



City of Grand Island

Tuesday, April 14, 2020

Council Session

Item E-4

Public Hearing on Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (T & E Cattle Company- Parcel No. 400150212 & 400150220); South of Faidley Avenue, East of North Road

Council action will take place under Consent Agenda item G-10.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: April 14, 2020

Subject: Public Hearing on Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (T & E Cattle Company- Parcel No. 400150212 & 400150220); South of Faidley Avenue, East of North Road

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

Background

The Old Potash Highway Roadway Improvements; Project No. 2019-P-1 is for improvements to Old Potash Highway, as well as intersecting roadways from North Road to Webb Road. The interaction between the various traffic features is complex, so an overall master plan was created to ensure that the individual projects will function together and address other safety issues in these areas. This plan includes widening and reconfiguring Old Potash Highway, signal and geometric improvements at each intersection, access management throughout the corridor, and improvements to the north and south of the Old Potash Highway corridor. Improvements are needed to allow the corridor to safely handle the ever increasing traffic in this area.

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 to accommodate intersection improvements for the Old Potash Highway Roadway Improvements; Project No. 2019-P-1, as well as allow for an outlet at the existing Kaufmann detention cell and improve drainage in the Kaufman Avenue area. 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>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
T & E Cattle Company	<p>A TRACT OF LAND LOCATED IN PART OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTEEN (13), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>BEGINNING AT THE SOUTH QUARTER (S ¼) CORNER OF SAID SECTION 13; THENCE ON AN ASSUMED BEARING OF S88°43'42"W ON THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 2208.28 FEET TO THE SE CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 153, PAGE 366 RECORDED IN THE HALL COUNTY REGISTER OF DEEDS OFFICE, HALL COUNTY, NEBRASKA; THENCE N01°43'28"W ON THE EAST LINE OF SAID DEEDED TRACT, A DISTANCE OF 433.00 FEET; THENCE S88°43'42"W ON THE NORTH LINE OF SAID DEEDED TRACT, A DISTANCE OF 287.00 FEET TO A POINT ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED NO. 200301411; THENCE N01°40'19"W ON THE EAST LINE OF SAID WARRANTY DEED NO. 200301411 A DISTANCE OF 50.00 FEET; THENCE N88°43'42"E A DISTANCE OF 336.95 FEET; THENCE S01°43'28"E A DISTANCE OF 408.00 FEET; THENCE N88°43'42"E A DISTANCE OF 1115.69 FEET; THENCE N87°17'46"E A DISTANCE OF 600.19 FEET; THENCE N88°43'42"E A DISTANCE OF 149.90 FEET; THENCE N83°53'33"E A DISTANCE OF 109.88 FEET; THENCE N68°18'13"E A DISTANCE OF 56.55 FEET; THENCE N01°39'02"W A DISTANCE OF 1195.75 FEET; THENCE N01°34'59"W A DISTANCE OF 917.69 FEET; THENCE N04°26'35"W A DISTANCE OF 200.54 FEET TO A POINT ON THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED NO. 85-001599; THENCE N89°10'24"E ON THE SOUTH LINE OF SAID WARRANTY DEED NO. 85-001599 A DISTANCE OF 140.02 FEET TO A POINT ON THE EAST LINE OF SOUTHWEST QUARTER OF SAID SECTION 13; THENCE S01°34'59"E ON THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1116.05 FEET TO THE SE CORNER NE ¼, SW ¼ OF SAID SECTION 13; THENCE S01°39'02"E ALONG SAID EAST LINE OF SOUTHWEST QUARTER A DISTANCE OF 1315.54 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 11.90 ACRES, OF WHICH 1.67 ACRES ARE EXISTING COUNTY ROAD ROW.</p>	\$301,785.00

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 the affected property owner, in the amount of \$301,785.00.

Sample Motion

Move to approve the acquisition.

RIGHT-OF-WAY
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 6
OLD POTASH PAVING IMPROVEMENTS

NE COR. SW 1/4
SEC. 13 T11N R10W

WARRANTY DEED
NO. 85-001599

SEE DETAIL A -
SHEET 2

2644.48'(M), 2643.80'(R)

W 1/4 COR.
SEC. 13 T11N R10W

N89°10'24"E 140.02'
N04°26'35"W 200.54'

1315.69 (M), 1316.00'(R)
S01°34'59"E 1116.05'
N01°34'59"W 917.69'

OWNER: T & E CATTLE CO.
PT OF SW 1/4 SEC. 13, T11N, R10W

SE COR. NE 1/4
SW 1/4 SEC. 13
T11N R10W

1315.54'(M), 1314.60'(R)
S01°39'02"E 1315.54'
N01°39'02"W 1195.75'

113.00' EASEMENT
WARRANTY DEED
NO. 200301411

SEE DETAIL B
SHEET 2

N01°40'19"W
50.00'

N88°43'42"E 336.95'

S88°43'42"W 287.00'
N01°43'28"W 433.00'
S01°43'28"E 408.00'
N88°43'42"E 1115.69'

SW COR.
SEC. 13 T11N R10W

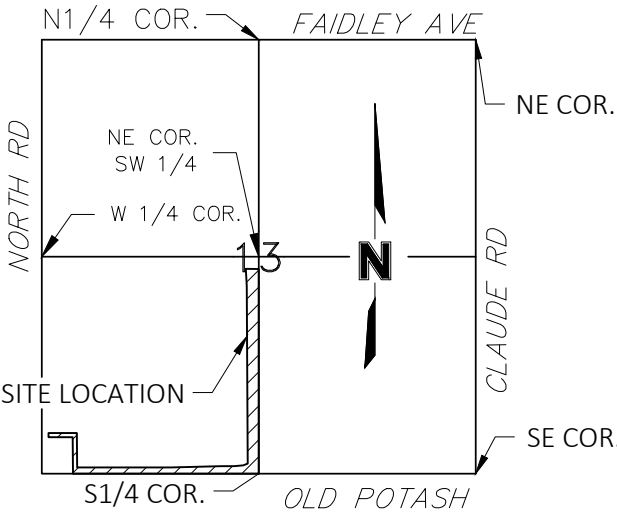
N68°18'13"E 56.55'
N83°53'33"E 109.88'
N88°43'42"E 149.90'
N87°17'46"E 600.19'
S88°43'42"W 2208.28'

33.00' EXISTING
COUNTY ROAD ROW

P.O.B.

S 1/4 COR.
SEC. 13 T11N R10W

LOCATION MAP
SEC. 13 T11N-R10W



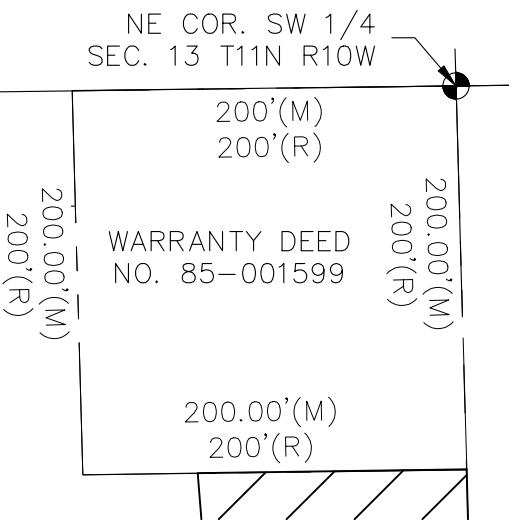
LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
- RIGHT OF WAY BOUNDARY LINE
- MEASURED DISTANCE
- RECORDED DISTANCE

DWG: F:\2017\3001-3500\017-3110\40-Design\Exhibits\R.O.W\06_ROW_0173110.dwg
DATE: Nov 12, 2019 9:57am
USER: Istoltenberg
XREFS: v_xrway_gimsp_73110
V_XTOPO_GIMSP_73110

PROJECT NO: 2017-3110	RIGHT OF WAY		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				1
DATE: 11.12.2019				

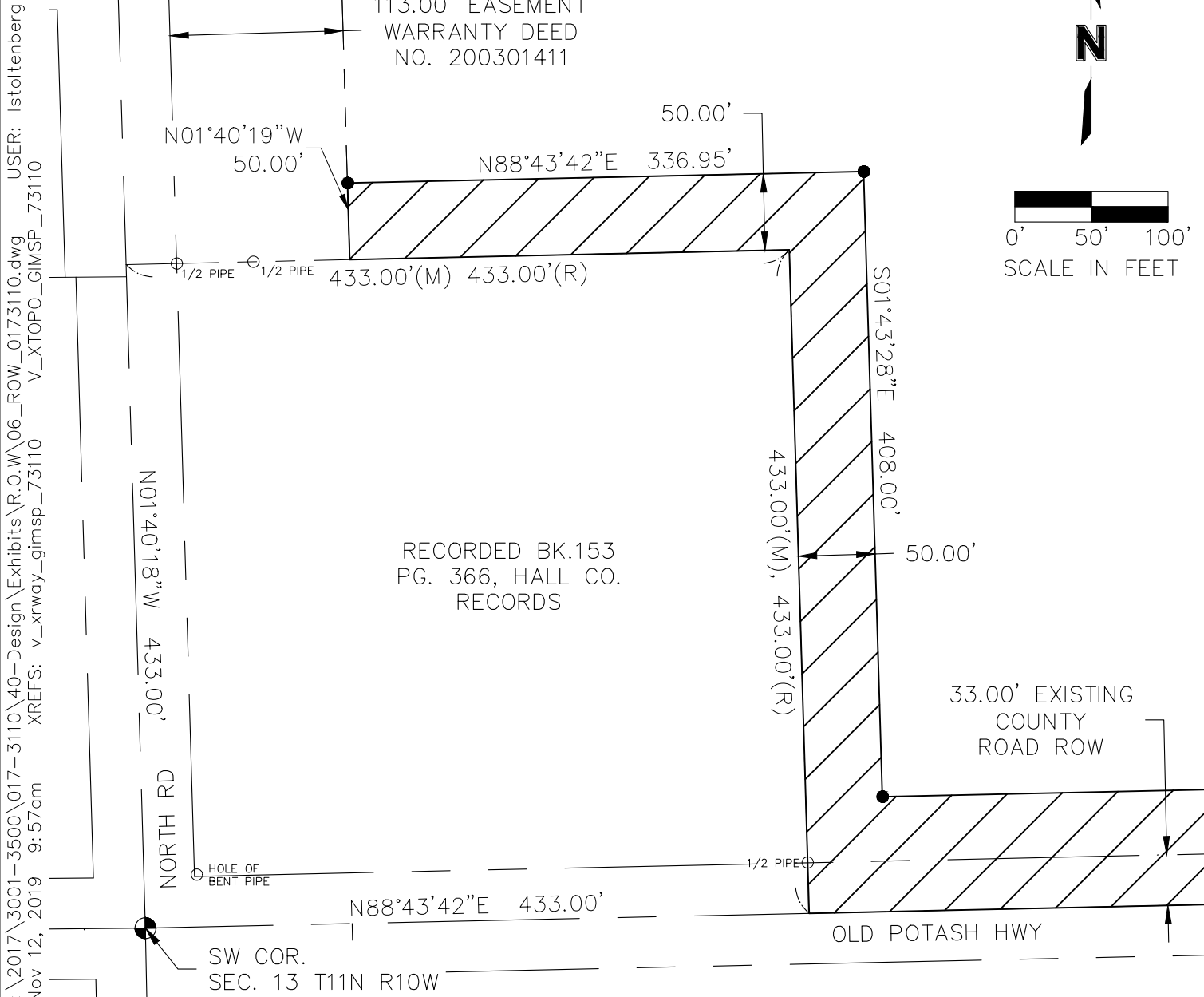
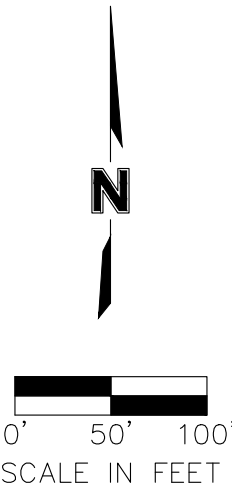
RIGHT-OF-WAY
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 6
OLD POTASH PAVING IMPROVEMENTS




DETAIL A

LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
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- RIGHT OF WAY BOUNDARY LINE
- M MEASURED DISTANCE
- R RECORDED DISTANCE



DETAIL B

PROJECT NO: 2017-3110	RIGHT OF WAY		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				2
DATE: 11.12.2019				

USER: Istoltenberg
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DATE: Nov 12, 2019 9:57am

RIGHT-OF-WAY
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 6
OLD POTASH PAVING IMPROVEMENTS

RIGHT-OF-WAY DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTEEN (13), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER (S 1/4) CORNER OF SAID SECTION 13 ; THENCE ON AN ASSUMED BEARING OF S88°43'42"W ON THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 2208.28 FEET TO THE SE CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 153, PAGE 366 RECORDED IN THE HALL COUNTY REGISTOR OF DEEDS OFFICE, HALL COUNTY, NEBRASKA; THENCE N01°43'28"W ON THE EAST LINE OF SAID DEEDED TRACT, A DISTANCE OF 433.00 FEET; THENCE S88°43'42"W ON THE NORTH LINE OF SAID DEEDED TRACT, A DISTANCE OF 287.00 FEET TO A POINT ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED NO. 200301411; THENCE N01°40'19"W ON THE EAST LINE OF SAID WARRANTY DEED NO. 200301411 A DISTANCE OF 50.00 FEET; THENCE N88°43'42"E A DISTANCE OF 336.95 FEET; THENCE S01°43'28"E A DISTANCE OF 408.00 FEET; THENCE N88°43'42"E A DISTANCE OF 1115.69 FEET; THENCE N87°17'46"E A DISTANCE OF 600.19 FEET; THENCE N88°43'42"E A DISTANCE OF 149.90 FEET; THENCE N83°53'33"E A DISTANCE OF 109.88 FEET; THENCE N68°18'13"E A DISTANCE OF 56.55 FEET; THENCE N01°39'02"W A DISTANCE OF 1195.75 FEET; THENCE N01°34'59"W A DISTANCE OF 917.69 FEET; THENCE N04°26'35"W A DISTANCE OF 200.54 FEET TO A POINT ON THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED No. 85-001599; THENCE N89°10'24"E ON THE SOUTH LINE OF SAID WARRANTY DEED No. 85-001599 A DISTANCE OF 140.02 FEET TO A POINT ON THE EAST LINE OF SOUTHWEST QUARTER OF SAID SECTION 13; THENCE S01°34'59"E ON THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1116.05 FEET TO THE SE CORNER NE1/4, SW1/4 OF SAID SECTION 13; THENCE S01°39'02"E ALONG SAID EAST LINE OF SOUTHWEST QUARTER A DISTANCE OF 1315.54 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 11.90 ACRES, OF WHICH 1.67 ACRES ARE EXISTING COUNTY ROAD ROW.

SECTION TIES

W 1/4 COR. SEC. 13, T11N, R10W
FOUND ALUMINUM CAP @ ASPHALT SURFACE
E 1.50' TO C OF NORTH/SOUTH ROAD
E 31.37' TO CHISELED X ON TOP OF 24" RCP
SE 41.82' TO CENTER OF STORM DRAIN MANHOLE
SW 36.30' TO MAG & WASHER ON TOP OF 24" CMP (NORTH SIDE)
NNW 94.97' TO MAG & WASHER IN POWERPOLE

NE COR. SW 1/4 SEC. 13, T11N, R10W
FOUND 5/8" REBAR ± 1' BELOW GRADE ON SOUTH SIDE OF REFERENCE POST
N 40' TO C OF EAST/WEST ROAD
E 1' TO C OF FENCE SOUTH
WSW 70.97' TO MAG NAIL IN POWERPOLE
E 116.07' TO MAG NAIL IN POWERPOLE
N 15.84' TO 5/8" REBAR
SW 9.71' TO NORTHWEST CORNER OF WEST EBX

S 1/4 COR. SEC. 13, T11N, R10W
FOUND SURVEY SPIKE WITH WASHER
S 2' TO C EAST/WEST ROAD
W 12' TO C ROAD SOUTH
SE 42.66' TO "X" NAIL IN POWERPOLE
SW 88.56' TO MAG AND WASHER IN PPL
NW 42.09' TO "X"NAILS IN POWERPOLE
N 32.58' TO RED HEAD IN POWERPOLE


SW COR. SEC. 13, T11N, R10W
FOUND SURVEY SPIKE WITH WASHER @ ASPHALT SURFACE AND ON C OF NORTH/SOUTH ROAD
N 2' TO C OF EAST/WEST ROAD
NE 51.64' TO MAG & WASHER IN POWERPOLE
SW 59.87' TO RED HEAD IN POWERPOLE
WSW 53.83' TO MAG & WASHER IN POWERPOLE
NW 45.50' TO MAG & WASHER ON TOP OF SAWED OFF POWERPOLE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON NOVEMBER 1, 2019 UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF A TRACT OF LAND BEING PART OF SW 1/4 OF SECTION 13, T11N R10W IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING SURVEY RECORD THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED WERE FOUND OR PLACED AT ALL PROPERTY CORNERS; THAT THE DIMENSIONS OF THE TRACT ARE AS SHOWN ON THE SURVEY RECORD; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

DOUG STEVENSON, NEBRASKA REGISTERED LAND SURVEYOR NO. LS-485

DATE

PROJECT NO: 2017-3110	RIGHT OF WAY	 <div>201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750</div>	EXHIBIT
DRAWN BY: LS			3
DATE: 11.12.2019			