



# City of Grand Island

Tuesday, January 23, 2018

Council Session

## Item G-4

**#2018-11 - Approving Acquisition of Utility Easement - South of Hwy. 30 and West of 4th Road (Merrick County) - Greving & Smith**

*This item relates to the aforementioned Public Hearing item E-2.*

Staff Contact: Tim Luchsinger, Stacy Nonhof

## RESOLUTION 2018-11

WHEREAS, a public utility easement is required by the City of Grand Island from Gregory J. Greving and Elizabeth J. Smith, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on January 23, 2018, for the purpose of discussing the proposed acquisition of utility easement located through a port of the Southeast Quarter (SE ¼) Section Twenty Eight (28), Township Twelve (12) North, Range Eight (8) West of the 6<sup>th</sup> P.M., Merrick County, Nebraska; and more particularly described as follows:

### TRACT 1.

A twenty (20.0) foot wide tract, the centerline being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter (SE1/4), Section Twenty Eight (28), Township Twelve (12) North, Range Eight (8) West of the 6<sup>th</sup> P.M., Merrick County, Nebraska; thence northerly along the East line of said Southeast Quarter (SE1/4), on an assumed bearing of N0°00'00"E, a distance of five hundred seventy four and seventy four hundredths (574.74) feet; thence N90°00'00"E, a distance of thirty three (33.0) feet to a Point on the westerly right-of-way line of 4<sup>th</sup> Road, said point also being the ACTUAL Point of Beginning of TRACT 1; thence S31°10'37"W, a distance of eighty six and seventy three hundredths (86.73) feet to a point of termination on the North line of a tract of land described in Book A29, Page 551, Merrick County Register of Deeds Office. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

### TRACT 2.

A twenty (20.0) foot wide tract, the centerline being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter (SE1/4), Section Twenty Eight (28), Township Twelve (12) North, Range Eight (8) West of the 6<sup>th</sup> P.M., Merrick County, Nebraska; thence northerly along the East line of said Southeast Quarter (SE1/4), on an assumed bearing of N0°00'00"E, a distance of five hundred seventy four and seventy four hundredths (574.74) feet; thence N90°00'00"E, a distance of thirty three (33.0) feet to a Point on the westerly right-of-way line of 4<sup>th</sup> Road, said point also being the ACTUAL Point of Beginning of TRACT 2; thence S68°39'06"W, a distance of one hundred seventy and sixty three hundredths (170.63) feet; thence N78°20'41"W, a distance of one hundred forty two and sixty one hundredths (142.61) feet; thence N74°06'14"W, a distance of two hundred fifty six and thirty two (256.32) feet; thence S89°18'36"W, a distance of

Approved as to Form	<input type="checkbox"/>	_____
January 19, 2018	<input type="checkbox"/>	City Attorney

seven hundred thirty eight and eighty five hundredths (738.85) feet to a point of termination on the West line of said Southeast Quarter (SE1/4). The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

TRACT 3.

A ten (10.0) foot wide tract, the easterly line being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter (SE1/4), Section Twenty Eight (28), Township Twelve (12) North, Range Eight (8) West of the 6th P.M., Merrick County, Nebraska; thence northerly along the East line of said Southeast Quarter (SE1/4), on an assumed bearing of N0°00'00"E, a distance of five hundred seventy four and seventy four hundredths (574.74) feet; thence N90°00'00"E, a distance of thirty three (33.0) feet to a Point on the westerly right-of-way line of 4th Road, said point also being the ACTUAL Point of Beginning of TRACT 3; thence northerly along the westerly right-of-way of said 4th Road, a distance of one thousand seven hundred eighty five and five hundredths (1,785.05) feet to the point of termination. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

TRACT 4.

A twenty (20.0) foot wide tract, the centerline being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter (SE1/4), Section Twenty Eight (28), Township Twelve (12) North, Range Eight (8) West of the 6th P.M., Merrick County, Nebraska; thence northerly along the East line of said Southeast Quarter (SE1/4), on an assumed bearing of N0°00'00"E, a distance of five hundred seventy four and seventy four hundredths (574.74) feet; thence N90°00'00"E, a distance of forty three (43.0) feet; thence N0°00'00"E, ten (10.0) westerly and parallel with the West right-of-way line of 4th Road, a distance of one thousand seven hundred eighty five and five hundredths (1,785.05) feet to the ACTUAL Point of Beginning of TRACT 4; thence N18°26'57"W, a distance of one hundred fifty one and forty nine hundredths (151.49) feet; thence S51°49'03"W, a distance of nine hundred forty seven and eighty six hundredths (947.86) feet; thence S7°45'32"E, a distance of one hundred eighty (180.0) feet to the point of termination. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing a combined total of 1.63 acres, more or less, as shown on the plat dated 3/6/2017, marked Exhibit "A", attached hereto and incorporated herein by reference,

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 a public utility easement from Gregory J. Greving and Elizabeth J. Smith, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 23, 2018.

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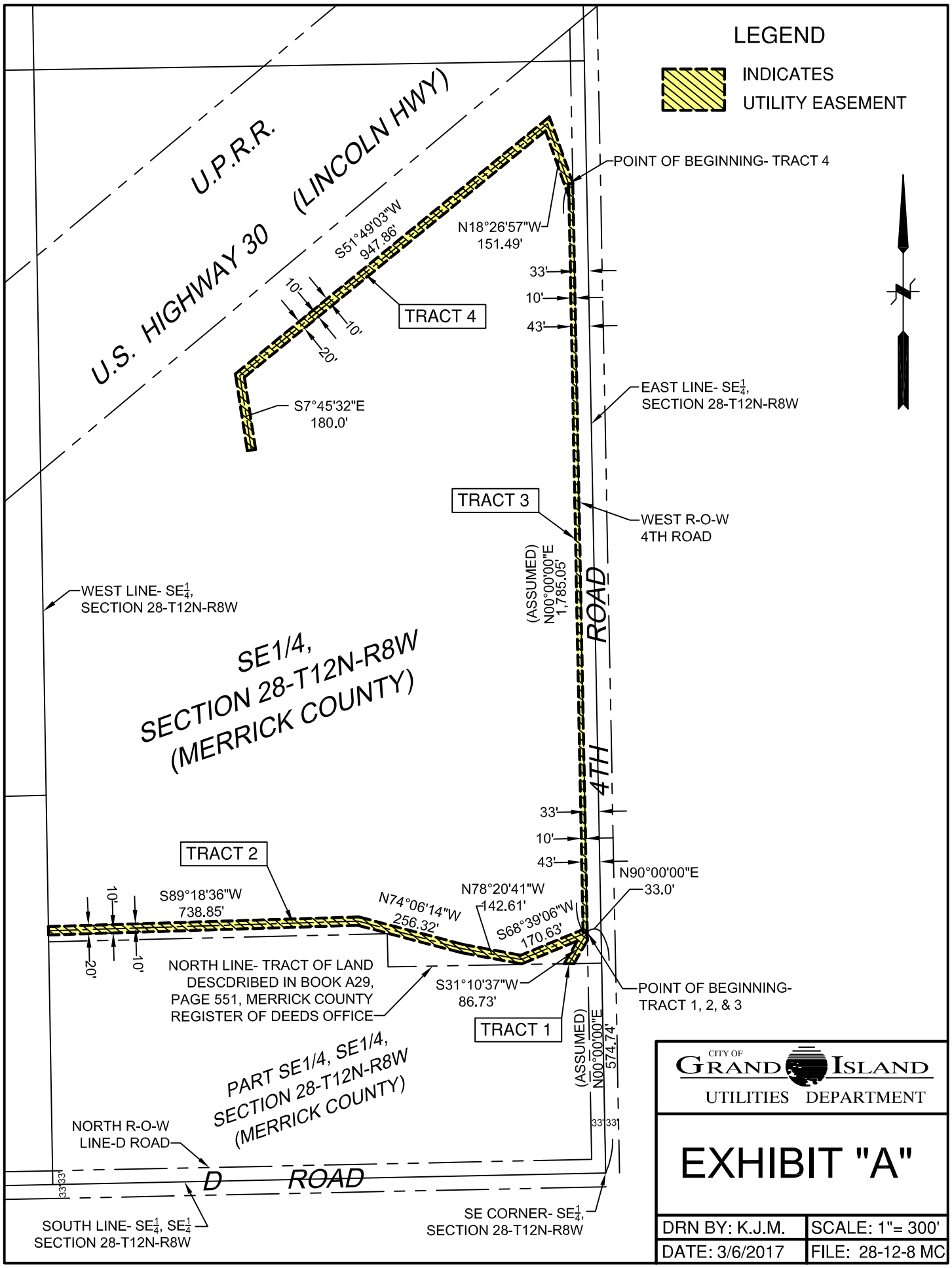
Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

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CITY OF

 GRAND ISLAND

UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M.

SCALE: 1"= 300'

DATE: 3/6/2017

FILE: 28-12-8 MC