



# City of Grand Island

Tuesday, April 10, 2018

Council Session

## Item E-5

**Public Hearing on Acquisition of Permanent Easement for West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T (Shafer & Hartman Farms, LLC)**

*Council action will take place under Consent Agenda item G-13.*

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

# **Council Agenda Memo**

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

**Meeting:** April 10, 2018

**Subject:** Public Hearing on Acquisition of Permanent Easement for West Stolley Park Road and Engleman Road Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T (Shafer & Hartman Farms, LLC)

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

## **Background**

A public utility easement is needed to accommodate extension of sanitary sewer to the West Stolley Park Road and Engleman Road area. The public utility easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of material within the easement.

A sketch is attached to show the area of such permanent easement.

## **Discussion**

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

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>	<b><i>Amount</i></b>
SHAHER & HARMATAN FARMS, LLC	COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°25'01"E, ALONG THE SOUTH LINE OF SAID NORTHWEST ¼, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF ENGLEMAN ROAD; THENCE N00°53'07"W, ALONG SAID EAST R.O.W. LINE, A DISTANCE OF 239.56 FEET TO THE SOUTHWEST CORNER OF SAID TRACT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N00°53'07"W, ALONG SAID	\$8,396.74

	<p><i>EAST R.O.W. LINE, A DISTANCE OF 40.00 FEET; THENCE N89°23'28"E, A DISTANCE OF 981.95 FEET; THENCE N57°56'46"E, A DISTANCE OF 1894.11 FEET; THENCE S00°54'19"E, ALONG THE WEST LINE OF A PERMANENT UTILITY EASEMENT, A DISTANCE OF 23.37 FEET; THENCE S57°56'46"W, ALONG THE NORTHERLY LINE OF SAID PERMANENT UTILITY EASEMENT, A DISTANCE OF 1895.99 FEET; THENCE S89°23'28"W, ALONG THE NORTH LINE OF SAID PERMANENT UTILITY EASEMENT, A DISTANCE OF 954.68 FEET TO THE POINT OF BEGINNING. SAID PERMANENT UTILITY EASEMENT CONTAINS 76,334 SQUARE FEET OR 1.752 ACRES MORE OR LESS.</i></p>	
--	---	--

***TOTAL = \$8,396.74***

A portion of ground within this easement is leased to Mettenbrink Farms, Inc. for farming purposes. Mettenbrink Farms, Inc. will incur loss of crop related to this sanitary sewer work. Public Works Engineering staff have worked with Mettenbrink Farms, Inc. and negotiated an amount of \$3,300.00 to compensate for a portion of such crop loss, with the contractor on the project paying the other portion. Payment of such compensation is contingent upon City Council approval.

### **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**

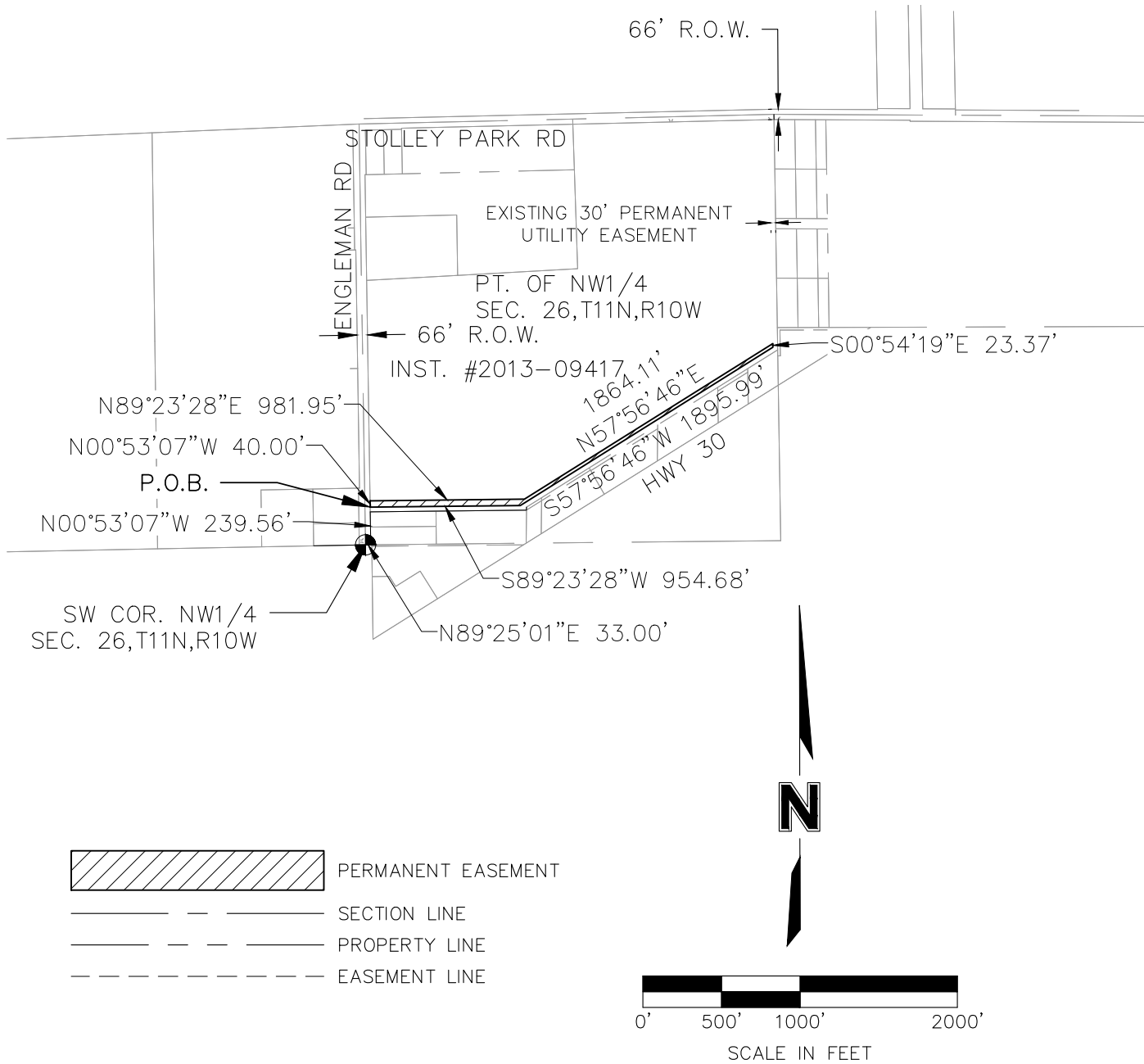
City Administration recommends that the Council approve acquisition of the necessary permanent easement and compensation to Mettenbrink Farms, Inc. for a portion of crop loss.

### **Sample Motion**

Move to approve the resolution.

PERMANENT UTILITY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 1A  
STOLLEY PARK AND ENGLEMAN ROAD SEWER EXTENSION  
CITY OF GRAND ISLAND PROJECT 2017-S-3



EASEMENT DESCRIPTION

A PERMANENT UTILITY EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED IN INSTRUMENT # 2013-09417 BEING PART OF THE NORTHWEST QUARTER (NW1/4) 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 SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°25'01\"/>

DWG: F:\2017\0001-0500\017-0442\40-Design\AutoCAD\Final Plans\PDF File Prints\PERMANENT EASEMENTS\PERMANENT EASEMENTS.dwg  
DATE: Mar 19, 2018 3:37pm  
USER: jjimenez  
XREFS: V\_XTP0\_70442

PROJECT NO: 2017-0442	PERMANENT UTILITY EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JMJ				1A
DATE: 03.19.2018				