



# Community Redevelopment Authority (CRA)

**Wednesday, July 13, 2016**  
**Regular Meeting**

## **Item -1**

### **Desert Rose Documents for Talon Apartments**

Staff Contact: Chad Nabity

keeping it free from trash and other debris and shall regularly mow and trim CRA's Property to maintain it in a neat and orderly condition. Talon shall indemnify and hold harmless CRA from any and all claims, causes of action and damages of any nature which may be sustained or incurred as a result of the License granted to Talon and Agents pursuant to this Agreement.

6. Prior to expiration of this Agreement, Talon shall restore CRA's Property to similar condition, state and grade as it existed upon commencement of this Agreement.

7. CRA retains the right to inspect the CRA Property at any time and may continue to market the CRA Property for sale notwithstanding this Agreement.

8. All costs of Staging and all restoration shall be at the sole expense of Talon.

9. If Talon breaches the terms and conditions of this Agreement, CRA may terminate this Agreement upon seven (7) days written notice to Talon.

TALON APARTMENTS, INC.

By \_\_\_\_\_  
Scott Rief, President

COMMUNITY REDEVELOPMENT AUTHORITY  
OF THE CITY OF GRAND ISLAND, NEBRASKA

By \_\_\_\_\_  
Chad Nabity, Executive Director

## MEMORANDUM AGREEMENT

This Memorandum Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between TALON APARTMENTS, INC., A NEBRASKA CORPORATION ("Talon") and COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GRAND ISLAND, NEBRASKA ("CRA").

### RECITALS:

WHEREAS, Talon is purchasing the property legally described as Lot 3, Vanosdall Second Subdivision in the City of Grand Island, Hall County, Nebraska ("Talon's Property"); and

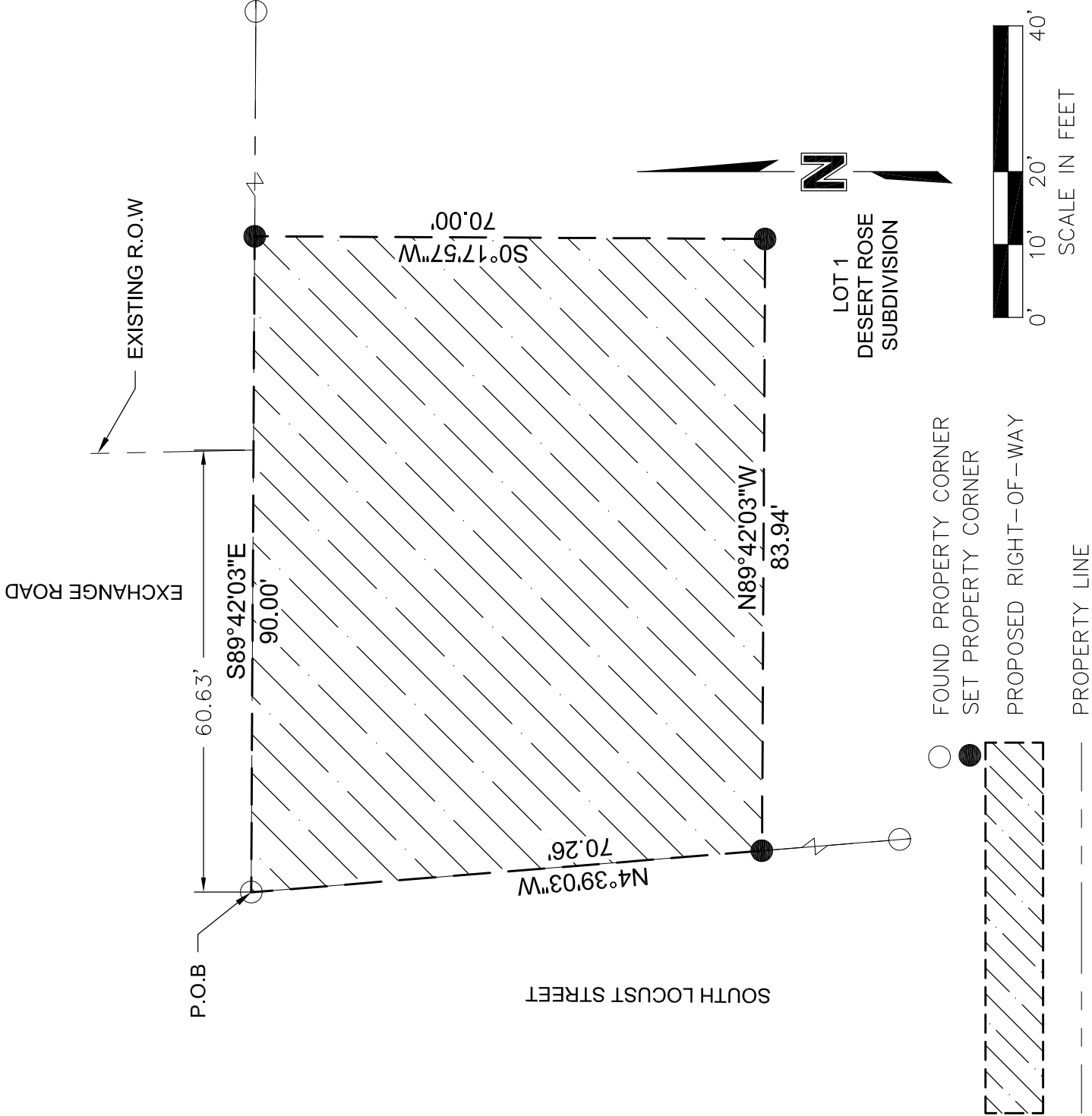
WHEREAS CRA is the owner of the adjacent property legally described as Part of Lot 1, Desert Rose Subdivision in the City of Grand Island, Hall County, Nebraska ("CRA's Property"); and

WHEREAS Talon, by and through its general contractor and subcontractors, is constructing multi-family residential units and infrastructure upon Talon's Property (the "Project") and desires to use CRA's Property for purposes of staging of construction equipment, delivery of construction materials, vehicle turnaround and such use as may be incidental thereto subject to the terms and conditions of this Agreement ("Staging").

NOW THEREFORE, IT IS AGREED by and between the parties as follows:

1. The CRA hereby grants Talon, its employees, contractors and subcontractors (collectively "Talon and Agents") the temporary license, privilege and permission (the "License") to access and use CRA's Property for the limited purpose of Staging for the Project.
2. This License shall terminate upon the earlier of January 1, 2017, or delivery of thirty (30) days written notice from either part to the other.
3. The CRA designates its executive director, Chad Nabity, as its authorized representative to act on CRA's behalf with respect to this Agreement. Talon designates Mark Otto as its authorized representative to act on Talon's behalf with respect to this Agreement. The parties may designate a different representative so long as the party notifies the other.
4. Talon acknowledges that the CRA has made no representations with respect to the CRA Property or its condition and that Talon is not relying on any representations from CRA or its agents with respect to the condition of CRA's Property. This License grants Talon the privilege and permission to use the CRA's Property for Staging for the Project in its present condition "AS-IS" without any warranty of any nature and subject to the conditions set forth herein.
5. Talon agrees to maintain CRA's Property in its present condition at all times,

RIGHT-OF-WAY  
EXCHANGE ROAD/SOUTH LOCUST STREET CONNECTION  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



DESCRIPTION OF RIGHT OF WAY

RIGHT OF WAY CONSISTING OF PART OF A TRACT DESCRIBED AS LOT 1 OF DESERT ROSE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, DESERT ROSE SUBDIVISION, ALSO BEING A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH LOCUST STREET, THENCE  $S89^{\circ}42'03''E$  ALONG AND UPON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 90.00', THENCE  $S00^{\circ}17'57''W$  A DISTANCE OF 70.00', THENCE  $N89^{\circ}42'03''W$  A DISTANCE OF 83.94' TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH LOCUST STREET AND THE WEST LINE OF LOT 1, THENCE  $N04^{\circ}39'03''W$  ALONG SAID EAST RIGHT OF WAY LINE AND SAID WEST LINE OF LOT 1 A DISTANCE OF 70.26' TO THE POINT OF BEGINNING SAID RIGHT OF WAY CONTAINS 0.14 ACRES OR 6087.81 SQ FT.

SURVEYOR'S CERTIFICATE

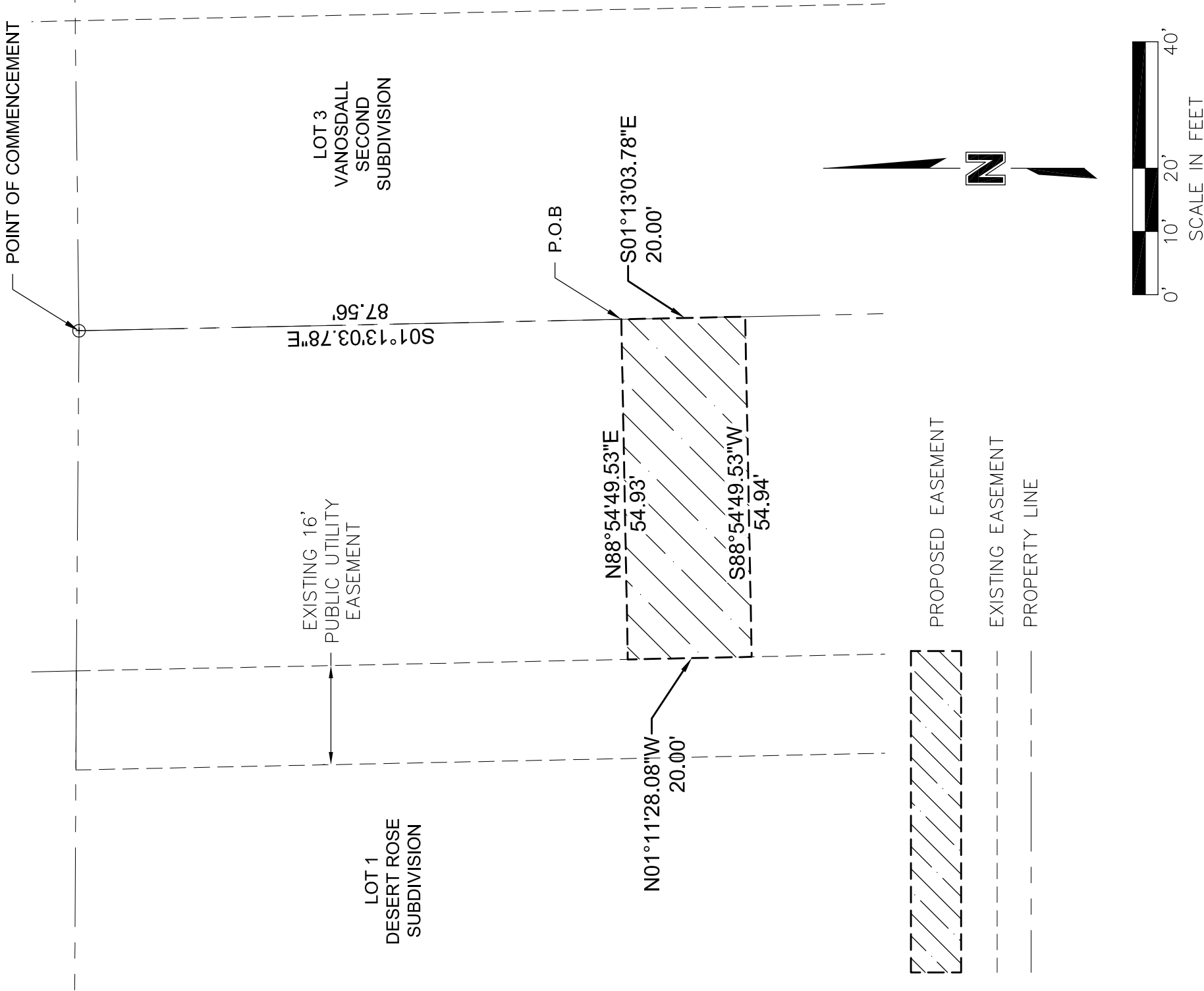
I HEREBY CERTIFY THAT ON \_\_\_\_\_, 2016, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF ALL OF LOT 1, DESERT ROSE SUBDIVISION GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS, THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST  
L.S. 630

**MOLSSON**  
ASSOCIATES

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

UTILITY EASEMENT  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

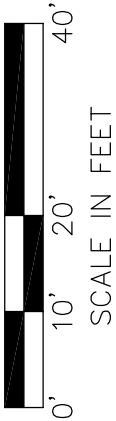
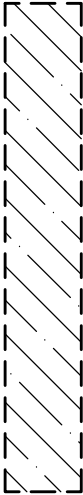
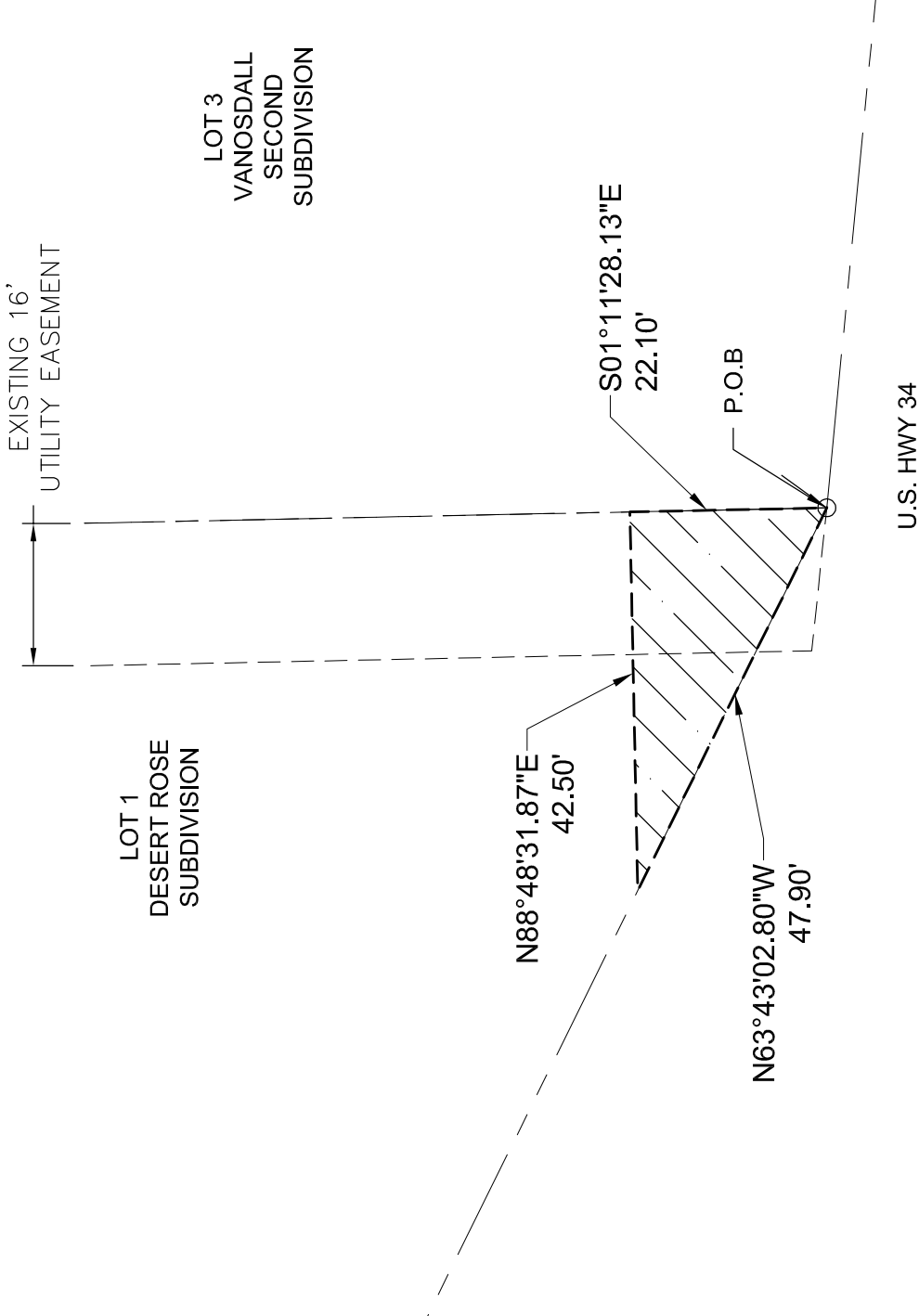


DESCRIPTION OF UTILITY EASEMENT

A UTILITY EASEMENT CONSISTING OF PART OF A TRACT DESCRIBED AS LOT 1 OF DESERT ROSE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, DESERT ROSE SUBDIVISION TO THE CITY OF GRAND ISLAND THENCE S01°13'04"E ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 87.56' TO THE POINT OF BEGINNING. THENCE CONTINUING S01°13'04"E ALONG SAID EAST LINE A DISTANCE OF 20.00', THENCE S88°54'50"W A DISTANCE OF 54.94' TO A POINT ON THE EAST LINE OF AN EXISTING 16' WIDE EASEMENT, THENCE N01°11'28"W ALONG SAID WEST LINE OF A 16' WIDE EASEMENT A DISTANCE OF 20.00', THENCE N88°54'50"E A DISTANCE OF 54.93' TO THE POINT OF BEGINNING, SAID UTILITY EASEMENT CONTAINS 0.03 ACRES OR 1098.63 SQ. FT.

UTILITY EASEMENT  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

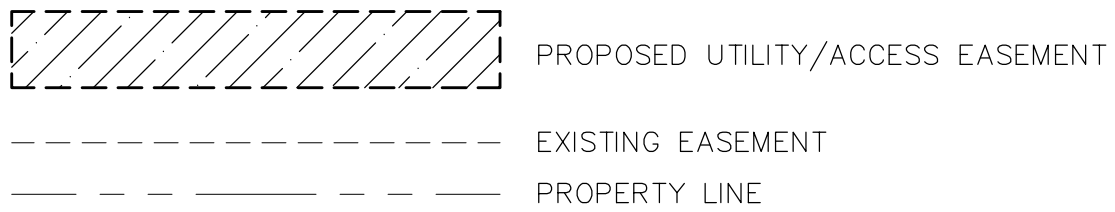
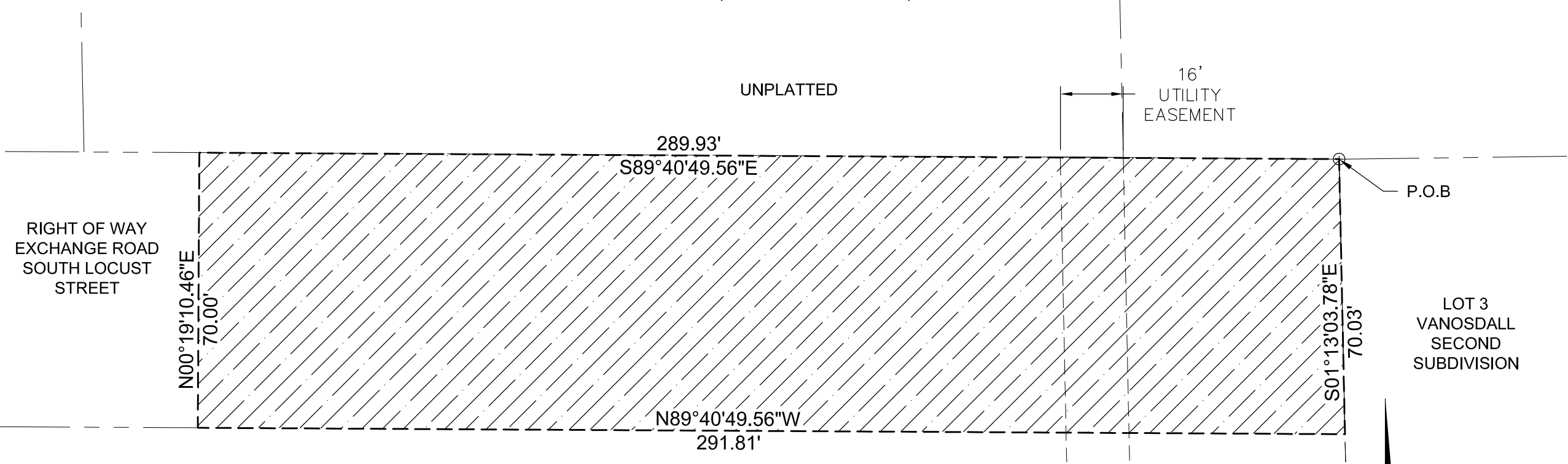


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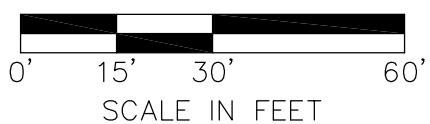
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, DESERT ROSE SUBDIVISION, THENCE N63°43'03"W ALONG AND UPON THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 47.90 FEET, THENCE N88°48'32"E A DISTANCE OF 42.50' TO A POINT ON THE EAST LINE OF SAID LOT 1, THENCE S01°11'28"E ALONG SAID EAST LINE A DISTANCE OF 22.10' TO THE PLACE OF BEGINNING. SAID UTILITY EASEMENT CONTAINS 0.01 ACRES OR 469.60 SQ FT.

UTILITY/ACCESS EASEMENT  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



LOT 1  
DESERT ROSE  
SUBDIVISION

LOT 3  
VANOSDALL  
SECOND  
SUBDIVISION



DESCRIPTION OF UTILITY/ACCESS EASEMENT

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BEGINNING AT THE NORTHEAST CORNER OF LOT 1 DESERT ROSE SUBDIVISION, THENCE S01°13'04"E ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 70.03', THENCE N89°40'50"W A DISTANCE OF 291.81', THENCE N00°19'10"E A DISTANCE OF 70.00' TO A POINT ON THE NORTH LINE OF SAID LOT 1, THENCE S89°40'50"E ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 289.93', TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS 0.47 ACRES OR 20361.06 SQ FT.



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