WAY**

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

EXHIBIT	1
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