



City of Grand Island

Tuesday, February 28, 2017

Council Session

Item G-16

#2017-60 - Approving Temporary Construction Easements for Sanitary Sewer District No. 539; North Webb Road and 13th Street (Harders, Rischling, Calvary Baptist Church, Inc.)

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: February 28, 2017

Subject: Approving Temporary Construction Easement for Sanitary Sewer District No. 539; North Webb Road and 13th Street (Harders, Rischling, and Calvary Baptist Church, Inc.)

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

Background

Sanitary Sewer District No. 539 was continued by City Council through Resolution No. 2016-229 at their September 27, 2016 meeting.

Temporary Construction easements are needed to accommodate the extension of sanitary sewer to serve an area previously unserved that is located on the east side of North Webb Road between 13th Street and Dixie Square (see attached sketch), which must be approved by City Council. The temporary construction easements will allow for the installation of sanitary sewer to this area.

A sketch is attached to show the temporary construction easement areas.

Discussion

Temporary construction easements are needed from three (3) property owners for Sanitary Sewer District No. 539; North Webb Road and 13th Street to be constructed.

The cost for temporary use of such property has been agreed upon between the City and the property owners.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Phil Harders and Terri Harders	A temporary easement comprising of Lot Five (5), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The South Six (6) feet of the North Sixteen (16) feet	\$150.00

	of the East Ninety Three and Twenty Eight Hundredth (93.28) feet of the West One Hundred One and Eighty Eight Hundredth (101.88) feet, of said Lot Five (5), and containing a calculated area of Five Hundred Seventy Two and Thirty Hundredth (572.30) square feet or One Tenths (0.01) acres more or less.	
Richard A. Rischling and Gretchen M. Rischling	Lot Six (6), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The North Six (6) feet of the South Nine (9) feet of the East Seventy Seven and Twenty Eight Hundredth (77.28) feet of the West One Hundred One and Eighty Eight Hundredth (101.88) feet, and the East Eight (8) feet of the West Twenty Four (24) feet of the South One Hundred Forty Two (142) feet of the North One Hundred Fifty (150) feet, except the Southerly Three (3) feet of said Lot Six (6), and containing a calculated area of One Thousand Five Hundred Seventy Eight and Fifty Eight Hundredth (1578.58) square feet or Four Tenths (0.04) acres more or less.	\$280.00
Calvary Baptist Church, Inc.	Consisting of part of an unplatted tract of land described and recorded as Instrument No. 78-005613, Hall County Register of Deeds, located in the Northwest Quarter (NW ¼) of Section Seventeen (17), Township Eleven (11) North, Range Nine (9), West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The East Eight (8) feet of the West Thirty-Two (32) feet of the South One Hundred Forty-Six and Nine Tenths (146.9) feet, and the North Sixteen (16) feet of the South One Hundred Forty-Six and Nine Tenths (146.9) feet of the West Twenty-Four (24) feet of said tract of land and containing a calculated area of One Thousand Five Hundred Sixty-Six and Eighty-Four Hundredths (1,566.84) square feet or Four Hundredths (0.04) acres more or less.	\$325.00

Total = \$755.00

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 Temporary Construction Easements between the City of Grand Island and the affected property owners for Sanitary Sewer District No. 539; North Webb Road and 13th Street, in the amount of \$755.00.

Sample Motion

Move to approve the temporary construction easements.

RESOLUTION 2017-60

WHEREAS, temporary construction easements are required by the City of Grand Island for the Sanitary Sewer District No. 539; North Webb Road and 13th Street, to construct such project; and

WHEREAS, acquisition of the temporary easements is as follows:

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Phil Harders and Terri Harders	A temporary easement comprising of Lot Five (5), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The South Six (6) feet of the North Sixteen (16) feet of the East Ninety Three and Twenty Eight Hundredth (93.28) feet of the West One Hundred One and Eighty Eight Hundredth (101.88) feet, of said Lot Five (5), and containing a calculated area of Five Hundred Seventy Two and Thirty Hundredth (572.30) square feet or One Tenths (0.01) acres more or less.	\$150.00
Richard A. Rischling and Gretchen M. Rischling	Lot Six (6), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The North Six (6) feet of the South Nine (9) feet of the East Seventy Seven and Twenty Eight Hundredth (77.28) feet of the West One Hundred One and Eighty Eight Hundredth (101.88) feet, and the East Eight (8) feet of the West Twenty Four (24) feet of the South One Hundred Forty Two (142) feet of the North One Hundred Fifty (150) feet, except the Southerly Three (3) feet of said Lot Six (6), and containing a calculated area of One Thousand Five Hundred Seventy Eight and Fifty Eight Hundredth (1578.58) square feet or Four Tenths (0.04) acres more or less.	\$280.00
Calvary Baptist Church, Inc.	Consisting of part of an unplatted tract of land described and recorded as Instrument No. 78-005613, Hall County Register of Deeds, located in the Northwest Quarter (NW ¼) of Section Seventeen (17), Township Eleven (11) North, Range Nine (9), West of the 6 th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows: The East Eight (8) feet of the West Thirty-Two (32) feet of the South One Hundred Forty-Six and Nine Tenths (146.9) feet, and the North Sixteen (16) feet of the South One Hundred Forty-Six and Nine Tenths (146.9) feet of the West Twenty-Four (24) feet of said tract of land and containing a calculated area of One Thousand Five Hundred Sixty-Six and Eighty-Four Hundredths (1,566.84) square feet or Four Hundredths (0.04) acres more or less.	\$325.00

Total = \$755.00

Approved as to Form ✕ _____ March 10, 2017 ✕ City Attorney

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire such temporary easements from the listed property owners, on the above-described tracts of land.

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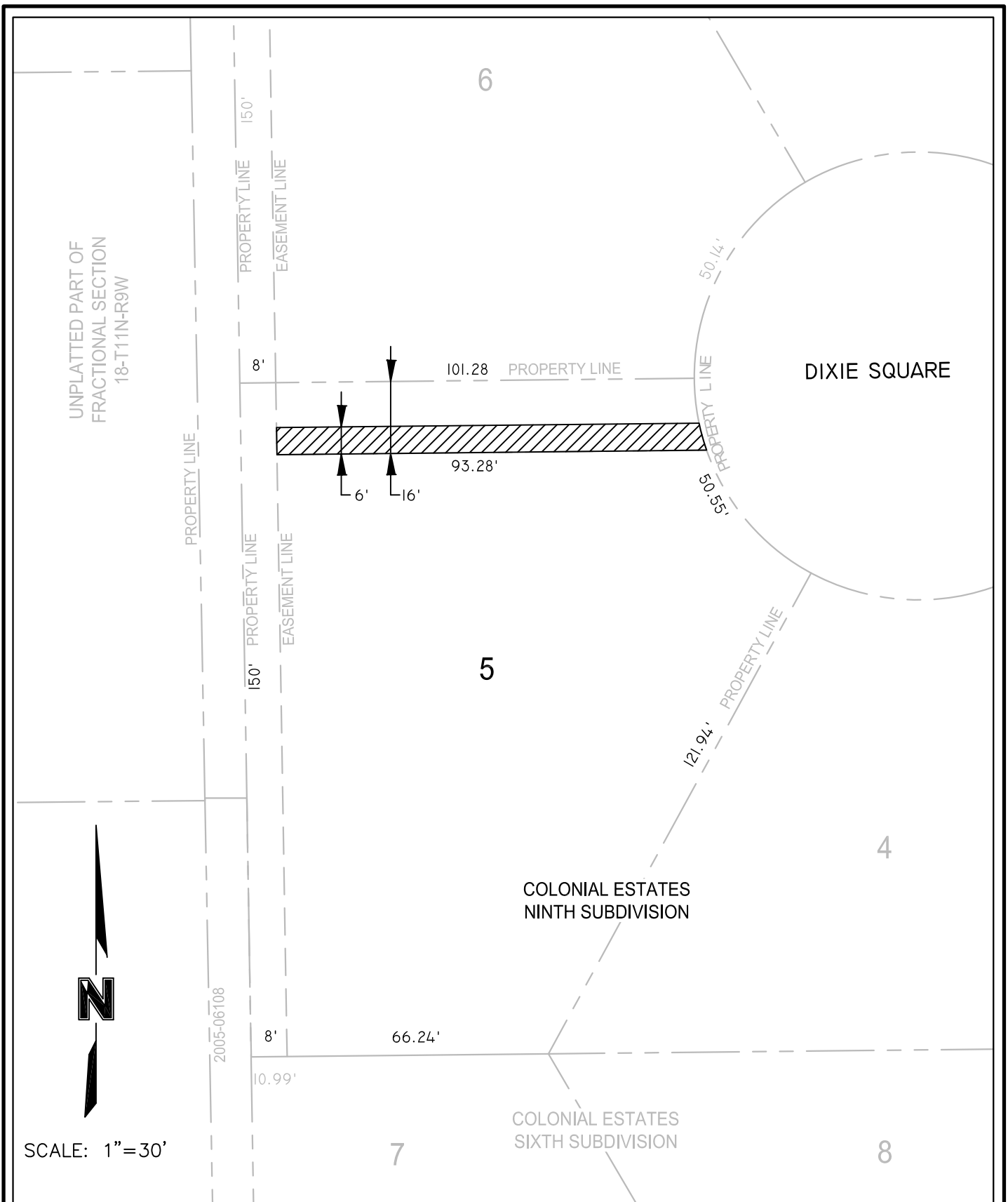
Adopted by the City Council of the City of Grand Island, Nebraska, February 28, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

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TEMPORARY EASEMENT:

A TEMPORARY EASEMENT BEING PART OF LOT FIVE (5), COLONIAL ESTATES NINTH SUBDIVISION, SECTION SEVENTEEN (17), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P. M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

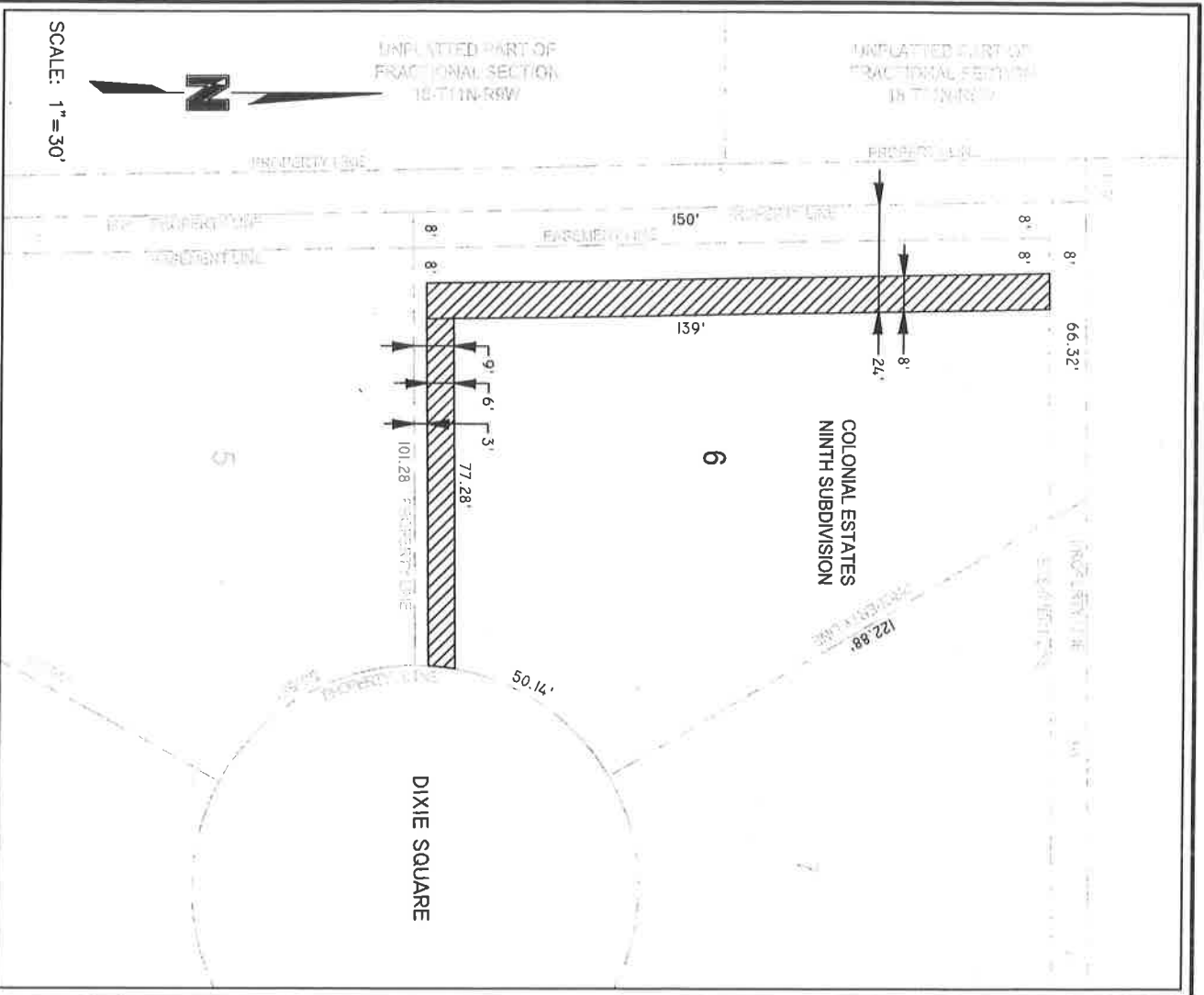
THE SOUTH SIX (6) FEET OF THE NORTH SIXTEEN (16) FEET OF SAID LOT FIVE (5), AND CONTAINING A CALCULATED AREA OF FIVE HUNDRED SEVENTY TWO AND THIRTY HUNDREDTHS (572.30) SQUARE FEET OR ONE HUNDREDTH (0.01) ACRES MORE OF LESS.

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY
NEBRASKA



EXHIBIT
A



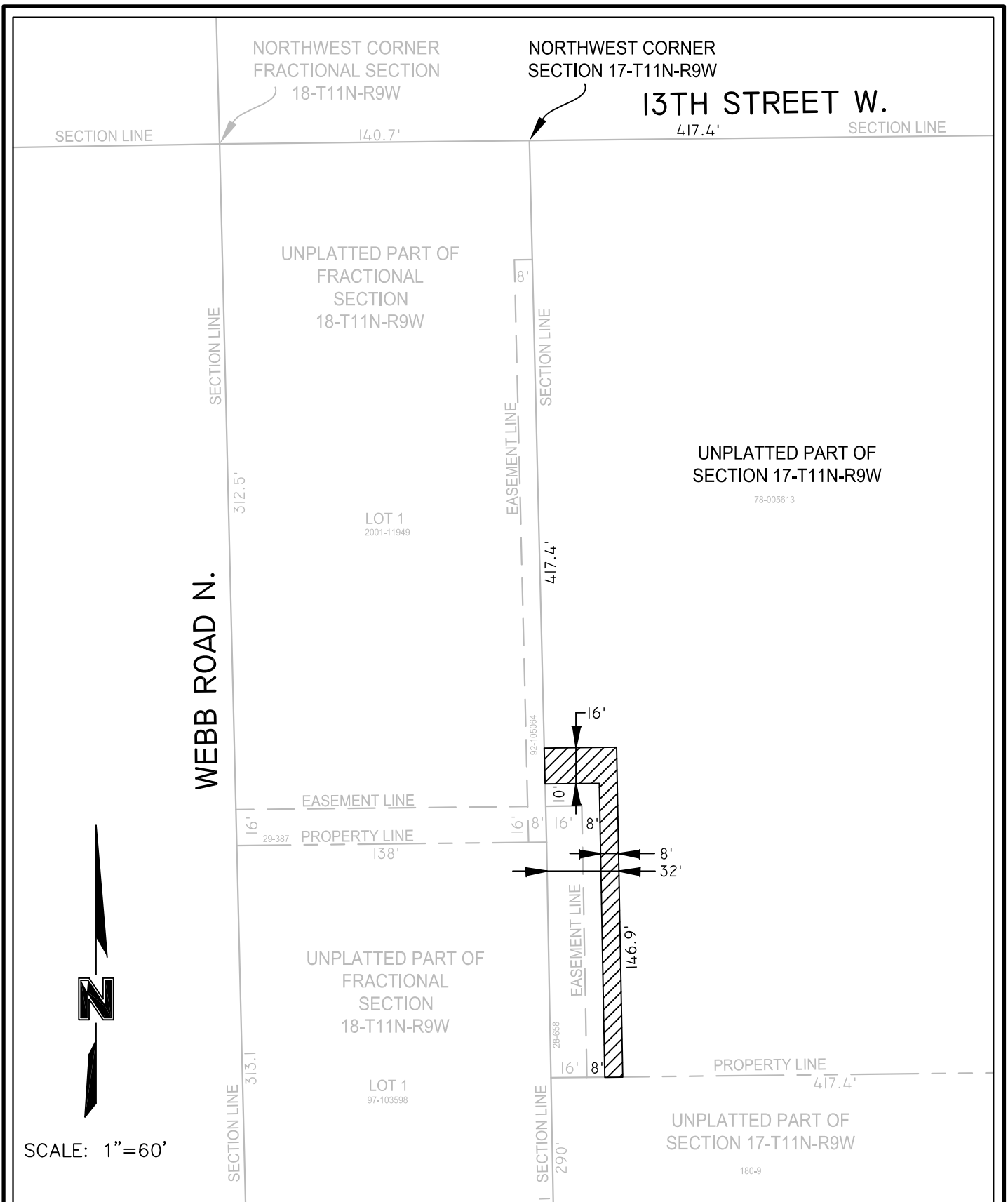
TEMPORARY EASEMENT DESCRIPTION:
 A TEMPORARY EASEMENT BEING PART OF LOT SIX (6), COLONIAL ESTATES NINTH SUBDIVISION, SECTION SEVENTEEN (17), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P. M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH SIX (6) FEET OF THE SOUTH NINE (9) FEET OF THE EAST SEVENTY SEVEN AND TWENTY EIGHT HUNDREDS (77.28) FEET, AND THE EAST EIGHT (8) FEET OF THE WEST TWENTY FOUR (24) FEET OF THE SOUTH ONE HUNDRED FORTY TWO (142) FEET, EXCEPT THE SOUTH THREE (3) FEET THEREOF, OF SAID LOT SIX (6), AND CONTAINING A CALCULATED AREA OF ONE THOUSAND FIVE HUNDRED SEVENTY EIGHT AND FIFTY EIGHT HUNDREDS (1,578.58) SQUARE FEET OR FOUR HUNDREDS (0.04) ACRES MORE OR LESS.

EXHIBIT "A"
 4 of 4

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY NEBRASKA	GRAND ISLAND PUBLIC WORKS DEPARTMENT	EXHIBIT A
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TEMPORARY EASEMENT DESCRIPTION:

A TEMPORARY EASEMENT CONSISTING OF PART OF A UNPLATTED TRACT OF LAND DESCRIBED AND RECORDED AS INSTRUMENT NO. 78-005613, HALL COUNTY REGISTER OF DEEDS, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SEVENTEEN (17), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P. M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST EIGHT (8) FEET OF THE WEST THIRTY TWO (32) FEET OF THE SOUTH ONE HUNDRED FORTY SIX AND NINE TENTHS (146.9) FEET, AND THE NORTH SIXTEEN (16) FEET OF THE SOUTH ONE HUNDRED FORTY SIX AND NINE TENTHS (146.9) FEET OF THE WEST TWENTY FOUR (24) FEET OF SAID TRACT OF LAND, AND CONTAINING A CALCULATED AREA OF ONE THOUSAND FIVE HUNDRED SIXTY SIX AND EIGHTY FOUR HUNDREDTHS (1,566.84) SQUARE FEET OR FOUR HUNDREDTHS (0.04) ACRES MORE OF LESS.

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY
NEBRASKA

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

EXHIBIT
A