



# City of Grand Island

Tuesday, November 26, 2019

Council Session

## Item E-1

**Public Hearing on Acquisition of Public Right-of-Way in the NE Quarter of Section 23, Township 11 North, Range 10 W & in the NW Quarter of Section 23, Township 11 North, Range 10 W- W of North Road/ South of Old Potash Highway (Parcel No. 400200929 & No. 400475308- Eric M & Kenda D Pollock)**

*Council action will take place under Consent Agenda item G-5.*

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

# **Council Agenda Memo**

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

**Meeting:** November 26, 2019

**Subject:** Public Hearing on Acquisition of Public Right-of-Way in the NE Quarter of Section 23, Township 11 North, Range 10 W & in the NW Quarter of Section 23, Township 11 North, Range 10 W- W of North Road/ South of Old Potash Highway (Parcel No. 400200929 & No. 400475308- Eric M & Kenda D Pollock)

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

## **Background**

Public Works Engineering staff is working on the design of the Moore's Creek Drainage Ditch to extend drainage to the southwest and to serve current areas as well as the proposed US Highway 30 realignment project. A potential route is shown on the attached exhibit.

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 is needed from Eric M. and Kenda D. Pollock, on the eastern portion of parcel No. 400200929, shown on the attached exhibit. 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.

<i><b>Property Owner</b></i>	<i><b>Legal Description</b></i>	<i><b>Amount</b></i>
Eric M. and Kenda D. Pollock- Parcel No. 400200929	A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUTNY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE S01°08'13"E (ASSUMED BEARING) ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE	\$220,825.00

	<p>NORTHEAST QUARTER, A DISTANCE OF 954.05 FEET; THENCE S89°28'15"W PARALLEL WITH AND 80.00 FEET DISTANT FROM THE NORTH LINE OF A TRACT OF LAND AS DESCRIBED AND RECORDED IN INSTRUMENT NO. 97-109582, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR HALL COUNTY, NEBRASKA, A DISTANCE OF 412.90 FEET; THENCE N01°08'13"W PARALLEL WITH AND 412.90 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 954.00 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE N89°27'48"E ON SAID NORTH LINE, A DISTANCE OF 412.90 FEET TO THE POINT OF BEGINNING, CONTAINING 9.04 ACRES, MORE OR LESS, WHICH INCLUDES 1.01 ACRES, MORE OR LESS, OF CURRENTLY OCCUPIED PUBLIC ROAD RIGHT-OF-WAY.</p>	
<p>Eric M. and Kenda D. Pollock- Parcel No. 400475308</p>	<p>A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION 23, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE S89°16'47" W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 34.89 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND AS DESCRIBED AND RECORDED IN INSTRUMENT NO. 201508859, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR HALL COUNTY, NEBRASKA; THENCE N01°04'39"W ON THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 80.00 FEET; THENCE N89°16'47"E PARALLEL WITH AND 80.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 34.90 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N89°16'26"E PARALLEL WITH AND 80.00 FEET DISTANT FROM THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1238.31 FEET TO THE WEST LINE OF A TRACT OF LAND AS DESCRIBED AND RECORDED IN INSTRUMENT NO. 201300044, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR HALL COUNTY, NEBRASKA; THENCE S01°05'45"E ON THE WEST LINE OF SAID TRACT OF LAND, PARALLEL WITH AND 80.00 FEET DISTANT FROM THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 80.00 FEET TO SAID SOUTH LINE; THENCE S89°16'26"W ON SAID SOUTH LINE, A DISTANCE OF 1238.34 FEET TO THE POINT OF BEGINNING, CONTAINING 2.33 ACRES, MORE OR LESS.</p>	<p>\$64,075.00</p>

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

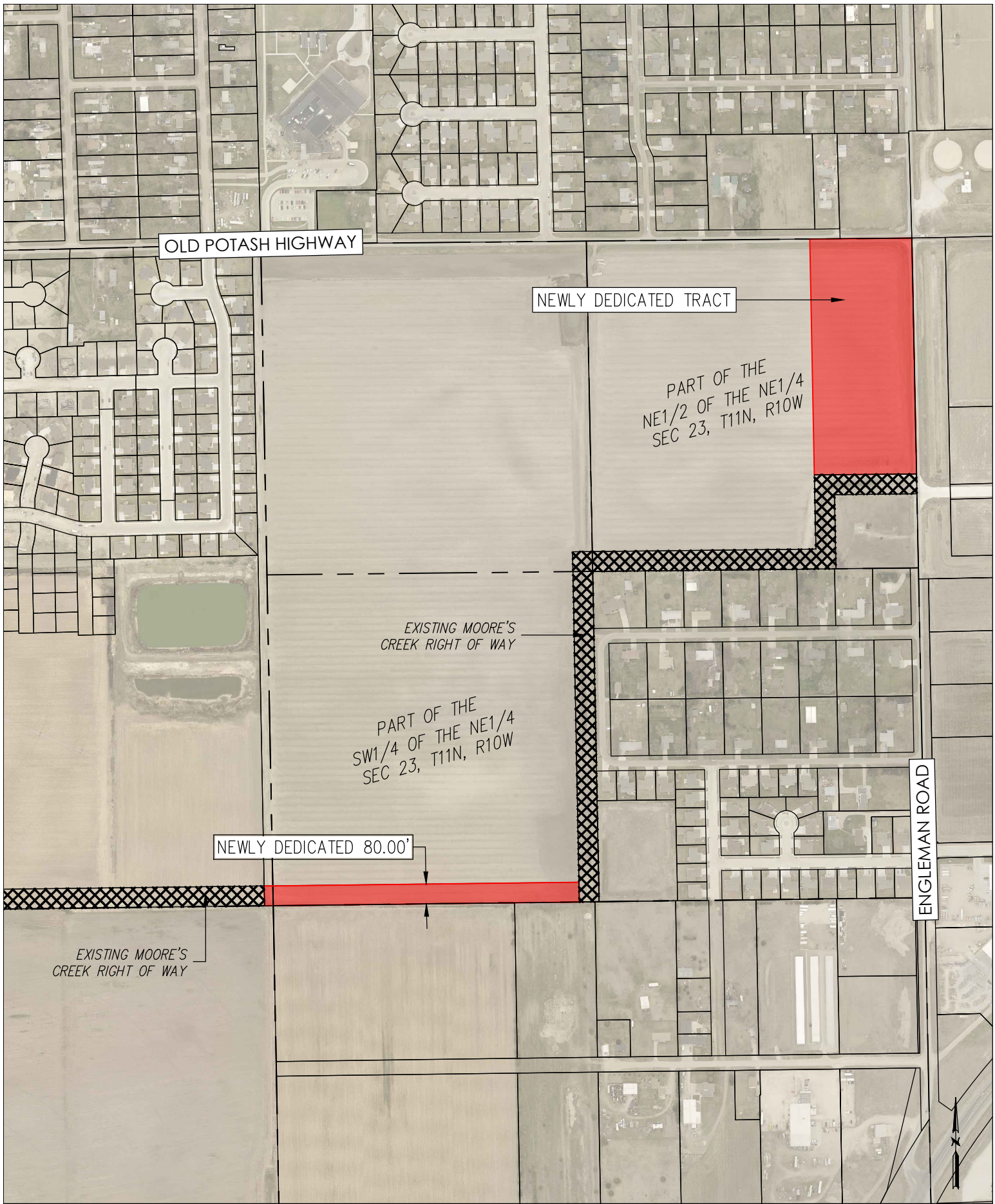
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public right-of-way from Eric M. and Kenda D. Pollock, in the amounts shown above.

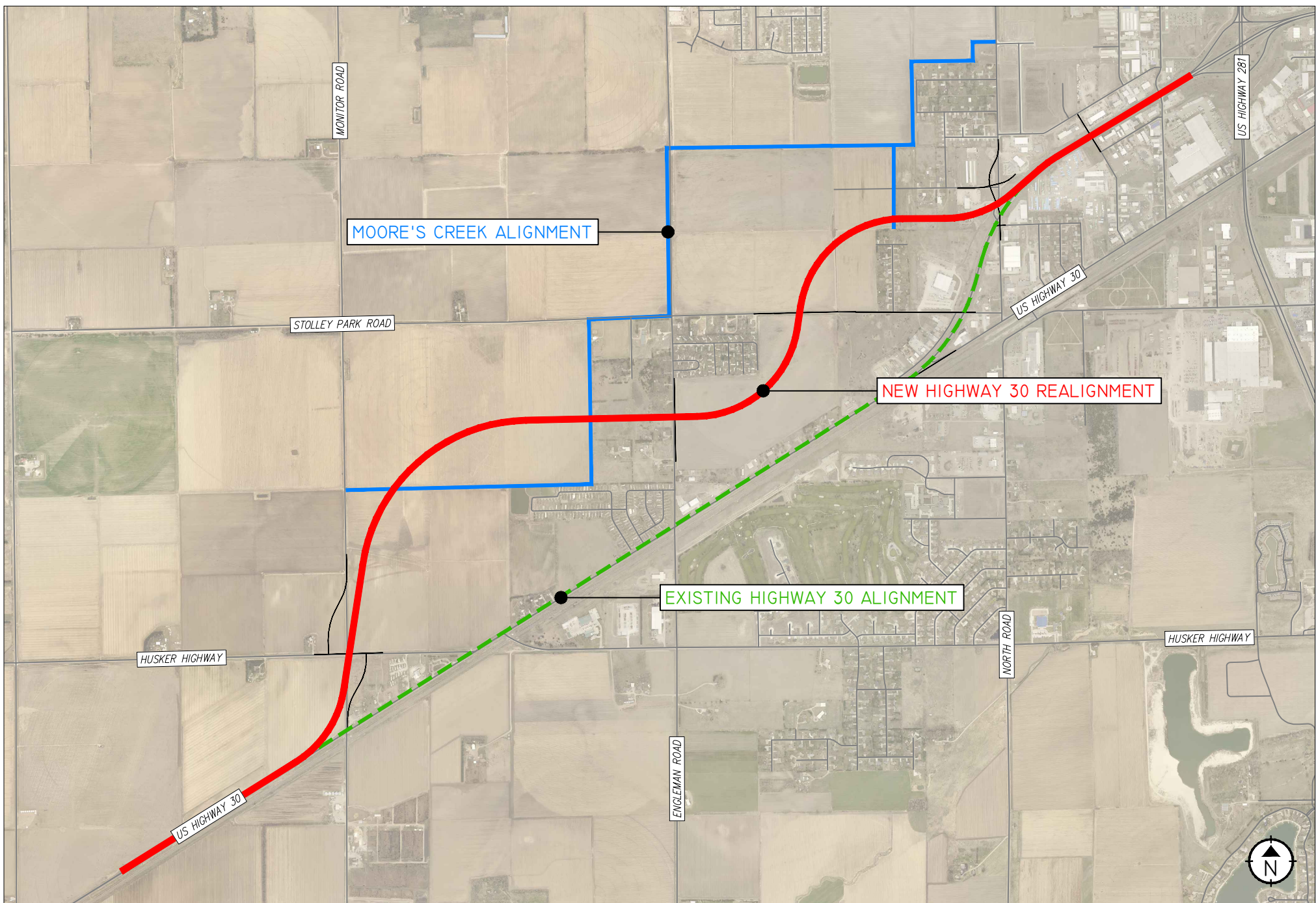
## **Sample Motion**

Move to approve.



RIGHT OF WAY ACQUISITION





MOORE'S CREEK ALIGNMENT & US HIGHWAY 30 REALIGNMENT

CITY COUNCIL EXHIBIT  
GRAND ISLAND, NEBRASKA

**CITY OF**  
**GRAND ISLAND**  
**PUBLIC WORKS DEPARTMENT**