

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 5, 2023 AGENDA

Subject:	Type:	Submitted By:
RELEASE OF EASEMENT – LOT 1 MAYFAIR 2 ND ADDITION REPLAT EIGHT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to authorize the execution of documents required to allow for the release of an existing sanitary sewer easement on Lot 1 Mayfair 2nd Addition Replat Eight, formerly platted Lot 2 Mayfair 2nd Addition Replat Three, Lots 1, 2, and 3 Mayfair 2nd Addition Replat Seven.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

At the July 5, 2023 City Council meeting, the City Council approved a PUD Site Plan, CUP and Final Plat for Lot 1 Mayfair 2nd Addition Replat Eight, formerly platted Lot 2 Mayfair 2nd Addition Replat Three, Lots 1, 2, and 3 Mayfair 2nd Addition Replat Seven. To allow for the development to move forward in the layout approved within the PUD Site Plan, an existing sanitary sewer easement that is no longer necessary will need to be released.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE RELEASE OF AN EXISTING SANITARY SEWER EASEMENT ON LOT 1 MAYFAIR 2ND ADDITION REPLAT EIGHT, FORMERLY PLATTED AS LOT 2 MAYFAIR 2ND ADDITION REPLAT THREE, LOTS 1, 2, AND 3 MAYFAIR 2ND ADDITION REPLAT SEVEN AND TO AUTHORIZE THE ACTIONS AS NECESSARY OR APPROPRIATE TO CARRY OUT THE ACTIONS APPROVED HEREIN.

WHEREAS, The City of La Vista (Easement Holder) has been granted a certain sanitary sewer easement as depicted on the below listed plat;

1. Plat and Dedication of Mayfair 2nd Addition filed March 23, 1999 at Instrument No. 1999-08323, records of Sarpy County, Nebraska;

WHEREAS, the City of La Vista approved a final plat for formerly platted Lot 2 Mayfair 2nd Addition Replat Three, Lots 1, 2, and 3 Mayfair 2nd Addition Replat Seven; and

WHEREAS, the sanitary sewer easement is no longer needed and the City Engineer is amenable to its release; and

WHEREAS, the location of the sanitary sewer easement is shown on the attached Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the release of the sanitary sewer easement and authorize such further actions necessary or appropriate to carry out the actions approved herein.

PASSED AND APPROVED THIS 5TH DAY OF SEPTEMBER 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

RELEASE OF EASEMENT

WHERE AS, THE FINAL PLAT OF MAYFAIR 2ND ADDITION RECORDED AS INSTRUMENT NO. 1999-08323 OF THE SARPY COUNTY RECORDS GRANTED A 20 FOOT WIDE SANITARY SEWER EASEMENT TO SANITARY AND IMPROVEMENT DISTRICT NO. 195 OF SARPY COUNTY AND TO THE CITY OF LA VISTA LYING WITHIN LOTS 116 AND 117 OF SAID SUBDIVISION, NOW KNOWN AS LOT 1, MAYFAIR 2ND ADDITION REPLAT EIGHT.

SAID EASEMENT IS SHOWN ON THE ATTACHED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

WHEREAS, THE PRESENT OWNERS ARE HEREBY REQUESTING THE RELEASE OF SAID EASEMENT.

NOW THEREFORE THE CITY OF LA VISTA, HAVING DETERMINED THEY HAVE NO FURTHER NEED FOR SAID EASEMENT, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY RELEASE, RELINQUISH AND ABANDON SAID EASEMENT.

DATED

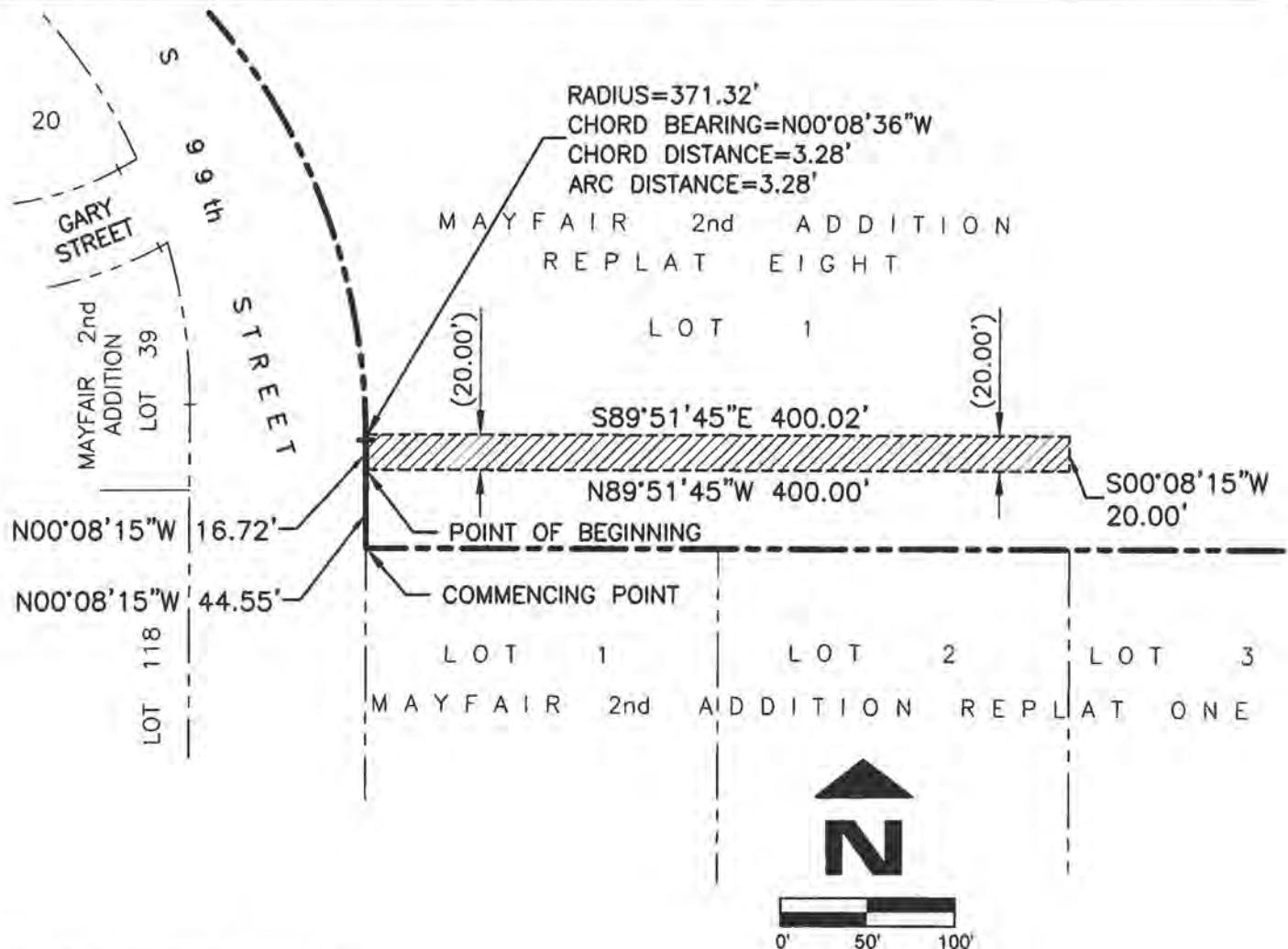
PAT DOWSE,
CITY ENGINEER

BRUCE FOUNTAIN,
COMMUNITY DEVELOPMENT DIRECTOR

APPROVAL OF THE LA VISTA CITY COUNCIL

DOUGLAS KINDIG, MAYOR

PAM BUETHE, CITY CLERK



LEGAL DESCRIPTION

THAT PART OF LOT 1, MAYFAIR 2ND ADDITION REPLAT EIGHT, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, COMMENCING AT THE SW CORNER OF SAID LOT 1;

THENCE N00°08'15"W (BEARING BASED ON THE DOUGLAS/SARPY COUNTIES LOW DISTORTION PROJECTION) 44.55 FEET ON THE WEST LINE OF SAID LOT 1 TO THE SW CORNER OF A 20.00 FOOT WIDE SANITARY SEWER EASEMENT GRANTED TO A SANITARY AND IMPROVEMENT DISTRICT NO. 195 OF SARPY COUNTY AND TO THE CITY OF LA VISTA LYING WITHIN LOTS 116 AND 117 OF MAYFAIR 2ND ADDITION NOW KNOWN AS LOT 1, MAYFAIR 2ND ADDITION REPLAT EIGHT AND THE POINT OF BEGINNING;

THENCE CONTINUING N00°08'15"W 16.72 FEET ON THE WEST LINE OF SAID LOT 1;

THENCE NORTHWESTERLY ON THE WEST LINE OF SAID LOT 1 ON A 371.32 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N00°08'36"W, CHORD DISTANCE 3.28 FEET, AN ARC DISTANCE OF 3.28 FEET TO THE NW CORNER OF SAID EASEMENT;

THENCE N89°51'45"E 400.10 FEET ON THE NORTH LINE OF SAID EASEMENT TO THE NE CORNER THEREOF;

THENCE S00°08'15"W 20.00 FEET ON THE EAST LINE OF SAID EASEMENT TO THE SE CORNER THEREOF;

THENCE S89°51'45"W 400.00 FEET ON THE SOUTH LINE OF SAID EASEMENT TO THE POINT OF BEGINNING.