



# City of Grand Island

Tuesday, December 12, 2017

Council Session

## Item G-12

**#2017-350 - Approving Temporary Construction Easements for West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T (L & P Investments, LLC and Schwarz)**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** December 12, 2017

**Subject:** Approving Temporary Construction Easements for West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T (L & P Investments, LLC and Schwarz)

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

## **Background**

Temporary construction easements are needed to accommodate extension of sanitary sewer to the West Stolley Park Road and Engleman Road area.

A sketch is attached to show area of each temporary construction easement.

This construction work is scheduled to be bid later this year.

## **Discussion**

Temporary construction easements are needed from two (2) property owners, with an agreement for the cost of such reached with each owner.

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>	<b><i>Amount</i></b>
L & P Investments, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1 OF ELDER FOURTH SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW ¼, SW ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6 <sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°25'01"E, ALONG THE NORTH LINE OF SOUTHWEST ¼, A DISTANCE OF 70.00 FEET TO THE	\$1,320.00

	<p>NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°25'01"E, ALONG THE NORTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET; THENCE S00°41'20"E, A DISTANCE OF 202.02 FEET TO A POINT ON A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION; THENCE S89°18'46"W, ALONG A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF PROPOSED PERMANENT UTILITY EASEMENT; THENCE N00°41'20"W, ALONG THE EAST LINE OF SAID NEW PERMANENT EASEMENT A DISTANCE OF 202.11 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 10,103 SQUARE FEET OR 0.232 ACRES MORE OR LESS.</p>	
<p>Glenn H. Schwarz, Trustee</p>	<p>A TEMPORARY EASEMENT CONSISTING OF PARTS OF LOTS 17 AND 18 AND THE WEST HALF OF LOT 16, PERSON'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼, NE ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6<sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°55'00"E, ALONG THE WEST LINE OF SAID NORTHEAST ¼, A DISTANCE OF 63.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°44'10"E, ALONG THE NORTH LINE OF SAID PROPOSED EASEMENT A DISTANCE OF 329.56 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF SAID LOT 16 PERSON'S SUBDIVISION; THENCE S00°54'39"E, ALONG SAID EAST LINE FOR A DISTANCE OF 50.01 FEET; THENCE N89°44'10"W, A DISTANCE OF 329.56 FEET TO A POINT ON THE WEST LINE OF SAID LOT 18 PERSON'S SUBDIVISION; THENCE N00°55'00"W, ALONG SAID WEST LINE OF SAID LOT 18, PERSON'S SUBDIVISION A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 16,478 SQUARE FEET OR 0.378</p>	<p>\$1,580.00</p>

	<p>ACRES MORE OR LESS.</p> <p>and</p> <p>A TEMPORARY EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2004-07265, BEING PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2, NE ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6<sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF S89°44'10"E, ALONG THE NORTH LINE OF SAID NORTHEAST ¼, A DISTANCE OF 329.57 FEET; THENCE S00°54'39"E, A DISTANCE OF 63.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, S89°44'10"E, ALONG THE SOUTH LINE OF SAID PROPOSED EASEMENT A DISTANCE OF 575.01 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED EASEMENT; THENCE, S00°15'50"W, A DISTANCE OF 50.00 FEET; THENCE N89°44'10"W, A DISTANCE OF 573.99 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE N00°54'39"W, ALONG THE WEST LINE OF SAID TRACT A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 28,725 SQUARE FEET OR 0.659 ACRES MORE OR LESS.</p>	
		<b>Total = \$2,900.00</b>

### **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 West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T.

## **Sample Motion**

Move to approve the temporary construction easement.

# RESOLUTION 2017-350

WHEREAS, temporary construction easements are required by the City of Grand Island for construction of West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T; and

WHEREAS, acquisition of the temporary easements is as follows:

<i><b>Property Owner</b></i>	<i><b>Legal Description</b></i>	<i><b>Amount</b></i>
L & P Investments, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1 OF ELDER FOURTH SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW ¼, SW ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6 <sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°25'01"E, ALONG THE NORTH LINE OF SOUTHWEST ¼, A DISTANCE OF 70.00 FEET TO THE NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°25'01"E, ALONG THE NORTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET; THENCE S00°41'20"E, A DISTANCE OF 202.02 FEET TO A POINT ON A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION; THENCE S89°18'46"W, ALONG A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF PROPOSED PERMANENT UTILITY EASEMENT; THENCE N00°41'20"W, ALONG THE EAST LINE OF SAID NEW PERMANENT EASEMENT A DISTANCE OF 202.11 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 10,103 SQUARE FEET OR 0.232 ACRES MORE OR LESS.	\$1,320.00
Glenn H. Schwarz, Trustee	A TEMPORARY EASEMENT CONSISTING OF PARTS OF LOTS 17 AND 18 AND THE WEST HALF OF LOT 16, PERSON'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼, NE ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6 <sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON	\$1,580.00

Approved as to Form ☐ \_\_\_\_\_  
December 8, 2017 ☐ City Attorney

	<p>AN ASSUMED BEARING OF S00°55'00"E, ALONG THE WEST LINE OF SAID NORTHEAST ¼, A DISTANCE OF 63.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°44'10"E, ALONG THE NORTH LINE OF SAID PROPOSED EASEMENT A DISTANCE OF 329.56 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF SAID LOT 16 PERSON'S SUBDIVISION; THENCE S00°54'39"E, ALONG SAID EAST LINE FOR A DISTANCE OF 50.01 FEET; THENCE N89°44'10"W, A DISTANCE OF 329.56 FEET TO A POINT ON THE WEST LINE OF SAID LOT 18 PERSON'S SUBDIVISION; THENCE N00°55'00"W, ALONG SAID WEST LINE OF SAID LOT 18, PERSON'S SUBDIVISION A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 16,478 SQUARE FEET OR 0.378 ACRES MORE OR LESS.</p> <p style="text-align: center;">and</p> <p>A TEMPORARY EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2004-07265, BEING PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2, NE ¼) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6<sup>TH</sup> P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF S89°44'10"E, ALONG THE NORTH LINE OF SAID NORTHEAST ¼, A DISTANCE OF 329.57 FEET; THENCE S00°54'39"E, A DISTANCE OF 63.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, S89°44'10"E, ALONG THE SOUTH LINE OF SAID PROPOSED EASEMENT A DISTANCE OF 575.01 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED EASEMENT; THENCE, S00°15'50"W, A DISTANCE OF 50.00 FEET; THENCE N89°44'10"W, A DISTANCE OF 573.99 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE N00°54'39"W, ALONG THE WEST LINE OF SAID TRACT A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 28,725 SQUARE FEET OR 0.659 ACRES MORE OR LESS.</p>	
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	<b>Total =</b>	<b>\$2,900.00</b>

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, December 12, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

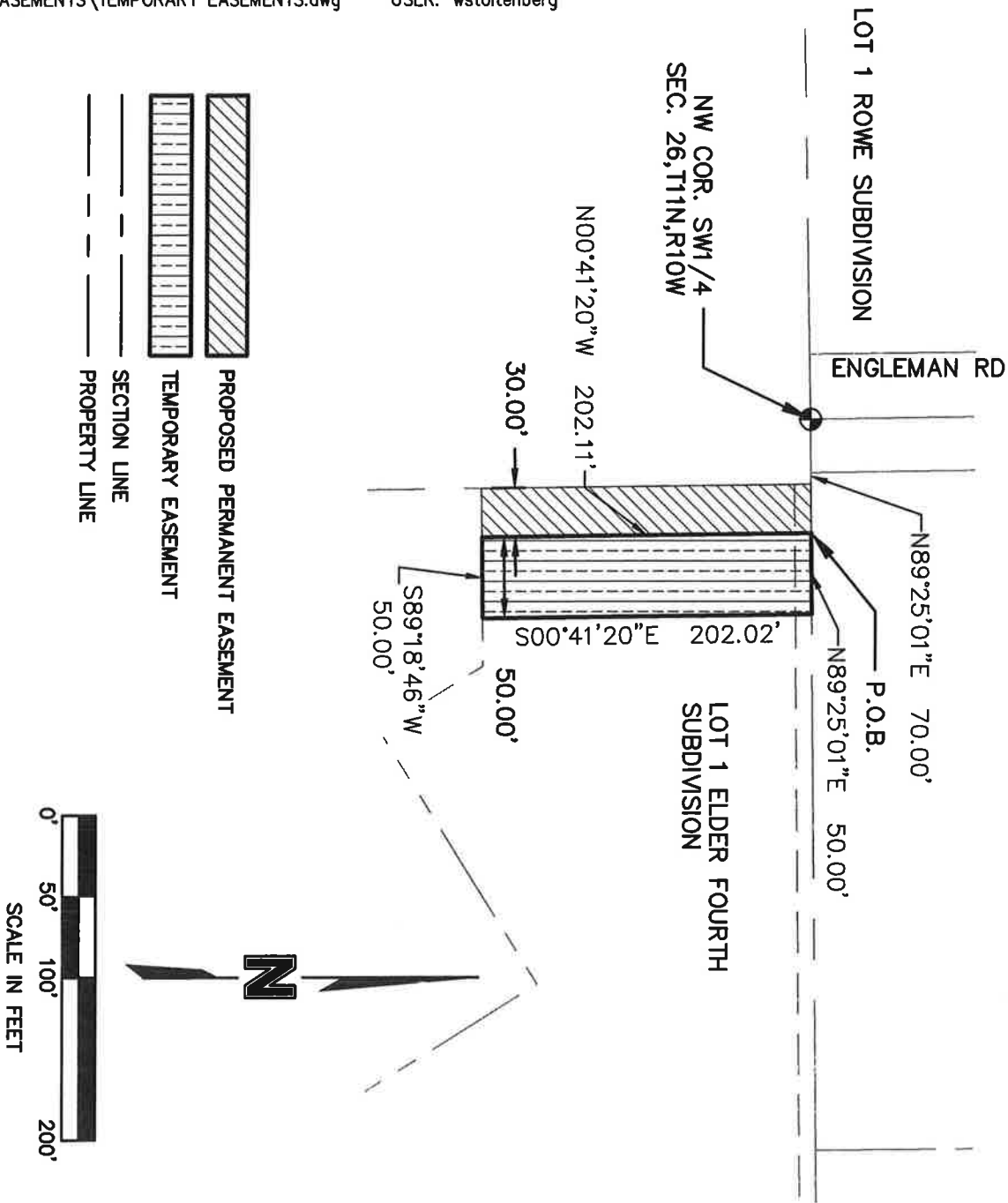
Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk



TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 31  
STOLLEY PARK AND ENGLEMAN ROAD SEWER EXTENSION  
CITY OF GRAND ISLAND PROJECT 2017-S-3



EASEMENT DESCRIPTION

A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1 OF ELDER FOURTH SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NE1/4, SW1/4) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°25'01"E, ALONG THE NORTH LINE OF SOUTHWEST 1/4, A DISTANCE OF 70.00 FEET TO THE NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, N89°25'01"E, ALONG THE NORTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET; THENCE, S00°41'20"E, A DISTANCE OF 202.02 FEET TO A POINT ON A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION; THENCE S89°18'46"W, ALONG A SOUTH LINE OF SAID LOT 1 ELDER FOURTH SUBDIVISION A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF PROPOSED PERMANENT UTILITY EASEMENT; THENCE N00°41'20"W, ALONG THE EAST LINE OF SAID NEW PERMANENT EASEMENT A DISTANCE OF 202.11 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 10,103 SQUARE FEET OR 0.232 ACRES MORE OR LESS.

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DATE: Aug 22, 2017 10:06am XREFS: V\_XTP0\_70442 P\_PBASE\_17-0442

PROJECT NO: 2017-0442  
DRAWN BY: WLS  
DATE: 07/20/17

TEMPORARY  
EASEMENT

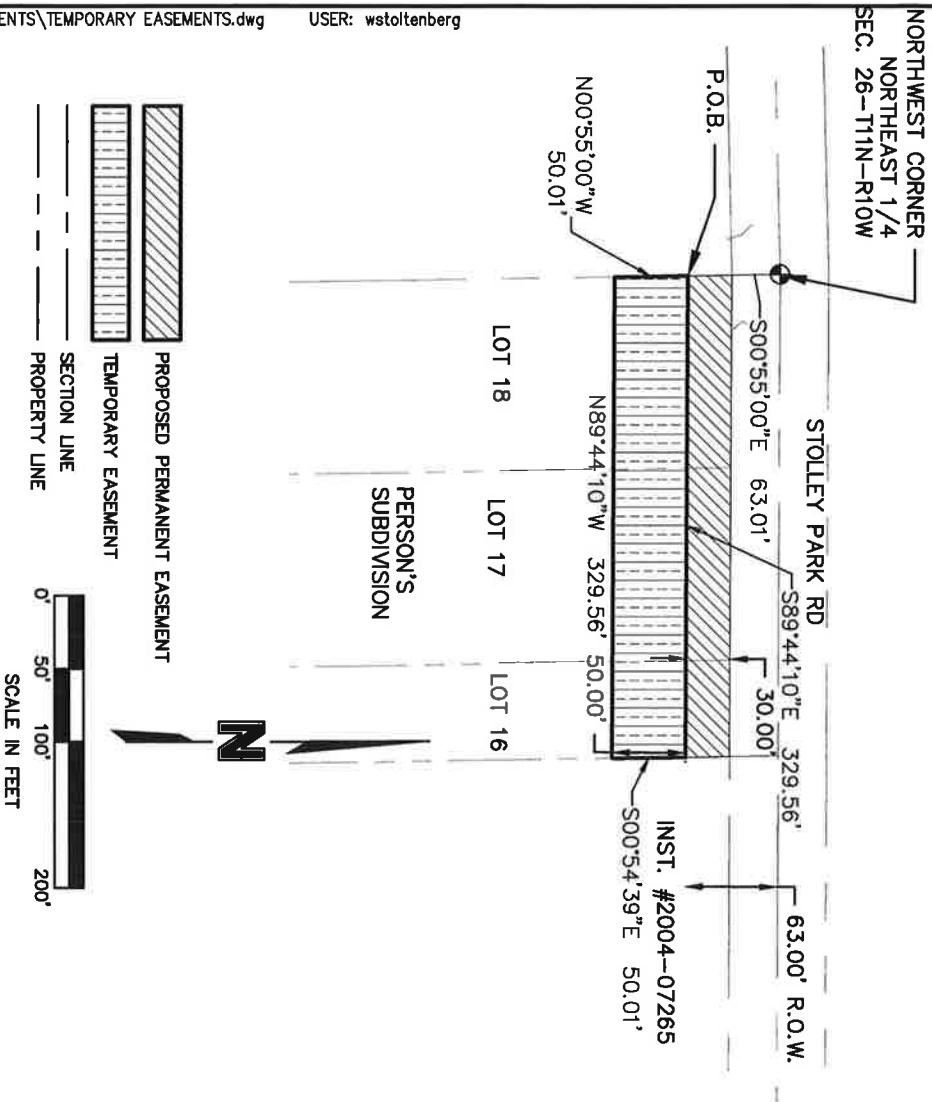
ASSOCIATES

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

EXHIBIT  
A

USER: wstoltenberg

**TEMPORARY EASEMENT**  
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
 TRACT NO. 6  
 STOLLEY PARK AND ENGLEMAN ROAD SEWER EXTENSION  
 CITY OF GRAND ISLAND PROJECT 2017-S-3



**EASEMENT DESCRIPTION**

A TEMPORARY EASEMENT CONSISTING OF PART OF LOTS 17 AND 18 AND THE WEST HALF OF LOT 16, PERSON'S SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4, NE1/4) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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 DATE: Aug 22, 2017 10:06am XREFS: V\_XTPO\_70442 P\_PBASE\_17-0442

PROJECT NO: 2017-0442	TEMPORARY EASEMENT	<p>201 East 2nd Street                  P.O. Box 1072                  Grand Island, NE 68802-1072                  TEL: 308.984.8750                  FAX: 308.984.8752</p>	EXHIBIT
DRAWN BY: WLS			A
DATE: 07/20/17			

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CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 7  
STOLLEY PARK AND ENGLEMAN ROAD SEWER EXTENSION  
CITY OF GRAND ISLAND PROJECT 2017-S-3



A TEMPORARY EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED IN INSTRUMENT # 2004-072865, BEING PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2, NE1/4) OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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