



# City of Grand Island

Tuesday, April 9, 2019

Council Session

## Item G-11

**#2019-126 - Approving Temporary Construction Easement for Sanitary Sewer District No. 543; Willow Street at 511 Congdon Avenue (Weinrich Development, Inc.), 515 Congdon Avenue (Galvan), and 611 Willow Street (JH Holdings, Inc.)**

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

# **Council Agenda Memo**

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

**Meeting:** April 9, 2019

**Subject:** Approving Temporary Construction Easement for Sanitary Sewer District No. 543; Willow Street at 511 Congdon Avenue (Weinrich Development, Inc.), 515 Congdon Avenue (Galvan), and 611 Willow Street (JH Holdings, Inc.)

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

## **Background**

Sanitary Sewer District No. 543 was continued by City Council through Resolution No. 2019-88 at their March 12, 2019 meeting.

Temporary Construction easements are needed to accommodate the extension of sanitary sewer to serve an area previously unserved that is located north of 4<sup>th</sup> Street, east of Congdon Avenue (see attached sketch), which must be approved by City Council. The temporary construction easements will allow for the installation of sanitary sewer to this area.

A sketch is attached to show the temporary construction easement areas.

## **Discussion**

Temporary construction easements are needed from three (3) property owners for Sanitary Sewer District No. 543; Willow Street to be constructed.

There is no cost for temporary use of such property has been agreed upon between the City and the property owners.

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>
Michael Galvan and Marilyn Galvan	A PARCEL OF LAND LOCATED IN LOT 9, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:  REFERRING TO THE SOUTHEAST CORNER OF LOT 9, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND

	ISLAND, HALL COUNTY, NEBRASKA; THENCE S60°54'35"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 18.77 FEET TO THE POINT OF BEGINNING; THENCE N29°35'53"W, A DISTANCE OF 20.00 FEET; THENCE S60°54'35"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 50.00 FEET; THENCE S29°35'53"E, A DISTANCE OF 20.00 FEET TO SAID SOUTH LINE; THENCE N60°54'35"E ON SAID SOUTH LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,000 SQUARE FEET, MORE OR LESS.
Weinrich Development, Inc.	A PARCEL OF LAND LOCATED IN LOT 10, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:  REFERRING TO THE NORTHEAST CORNER OF LOT 10, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; THENCE S60°54'35"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 18.77 FEET TO THE POINT OF BEGINNING; THENCE S29°35'53"E, A DISTANCE OF 112.56 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE S60°47'43"W ON SAID SOUTH LINE, A DISTANCE OF 50.00 FEET; THENCE N29°35'53"W, A DISTANCE OF 112.66 FEET TO SAID NORTH LINE; THENCE N60°54'35"E ON SAID NORTH LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5,631 SQUARE FEET, MORE OR LESS.
JH Holdings, Inc.	A TEMPORARY CONSTRUCTION EASEMENT LOCATED IN PART OF LOT TWO (2), COTTAGE GROVE THIRD SUBDIVISION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  THE NORTHERLY 20.00 FEET OF SAID LOT TWO (2), COTTAGE GROVE THIRD SUBDIVISION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; EXCEPTING THEREFROM AN EXISTING UTILITY EASEMENT MORE PARTICULARLY DESCRIBED IN INSTRUMENT #201104830 AS RECORDED IN THE HALL COUNTY REGISTER OF DEEDS OFFICE, HALL COUNTY, NEBRASKA. SAID TEMPORARY EASEMENT CONTAINS A CALCULATED AREA OF 3902.66 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

### **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 Sanitary Sewer District No. 543; Willow Street.

### **Sample Motion**

Move to approve the temporary construction easements.

# RESOLUTION 2019-126

WHEREAS, temporary construction easements are required by the City of Grand Island for the Sanitary Sewer District No. 543; Willow Street, to construct such project; and

WHEREAS, acquisition of the temporary easements is as follows:

<i><b>Property Owner</b></i>	<i><b>Legal Description</b></i>
Michael Galvan and Marilyn Galvan	<p>A PARCEL OF LAND LOCATED IN LOT 9, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:</p> <p>REFERRING TO THE SOUTHEAST CORNER OF LOT 9, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; THENCE S60°54'35"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 18.77 FEET TO THE POINT OF BEGINNING; THENCE N29°35'53"W, A DISTANCE OF 20.00 FEET; THENCE S60°54'35"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 50.00 FEET; THENCE S29°35'53"E, A DISTANCE OF 20.00 FEET TO SAID SOUTH LINE; THENCE N60°54'35"E ON SAID SOUTH LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,000 SQUARE FEET, MORE OR LESS.</p>
Weinrich Development, Inc.	<p>A PARCEL OF LAND LOCATED IN LOT 10, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:</p> <p>REFERRING TO THE NORTHEAST CORNER OF LOT 10, LAMBERT'S SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; THENCE S60°54'35"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 18.77 FEET TO THE POINT OF BEGINNING; THENCE S29°35'53"E, A DISTANCE OF 112.56 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE S60°47'43"W ON SAID SOUTH LINE, A DISTANCE OF 50.00 FEET; THENCE N29°35'53"W, A DISTANCE OF 112.66 FEET TO SAID NORTH LINE; THENCE N60°54'35"E ON SAID NORTH LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5,631 SQUARE FEET, MORE OR LESS.</p>
JH Holdings, Inc.	<p>A TEMPORARY CONSTRUCTION EASEMENT LOCATED IN PART OF LOT TWO (2), COTTAGE GROVE THIRD SUBDIVISION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>THE NORTHERLY 20.00 FEET OF SAID LOT TWO (2), COTTAGE GROVE THIRD SUBDIVISION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; EXCEPTING THEREFROM AN EXISTING UTILITY EASEMENT MORE PARTICULARLY DESCRIBED IN INSTRUMENT #201104830 AS RECORDED IN THE HALL COUNTY REGISTER OF</p>

Approved as to Form    ☐ \_\_\_\_\_  
 April 5, 2019                      ☐ City Attorney

	DEEDS OFFICE, HALL COUNTY, NEBRASKA. SAID TEMPORARY EASEMENT CONTAINS A CALCULATED AREA OF 3902.66 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.
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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, April 9, 2019

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

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TEMPORARY EASEMENTS EXHIBIT