



City of Grand Island

Tuesday, August 25, 2020

Council Session

Item E-4

Public Hearing on Acquisition of Public Right-of-Way and Public Easements for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Barr None, LLC- 111 Diers Avenue)

Council action will take place under Consent Agenda item G-11.

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: Public Hearing on Acquisition of Public Right-of-Way and Public Easements for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Barr None, LLC-111 Diers Avenue)

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 and easements are needed to accommodate the roadway improvements along Old Potash Highway.

Negotiations were conducted with the property owner over the last several months. After being unable to reach a mutually agreeable solution, a condemnation hearing was held in Hall County Court on August 14, 2020. The appointed Board of Appraisers has issued their determination. The following is a summary of the appraised amounts offered and the amounts based on the determination of the court appointed appraisers.

<i>Acquisition Type</i>	<i>Amount Offered</i>	<i>Condemnation Amount</i>
Public Right-of-Way	\$18,450.00	\$18,450.00
Permanent Utility Easement	\$ 5,280.00	\$12,375.00
Permanent Drainage Easement	\$19,470.00	\$12,375.00
<i>Totals=</i>	<i>\$43,200.00</i>	<i>\$43,200.00</i>

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
BARR NONE, LLC	<p>A PERMANENT EASEMENT FOR ROAD RIGHT-OF-WAY CONSISTING OF PART OF A TRACT OF LAND DESCRIBED AS A PART OF LOT THREE (3), COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS:</p> <p>BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3, POINT ALSO BEING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY & EAST RIGHT-OF-WAY LINE OF DIERS AVENUE; THENCE ON AN ASSUMED BEARING OF N01°59'16"W ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 24.84 FEET; THENCE S45°48'00"E A DISTANCE OF 28.98 FEET; THENCE N89°28'39"E A DISTANCE OF 136.80 FEET; THENCE N37°10'05"E A DISTANCE OF 61.01 FEET TO A POINT ON THE WEST LINE OF HIGHWAY 281 AS DESCRIBED IN DEED DOCUMENT NO. 70-004933; THENCE S01°33'52"E ALONG THE WEST LINE OF SAID HIGHWAY 281, A DISTANCE OF 10.33 FEET TO A WESTERLY CORNER OF HIGHWAY 281 RIGHT-OF-WAY; THENCE S33°59'41"W ALONG A WESTERLY LINE OF SAID HIGHWAY 281 RIGHT-OF-WAY, A DISTANCE OF 51.59 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3, POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY; THENCE S89°30'38"W ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 165.02 FEET TO A POINT OF BEGINNING. SAID RIGHT-OF-WAY CONTAINS 1,366 SQUARE FEET MORE OR LESS</p> <p style="text-align: center;">AND</p> <p>A PERMANENT EASEMENT FOR A UTILITY EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED AS A PART OF LOT THREE (3),</p>	\$43,200.00

	<p>COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF LOT 3, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE 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°59'16"W ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 24.84 FEET TO THE NORTHWEST CORNER OF SAID PROPOSED ROW TRACT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N01°59'126"W ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 32.90 FEET TO A POINT OF CURVATURE; THENCE ON THE WEST LINE OF LOT 3, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 7°00'29", A RADIUS OF 170.00 FEET, A CHORD BEARING OF N02°15'27"E WITH A CHORD DISTANCE OF 20.78 FEET, AN ARC LENGTH OF 20.79 FEET; THENCE S21°05'31"E A DISTANCE OF 57.58 FEET; THENCE S01°04'29"E A DISTANCE OF 20.13 FEET TO A POINT ON THE NORTH LINE OF SAID PROPOSED ROW TRACT; THENCE N45°48'00"W ALONG THE NORTHEASTERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 28.98 FEET TO A POINT OF BEGINNING. SAID PERMANENT UTILITY EASEMENT CONTAINS 782 SQUARE FEET MORE OR LESS.</p> <p>AND</p> <p>A PERMANENT EASEMENT FOR A DRAINAGE EASEMENT CONSISTING OF PART OF A TRACT OF LAND DESCRIBED AS A PART OF LOT THREE (3), COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS:</p> <p>COMMENCING AT A SOUTHEAST CORNER OF LOT 3, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF</p>	
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	<p>S89°30'38"W ALONG THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 35.01 FEET TO A SOUTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE N33°59'41"E ALONG THE SOUTHEAST LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 51.59 FEET TO A SOUTHEAST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE N01°30'24"W ALONG THE EAST LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 10.33 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED RIGHT-OF-WAY, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S37°10'05"W ALONG THE NORTHWESTERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 61.03 FEET TO A SOUTHEAST CORNER OF SAID PROPOSED ROW TRACT; THENCE S89°28'39"W ALONG THE NORTH LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 12.12 FEET; THENCE N20°53'08"E A DISTANCE OF 80.91 FEET; THENCE N01°28'59"W A DISTANCE OF 73.36 FEET; THENCE N03°11'21"W A DISTANCE OF 95.09 FEET; THENCE N55°00'09"W A DISTANCE OF 21.43 FEET; THENCE N03°11'21"W A DISTANCE OF 10.83 FEET; THENCE N86°48'389"E A DISTANCE OF 27.24 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HIGHWAY 281; THENCE S01°30'24"E ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY 281, A DISTANCE OF 213.67 FEET TO A POINT OF BEGINNING. SAID PERMANENT DRAINAGE EASEMENT CONTAINS 2,884 SQUARE FEET MORE OR LESS.</p>	
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TOTAL= \$43,200.00

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

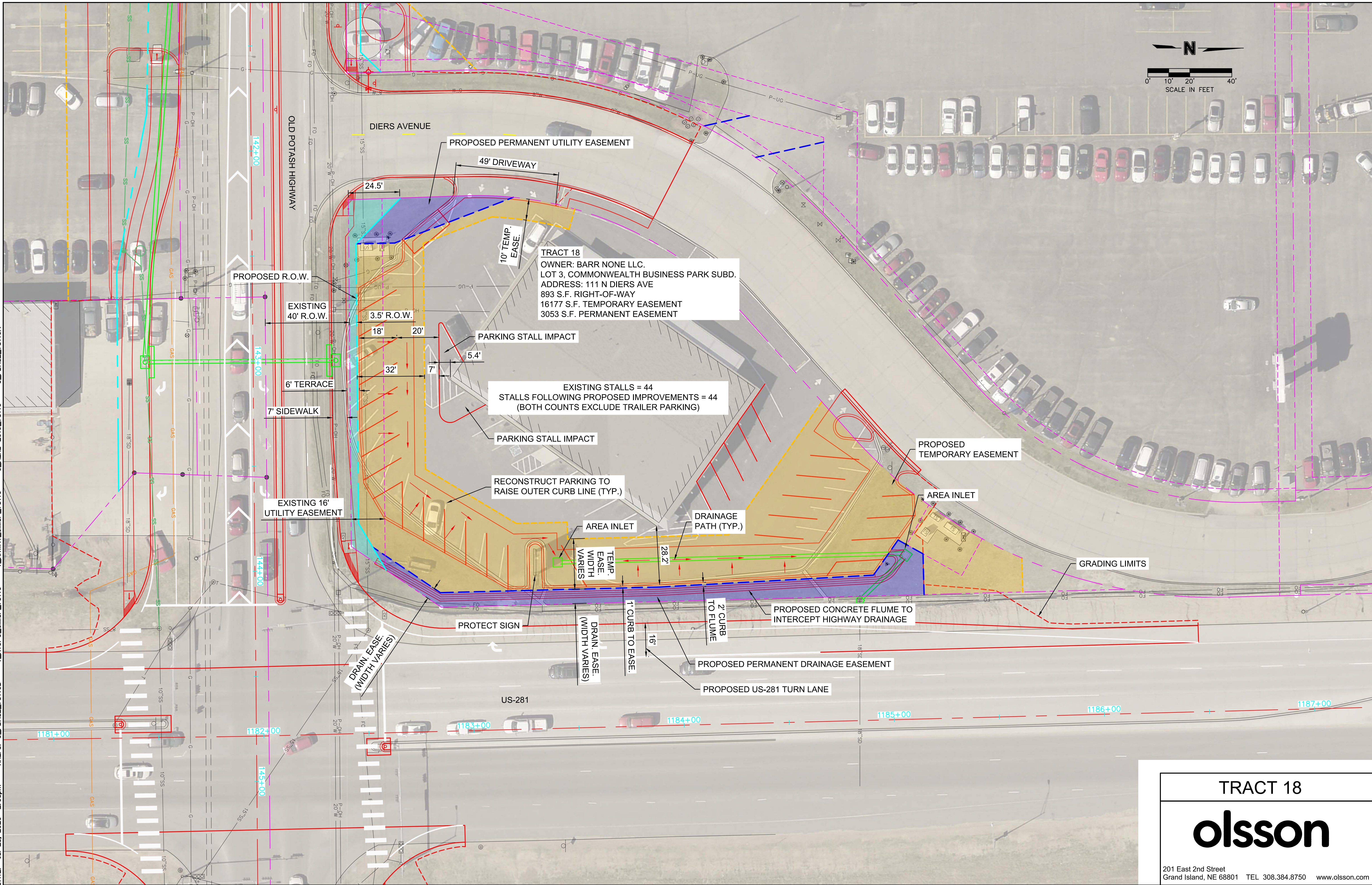
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of public easements and public right-of-way from the affected property owner for Old Potash Highway Roadway Improvements; Project No. 2019-P-1.

Sample Motion

Move to approve the acquisitions.

DWG: F:\2017\3001-3500\017-3110-B\40-Design\Exhibits\Stakeholder meetings\Tract 18 (Western Edge)-20-03-20_73110B.dwg USER: zloomis
DATE: Jul 28, 2020 2:08pm XREFS: C:\PBASE\GMSP_73110 V_XRWAY_GMSP_73110 C_AERL_2019_73110 C_PBASE_73110A



TRACT 18

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