



# City of Grand Island

Tuesday, February 28, 2017

Council Session

## Item E-4

**Public Hearing on Acquisition of Permanent Utility Easements for Sanitary Sewer District No. 539; North Webb Road and 13th Street (Harders, Rischling, & Calvary Baptist Church, Inc.)**

*Council action will take place under Consent Agenda item G-15.*

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:** Public Hearing on Acquisition of Permanent Utility Easements for Sanitary Sewer District No. 539; North Webb Road and 13<sup>th</sup> Street (Harders, Rischling, and Calvary Baptist Church, Inc.)

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

## Background

Public utility 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 13<sup>th</sup> Street and Dixie Square (see attached sketch). The public utility easements will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easements.

Such sanitary sewer district was continued by City Council through Resolution No. 2016-229 at their September 27, 2016 meeting.

## Discussion

The purchase price of the necessary public utility easements is as follows, and has been agreed upon between the City and the property owners.

| <i>Property Owner</i>                | <i>Legal Description</i>   | <i>Amount</i> |
|--------------------------------------|--|---------------|
| Phil Harders<br>and<br>Terri Harders | A permanent and perpetual easement comprising of Lot Five (5), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 <sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:<br>The North Ten (10) 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 | \$350.00      |

|  |  |   |
|--|--|---|
|  | said Lot Five (5), and containing a calculated area of Nine Hundred Thirty Seven and Sixty Three Hundredth (937.63) square feet or Two Tenths (0.02) acres more or less.   |   |
| Ricahrd A. Rischling<br>and<br>Gretchen M. Rischling | A permanent and perpetual easement comprising of Lot Six (6), Colonial Estates Ninth Subdivision, Section Seventeen (17), Township Eleven (11) North, Range Nine (9) West of the 6 <sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:<br>The South Three (3) feet of the East Eighty Five and Twenty Eight Hundredth (85.28) feet of the West One Hundred One and Eighty Eight Hundredth (101.88) feet, and the East Eight (8) feet of the West Sixteen feet of the South One Hundred Forty Two (142) feet of the North One Hundred Fifty (150) feet of said Lot Six (6), and containing a calculated are of One Thousand Three Hundred Ninety One and Seventy Eight Hundredth (1391.78) square feet or Three Tenths (0.03) acres more or less.   | \$1,225.00<br>+ \$4,500.00 for<br><u>fence relocation</u><br>\$5,725.00 |
| Calvary Baptist Church,<br>Inc.                      | A permanent and perpetual easement 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 <sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:<br><br>The East Eight (8) feet of the West Thirty-Two (32) feet of the South One Hundred Thirty and Nine Tenths (130.9) feet, and the North Ten (10 feet of the south One Hundred Thirty and Nine Tenths (130.9) feet of the West Sixteen (16) feet of said tract of land, and containing a calculated area of One Thousand, Two Hundred Seven and Ninety-One Hundredths (1,207.91) square feet or Three Hundredths (0.03) acres more or less. | \$1,210.00  |

**TOTAL = \$7,285.00**

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

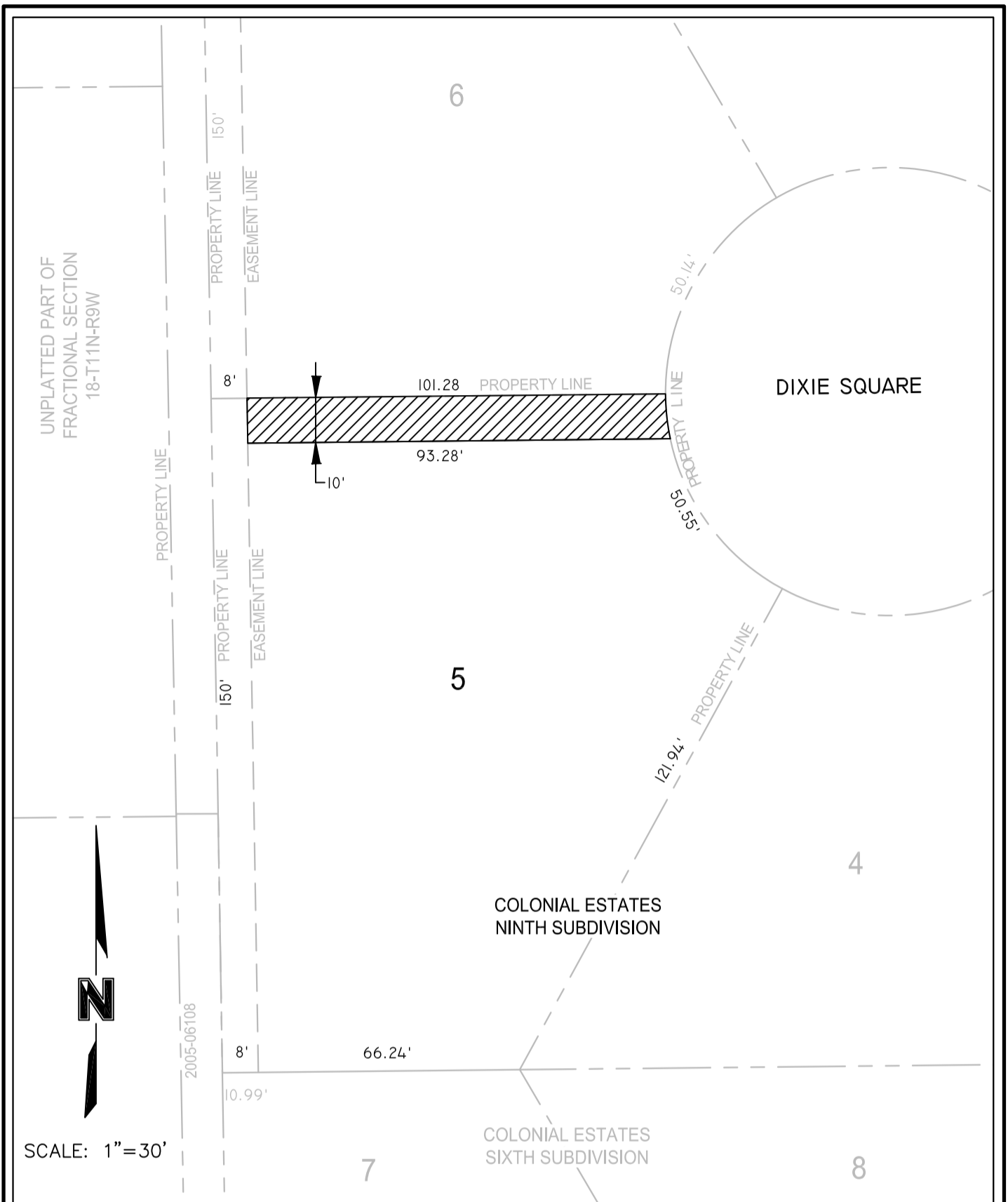
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve acquisition of the necessary permanent utility easements.

## **Sample Motion**

Move to approve the acquisition of the necessary permanent utility easements.



**PERMANENT EASEMENT DESCRIPTION:**

A PERMANENT 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:

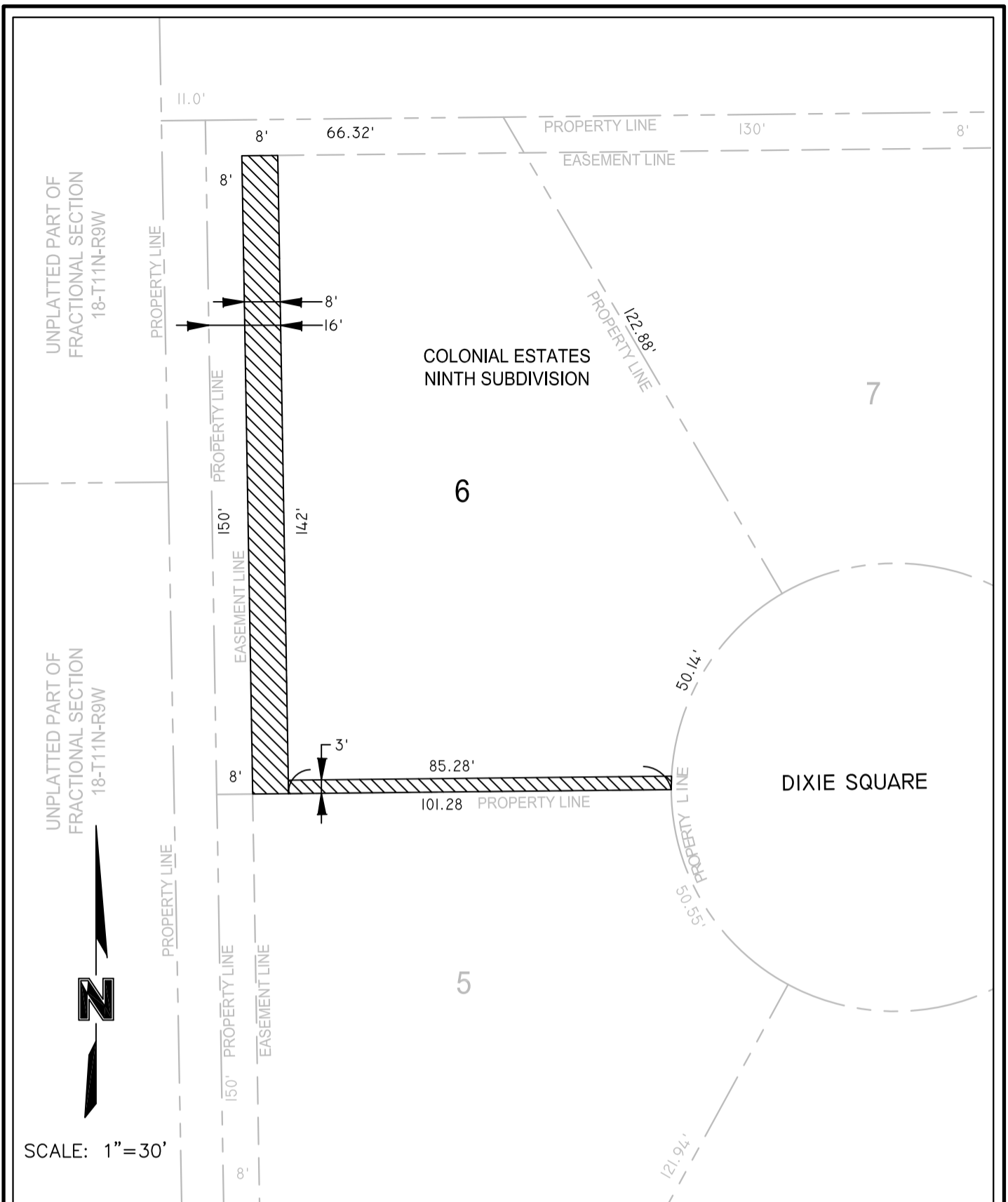
THE NORTH TEN (10) FEET OF SAID LOT FIVE (5), AND CONTAINING A CALCULATED AREA OF NINE HUNDRED THIRTY SEVEN AND SIXTY THREE HUNDREDTHS (937.63) SQUARE FEET OR TWO HUNDREDTHS (0.02) ACRES MORE OF LESS.

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY  
NEBRASKA

CITY OF  
**GRAND ISLAND**  
PUBLIC WORKS DEPARTMENT

EXHIBIT  
A



**PERMANENT EASEMENT DESCRIPTION:**

A PERMANENT 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:

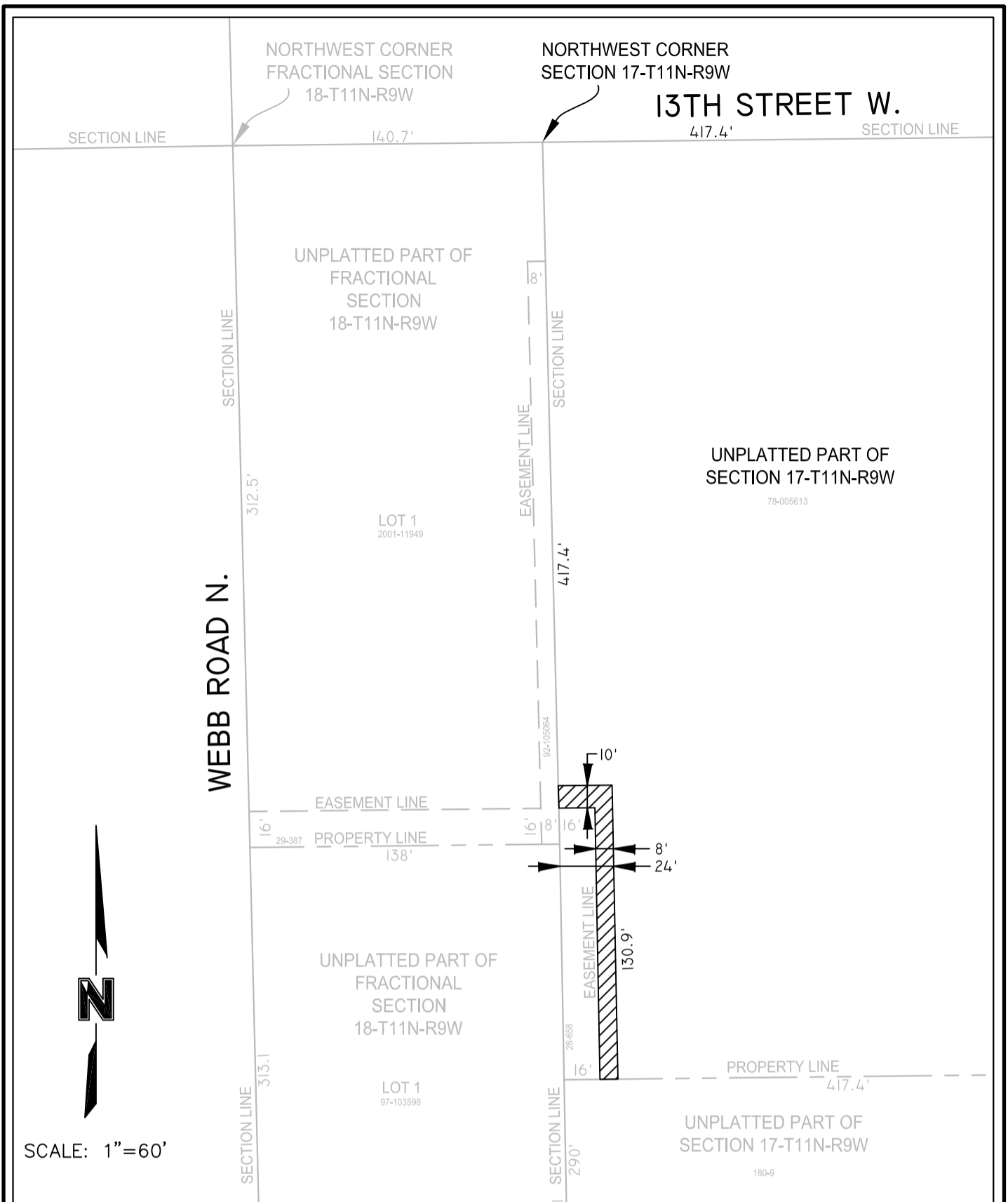
THE SOUTH THREE (3) FEET OF THE EAST EIGHTY FIVE AND TWENTY EIGHT HUNDREDTHS (85.28) FEET, AND THE EAST EIGHT (8) FEET OF THE WEST SIXTEEN (16) FEET OF THE SOUTH ONE HUNDRED FORTY TWO (142) FEET OF SAID LOT SIX (6), AND CONTAINING A CALCULATED AREA OF ONE THOUSAND THREE HUNDRED NINETY ONE AND SEVENTY EIGHT HUNDREDTHS (1,391.78) SQUARE FEET OR THREE HUNDREDTHS (0.03) ACRES MORE OF LESS.

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY  
NEBRASKA

CITY OF  
**GRAND ISLAND**  
PUBLIC WORKS DEPARTMENT

EXHIBIT  
A



**PERMANENT EASEMENT DESCRIPTION:**

A PERMANENT 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 TWENTY FOUR (24) FEET OF THE SOUTH ONE HUNDRED THIRTY AND NINE TENTHS (130.9) FEET, AND THE NORTH TEN (10) FEET OF THE SOUTH ONE HUNDRED THIRTY AND NINE TENTHS (130.9) FEET OF THE WEST SIXTEEN (16) FEET OF SAID TRACT OF LAND, AND CONTAINING A CALCULATED AREA OF ONE THOUSAND TWO HUNDRED SEVEN AND NINETY ONE HUNDREDTHS (1,207.91) SQUARE FEET OR THREE HUNDREDTHS (0.03) ACRES MORE OF LESS.

AUGUST 1, 2016

GRAND ISLAND, HALL COUNTY  
NEBRASKA

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PUBLIC WORKS DEPARTMENT

EXHIBIT  
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