



# City of Grand Island

Tuesday, August 25, 2020

Council Session

## Item G-12

**#2020-201 - Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (R & D Investments, LLC- 120 Diers Ave, Melodee A. Anderson- 3515 W Old Potash Highway, Mehring, Inc.- 3803/3805 W Old Potash Highway)**

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

# Council Agenda Memo

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

**Meeting:** August 25, 2020

**Subject:** Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (R & D Investments, LLC- 120 Diers Ave, Melodee A. Anderson- 3515 W Old Potash Highway, Mehring, Inc.- 3803/3805 W Old Potash Highway)

**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.

Temporary Construction easements are needed to accommodate the construction activities for Old Potash Highway Roadway Improvements; Project No. 2019-P-1, which must be approved by City Council. The temporary construction easements will allow for the roadway improvements to this area.

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

## Discussion

Temporary construction easements are needed for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 to be constructed.

Engineering staff of the Public Works Department negotiated with the property owners for use of such temporary construction easements.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
R & D Investments, LLC	<p>A TEMPORARY EASEMENT LOCATED IN LOT 2, COMMONWEALTH BUSINESS PARK SECOND SUBDIVISION, CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, COMMONWEALTH BUSINESS PARK SECOND SUBDIVISION, CITY OF GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE ON AN ASSUMED BEARING N01°37'52"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 75.31 FEET TO THE NORTHWEST CORNER OF A PROPOSED ACCESS EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING ; THENCE N01°37'52"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 25.03 FEET; THENCE N88°48'38"E A DISTANCE OF 55.00 FEET; THENCE S01°37'52"E A DISTANCE OF 72.02 FEET; THENCE S89°05'25"E A DISTANCE OF 104.53 FEET; THENCE N89°28'39"E A DISTANCE OF 146.15 FEET; THENCE N44°18'07"E A DISTANCE OF 49.46 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF DIERS AVENUE, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE WEST LINE OF LOT 2, AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 1°10'39", A RADIUS OF 230.00 FEET, A CHORD BEARING OF S00°45'15"E, A CHORD DISTANCE OF 4.73 FEET, AN ARC LENGTH OF 4.73 FEET; THENCE S01°34'58"E ALONG THE EAST LINE OF SAID LOT 2, LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID DIERS AVE., A DISTANCE OF 40.57 TO THE NORTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE S44°18'07"W ALONG A NORTHERLY LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 13.81 FEET TO A NORTHEASTERLY CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE S89°28'39"W ALONG A NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 172.30 FEET TO A NORTHERLY CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE N89°05'25"W ALONG A NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 138.93 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N01°37'52"W ALONG THE EAST LINE OF SAID PROPOSED ACCESS EASEMENT, LINE ALSO PARALLEL TO AND 20.00 FEET EAST OF THE WEST LINE OF SAID LOT 2, A DISTANCE OF 65.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N89°05'25"W ALONG THE NORTH LINE OF SAID PROPOSED ACCESS EASEMENT, A DISTANCE OF 20.02</p>	\$27,905.00

	FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 10,002 SF MORE OR LESS.	
Melodee A. Anderson	<p>A TEMPORARY EASEMENT LOCATED IN LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHWEST CORNER OF LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE ON AN ASSUMED BEARING OF S00°59'34"E ALONG THE WEST LINE OF A PROPOSED RIGHT-OF-WAY TRACT, SAID LINE ALSO BEING THE WEST LINE OF SAID LOT 1, A DISTANCE OF 8.92 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°05'25"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 259.84 FEET; THENCE S79°21'21"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 77.24 FEET; THENCE N89°28'39"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 12.73 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE S00°57'24"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 23.14 FEET; THENCE S89°28'39"W A DISTANCE OF 165.34 FEET; THENCE N00°48'01"E A DISTANCE OF 25.00 FEET; THENCE N89°05'25"W A DISTANCE OF 119.78 FEET; THENCE S00°31'21"E A DISTANCE OF 25.00 FEET; THENCE S89°28'39"W A DISTANCE OF 63.61 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N00°59'35"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 41.60 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 9,993.23 SQ FT MORE OR LESS.</p>	\$41,530.00
Mehring, Inc.	<p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 2, WESTGATE EIGHTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>BEGINNING AT THE NORTHEAST CORNER OF LOT 2, WESTGATE EIGHTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S00°58'52"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 40.00 FEET; THENCE S88°54'34"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 11.00 FEET; THENCE N00°58'52"W PARALLEL TO AND 11.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET; THENCE S88°54'34"W PARALLEL TO AND</p>	\$10,250.00

	<p>10.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100.08 FEET; THENCE S01°16'18"E A DISTANCE OF 17.00 FEET; THENCE S88°54'34"W PARALLEL TO AND 27.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 39.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE N00°58'50"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 27.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT ALSO BEING ON THE SOUTH ROW LINE OF OLD POTASH HIGHWAY; THENCE N88°54'34"E ALONG SAID SOUTH ROW LINE, LINE ALSO BEING THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 2,492 SQ FT MORE OR LESS.</p>	
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*Total= \$79,685.00*

### **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 approve the Temporary Construction Easements between the City of Grand Island and the affected property owners for Old Potash Highway Roadway Improvements; Project No. 2019-P-1, in the total amount of \$79,685.00.

### **Sample Motion**

Move to approve the temporary construction easements.

RESOLUTION 2020-201

WHEREAS, temporary construction easements are required by the City of Grand Island, from affected property owners in Old Potash Highway Roadway Improvements; Project No. 2019-P-1 project area:

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
R & D Investments, LLC	<p>A TEMPORARY EASEMENT LOCATED IN LOT 2, COMMONWEALTH BUSINESS PARK SECOND SUBDIVISION, CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, COMMONWEALTH BUSINESS PARK SECOND SUBDIVISION, CITY OF GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE ON AN ASSUMED BEARING N01°37'52"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 75.31 FEET TO THE NORTHWEST CORNER OF A PROPOSED ACCESS EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING ; THENCE N01°37'52"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 25.03 FEET; THENCE N88°48'38"E A DISTANCE OF 55.00 FEET; THENCE S01°37'52"E A DISTANCE OF 72.02 FEET; THENCE S89°05'25"E A DISTANCE OF 104.53 FEET; THENCE N89°28'39"E A DISTANCE OF 146.15 FEET; THENCE N44°18'07"E A DISTANCE OF 49.46 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF DIERS AVENUE, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE WEST LINE OF LOT 2, AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 1°10'39", A RADIUS OF 230.00 FEET, A CHORD BEARING OF S00°45'15"E, A CHORD DISTANCE OF 4.73 FEET, AN ARC LENGTH OF 4.73 FEET; THENCE S01°34'58"E ALONG THE EAST LINE OF SAID LOT 2, LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID DIERS AVE., A DISTANCE OF 40.57 TO THE NORTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE S44°18'07"W ALONG A NORTHERLY LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 13.81 FEET TO A NORTHEASTERLY CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE S89°28'39"W ALONG A NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 172.30 FEET TO A NORTHERLY CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE N89°05'25"W ALONG A NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 138.93 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N01°37'52"W ALONG THE EAST LINE OF SAID PROPOSED ACCESS EASEMENT, LINE ALSO PARALLEL TO AND 20.00 FEET EAST OF THE WEST LINE OF SAID LOT 2, A DISTANCE OF 65.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N89°05'25"W ALONG THE</p>	\$27,905.00

Approved as to Form <input type="checkbox"/>	August 20, 2020 <input type="checkbox"/>
City Attorney	

	NORTH LINE OF SAID PROPOSED ACCESS EASEMENT, A DISTANCE OF 20.02 FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 10,002 SF MORE OR LESS.	
Melodee A. Anderson	<p>A TEMPORARY EASEMENT LOCATED IN LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHWEST CORNER OF LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE ON AN ASSUMED BEARING OF S00°59'34"E ALONG THE WEST LINE OF A PROPOSED RIGHT-OF-WAY TRACT, SAID LINE ALSO BEING THE WEST LINE OF SAID LOT 1, A DISTANCE OF 8.92 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°05'25"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 259.84 FEET; THENCE S79°21'21"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 77.24 FEET; THENCE N89°28'39"E ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 12.73 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE S00°57'24"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 23.14 FEET; THENCE S89°28'39"W A DISTANCE OF 165.34 FEET; THENCE N00°48'01"E A DISTANCE OF 25.00 FEET; THENCE N89°05'25"W A DISTANCE OF 119.78 FEET; THENCE S00°31'21"E A DISTANCE OF 25.00 FEET; THENCE S89°28'39"W A DISTANCE OF 63.61 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N00°59'35"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 41.60 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 9,993.23 SQ FT MORE OR LESS.</p>	\$41,530.00
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**Total= \$79,685.00**

WHEREAS, such Temporary Construction easements have been reviewed and approved by the City Legal Department.

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 compensate the affected property owners for the Temporary Construction easements on the above described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 25, 2020.

\_\_\_\_\_  
 Roger G. Steele, Mayor

Attest:

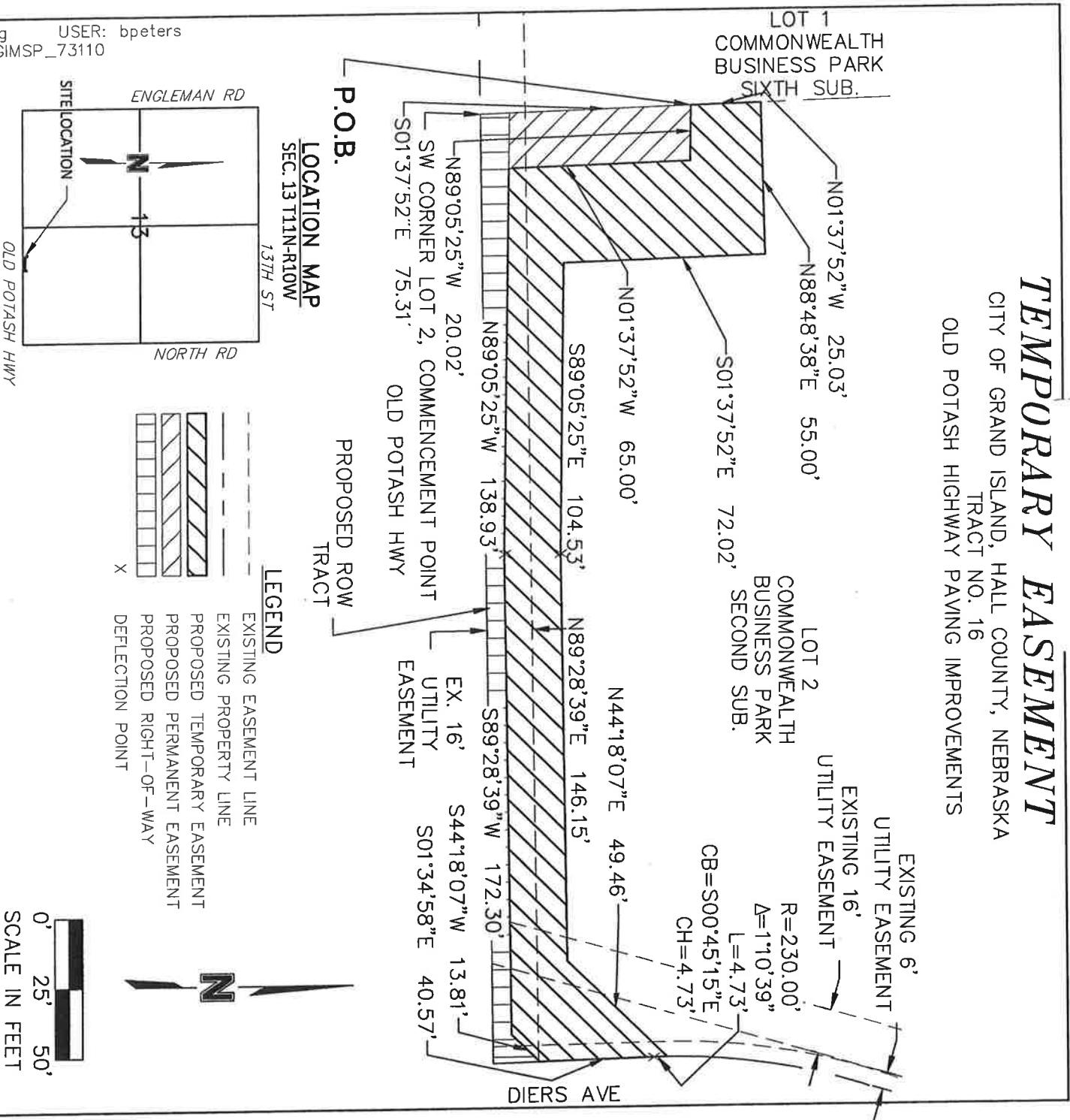
\_\_\_\_\_  
 RaNae Edwards, City Clerk



EXHIBIT "D"

TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 16  
OLD POTASH HIGHWAY PAVING IMPROVEMENTS



TEMPORARY EASEMENT DESCRIPTION

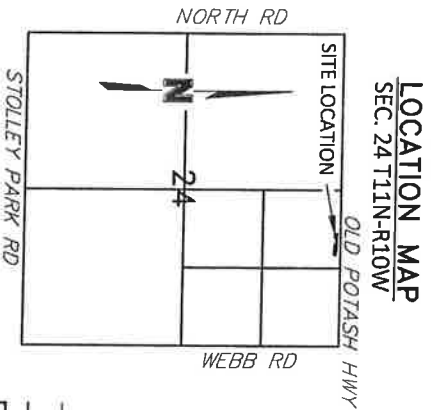
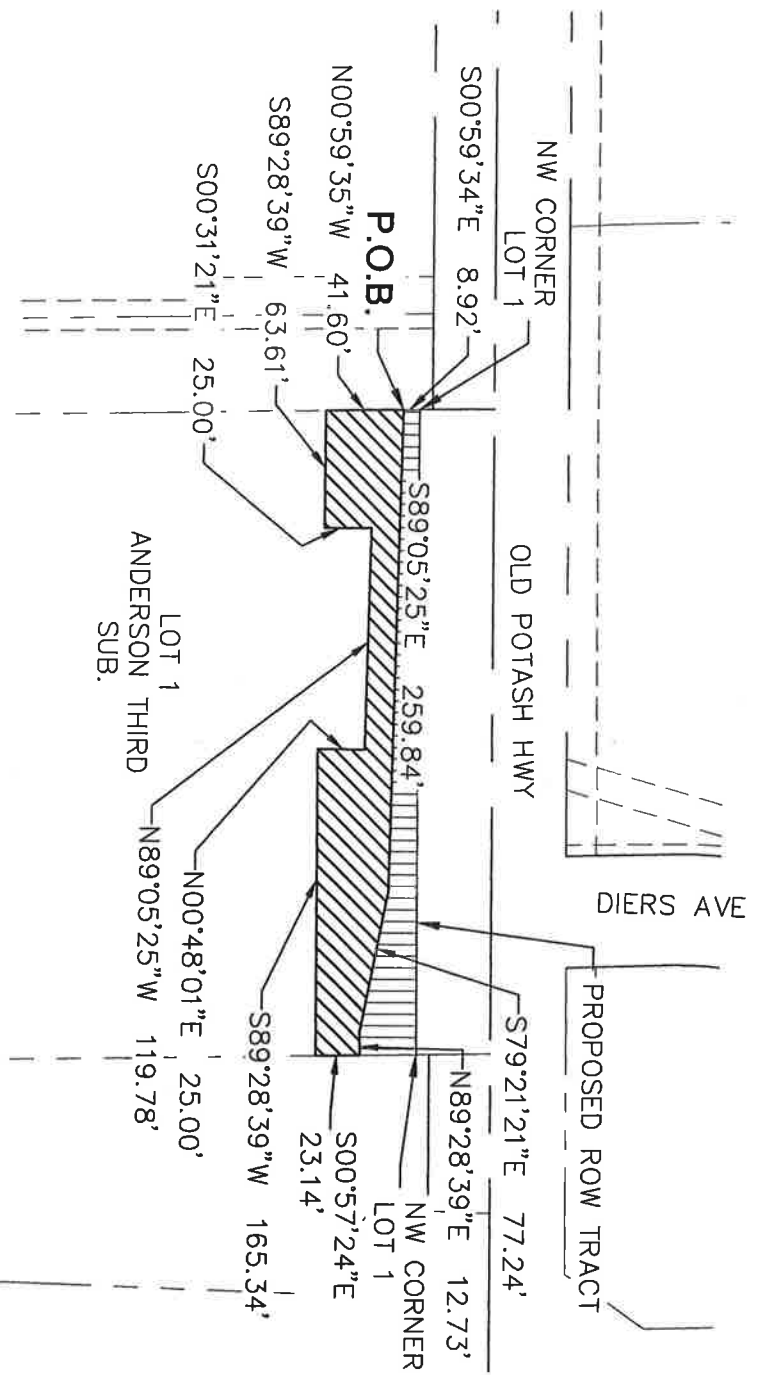
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PROJECT NO: 2017-3110	TEMPORARY EASEMENT	olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.16.2020				

DWG: F:\2017\3001-3500\017-3110\40-Design\Exhibits\T.E\16\_T.E\_0173110.dwg USER: bpeters  
 DATE: Jan 16, 2020 9:23am XREFS: V:\xroway\gimsp\_73110 V\_XTOPO\_GIMSP\_73110

**EXHIBIT "B"**  
**TEMPORARY EASEMENT**  
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
 TRACT NO. 17  
 OLD POTASH HIGHWAY PAVING IMPROVEMENTS



**TEMPORARY EASEMENT DESCRIPTION**

A TEMPORARY EASEMENT LOCATED IN LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, ANDERSON THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE ON AN ASSUMED BEARING OF  $S00^{\circ}59'34''E$  ALONG THE WEST LINE OF A PROPOSED RIGHT-OF-WAY TRACT, SAID LINE ALSO BEING THE WEST LINE OF SAID LOT 1, A DISTANCE OF 8.92 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE  $S89^{\circ}05'25''E$  ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 259.84 FEET; THENCE  $S79^{\circ}21'21''E$  ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 77.24 FEET; THENCE  $N89^{\circ}28'39''E$  ALONG THE SOUTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 12.73 FEET TO A POINT ON THE EAST LINE SAID LOT 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE  $S00^{\circ}57'24''E$  ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 23.14 FEET; THENCE  $S89^{\circ}28'39''W$  A DISTANCE OF 165.34 FEET; THENCE  $N00^{\circ}48'01''E$  A DISTANCE OF 25.00 FEET; THENCE  $N89^{\circ}05'25''W$  A DISTANCE OF 119.78 FEET; THENCE  $S00^{\circ}31'21''E$  A DISTANCE OF 25.00 FEET; THENCE  $S89^{\circ}28'39''W$  A DISTANCE OF 63.61 FEET TO A POINT THE WEST LINE OF SAID LOT 1; THENCE  $N00^{\circ}59'35''W$  ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 41.60 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 9,993.23 SQ FT MORE OR LESS.

DWG: F:\2017\3001-3500\017-3110\40-Design\Exhibits\T.E\17\_T.E\_0173110.dwg USER: Istoltenberg  
 DATE: Dec 27, 2019 8:23am XREFS: v\_xrway\_gimsp\_73110 V\_XTOPO\_GIMSP\_73110

PROJECT NO: 2017-3110	<b>TEMPORARY EASEMENT</b>	<b>Olsson</b> 201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS			
DATE: 12.27.2019			

