



# City of Grand Island

Tuesday, May 8, 2018

Council Session

## Item E-6

### **Public Hearing on Acquisition of Public Right-of-Way, Subdivision Agreement Amendment and Temporary Easement at 1311 N North Road (Little B's Corporation)**

*Council action will take place under Consent Agenda item G-12.*

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

# **Council Agenda Memo**

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

**Meeting:** May 8, 2018

**Subject:** Public Hearing on Acquisition of Public Right-of-Way, Subdivision Agreement Amendment and Temporary Easement at 1311 N North Road (Little B's Corporation)

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

## **Background**

Roadway improvements along 13<sup>th</sup> Street from Moores Creek to North Road, as well as intersection improvements at 13<sup>th</sup> Street and North Road are planned consisting of a three lane curb and gutter roadway section with associated sidewalk and other miscellaneous improvements, including drainage improvements to the 13<sup>th</sup> and North Road intersection.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

## **Discussion**

Public right-of-way and a temporary easement are needed from Little B's Corporation, at the northeast corner of 13<sup>th</sup> Street and North Road to accommodate intersection improvements at 13<sup>th</sup> Street & North Road. The property owner has signed the necessary document to grant the property, as shown on the attached drawing.

Engineering staff of the Public Works Department negotiated with the property owner for such purchase, which included an amendment to Summerfield Estates First Subdivision original agreement to address the ingress/egress access to Tract "A". Ingress/egress has not changed, but was better defined in relation to the proposed right-of-way changes.

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>	<b><i>Amount</i></b>
Little B's Corporation	Temporary construction easement to a tract of land located in Tract "A", Summerfield Estates First Subdivision, a platted and recorded subdivision in Hall County, Nebraska, described as follows: Referring to the Southwest corner of said Tract "A", thence N01°54'35"W (assumed bearing) on the west line of said Tract "A", 99.09 feet to the point of beginning; thence	\$29,287.54

	<p>continuing N01°54'35"W on said west line, 71.90 feet; thence S22°31'39"E, 11.59 feet; thence S12°30'28"E, 99.92 feet; thence S36°47'22"E, 59.55 feet; thence S54°49'55"E, 23.93 feet to a point on the south line of said tract "A", thence N59°52'11"W, 36.91 feet; thence N30°37'58"W, 92.21 feet to the point of beginning. Containing an area of 1,241.63 square feet (0.029 acres), more or less</p> <p>Permanent Right-of-Way to a tract of land located in Tract "A", Summerfield Estates First Subdivision, a platted and recorded subdivision in Hall County, Nebraska, described as follows: Beginning at the Southwest corner of said Tract "A", thence N01°54'35"W (assumed bearing) on the west line of said Tract "A", 99.09 feet; thence S30°37'58"E, 92.21 feet; thence S59°52'11"E, 36.91 feet to a point on the south line of said Tract "A", thence S89°06'52"W on said south line, 75.61 feet to the point of beginning. Containing an area of 2,914.54 square feet (0.067 acres), more or less.</p>	
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## **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**

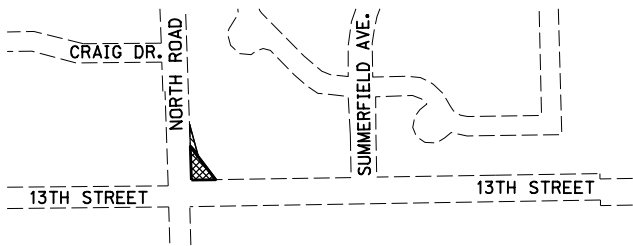
City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public right-of-way, temporary easement and amendment to Summerfield Estates First Subdivision original agreement with Little B's Corporation, in the amount of \$29,287.54.

## **Sample Motion**

Move to approve.

TEMPORARY CONSTRUCTION EASEMENT  
/ NEW RIGHT OF WAY EXHIBIT  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

LOCATION MAP  
NOT TO SCALE



TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

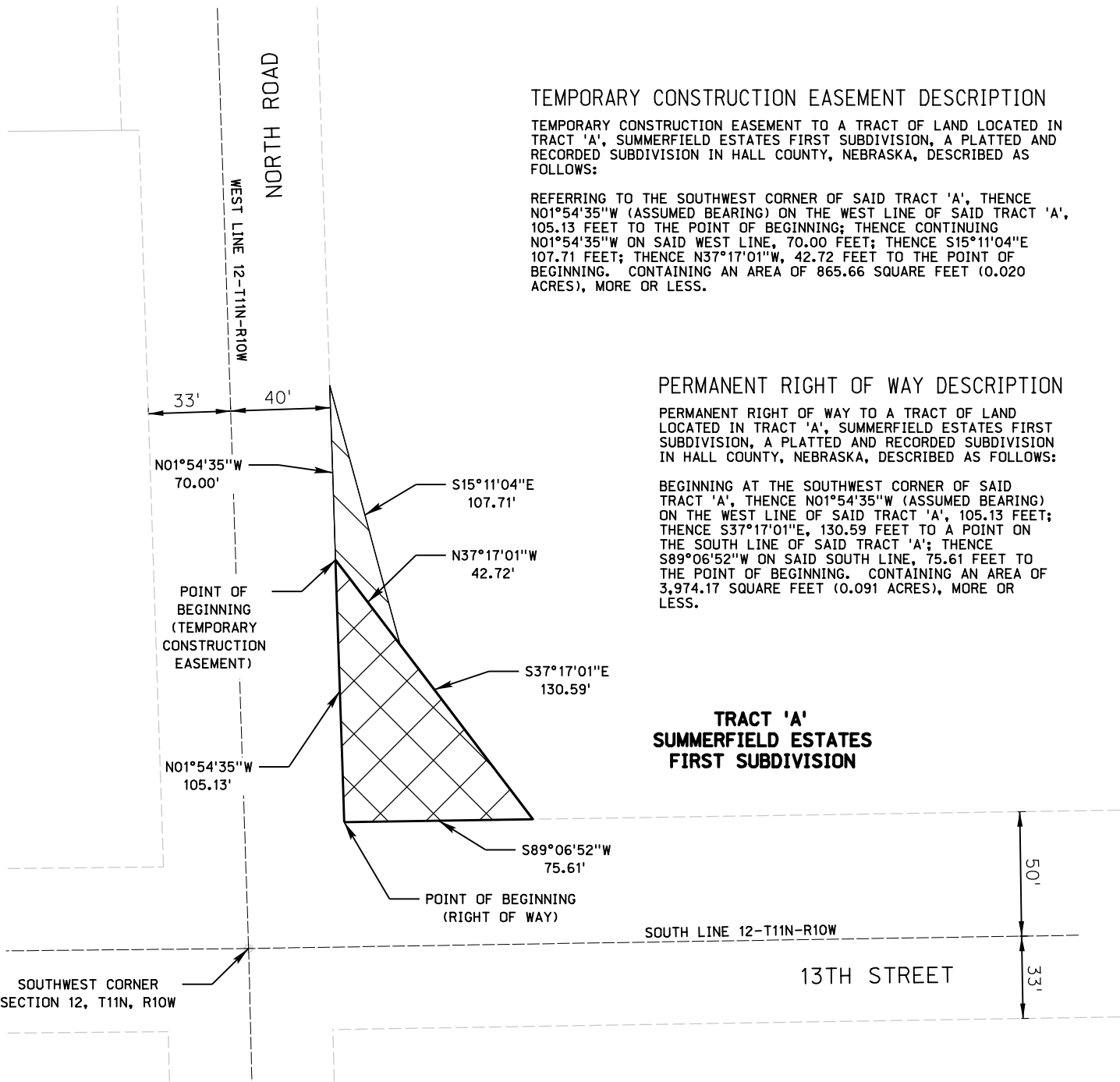
TEMPORARY CONSTRUCTION EASEMENT TO A TRACT OF LAND LOCATED IN TRACT 'A', SUMMERFIELD ESTATES FIRST SUBDIVISION, A PLATTED AND RECORDED SUBDIVISION IN HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID TRACT 'A', THENCE N01°54'35"W (ASSUMED BEARING) ON THE WEST LINE OF SAID TRACT 'A', 105.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N01°54'35"W ON SAID WEST LINE, 70.00 FEET; THENCE S15°11'04"E 107.71 FEET; THENCE N37°17'01"W, 42.72 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 865.66 SQUARE FEET (0.020 ACRES), MORE OR LESS.

PERMANENT RIGHT OF WAY DESCRIPTION

PERMANENT RIGHT OF WAY TO A TRACT OF LAND LOCATED IN TRACT 'A', SUMMERFIELD ESTATES FIRST SUBDIVISION, A PLATTED AND RECORDED SUBDIVISION IN HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 'A', THENCE N01°54'35"W (ASSUMED BEARING) ON THE WEST LINE OF SAID TRACT 'A', 105.13 FEET; THENCE S37°17'01"E, 130.59 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 'A'; THENCE S89°06'52"W ON SAID SOUTH LINE, 75.61 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 3,974.17 SQUARE FEET (0.091 ACRES), MORE OR LESS.



TRACT 'A'  
SUMMERFIELD ESTATES  
FIRST SUBDIVISION



CERTIFICATION

I, CORY L. REINKE, A PROFESSIONAL REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA, CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION ON JANUARY 5TH, 2018. I FURTHER CERTIFY THAT THE INFORMATION SHOWN IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALL DISTANCES SHOWN ARE REPRESENTED IN FEET AND DECIMALS OF A FOOT.

LEGEND

- RIGHT OF WAY LINE
- SECTION LINE
- TEMP. EASEMENT AREA
- RIGHT OF WAY AREA

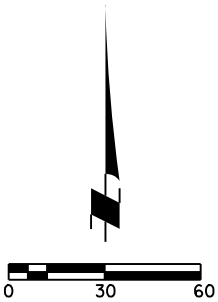


EXHIBIT	PROJECT NO: III672.00	13TH STREET ROADWAY IMPROVEMENT NO. 2018-P-I GRAND ISLAND, NEBRASKA	 benesch engineers - scientists - planners
I	DRAWN BY: CLR		
	DATE: JAN. 2018		