



City of Grand Island

Tuesday, November 10, 2020

Council Session

Item E-4

Public Hearing on Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions at 4010 Driftwood Drive (Shriner) and 818 N North Road (56 Land & Cattle Co., Inc.)

Council action will take place under Consent Agenda item G-13.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: November 10, 2020

Subject: Public Hearing on Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions at 4010 Driftwood Drive (Shriner) and 818 N North Road (56 Land & Cattle Co., Inc.)

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

Background

Public utility easements are needed to accommodate the extension of sanitary sewer to serve an area previously unserved that is located within the new subdivision of Ellington Pointe and the existing subdivision of Westwood Park (see attached sketch). The public utility easements will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easements.

The Engineering Division of the Public Works Department received a petition for creation of a Sanitary Sewer District to serve the new subdivision of Ellington Pointe and the existing subdivision of Westwood Park.

Sanitary Sewer District No. 544 was created by the City Council on January 28, 2020, via Ordinance No. 9755. Legal notice of the creation of the District was published in the *Grand Island Independent* on February 3, 2020, with notification mailed to all involved property owners.

City Council continued the creation of Sanitary Sewer District No. 544 on March 24, 2020, via Resolution No. 2020-78, with only one (1) protest being filed against this district. The owner represented 120.00 front feet, or 1.76% of the total district frontage of 6,802.11 feet.

Discussion

Public easements are needed to accommodate the construction of Sanitary Sewer District No. 544; Ellington Pointe & Westwood Park Subdivisions. The property owners have signed the necessary documents to grant the property, as shown on the attached drawing, at no cost.

<i>Property Owner</i>	<i>Legal Description</i>
Robert L Shriner, Jr. and Dee Ann Shriner	THE EAST FOURTEEN (14) FEET OF LOT TWO (2) IN WESTWOOD PARK SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.
56 Land & Cattle Co., Inc.	<p>A 20-FOOT-WIDE PERMANENT UTILITY EASEMENT COMPRISING OF A PART OF PT S ½, NE ¼, SECTION 14, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 42, WESTWOOD PARK SUBDIVISION, THENCE N90°00'00"E, A DISTANCE OF SIX AND FIVE TENTHS (6.50) FEET; THENCE S00°00'00"E, A DISTANCE OF FIFTEEN (15) FEET; THENCE N90°00'00"W, A DISTANCE OF TWENTY (20) FEET; THENCE N00°00'00"E, A DISTANCE OF FIFTEEN (15) FEET; THENCE ALONG THE SOUTH LINE OF LOT 42, WESTWOOD PARK SUBDIVISION ON A BEARING OF N90°00'00"E, A DISTANCE OF THIRTEEN AND FIVE TENTHS (13.50) FEET TO THE POINT OF BEGINNING AND CONTAINING 300.00 SQUARE FEET MORE OR LESS. AND A 8-FOOT-WIDE PERMANENT UTILITY EASEMENT COMPRISING OF A PART OF PT S ½, NE ¼, SECTION 14, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 41, WESTWOOD PARK SUBDIVISION; THENCE S00°00'00"E ALONG THE EAST LINE OF WESTWOOD PARK SUBDIVISION, A DISTANCE OF THREE HUNDRED SIXTY TWO (362) FEET TO THE SOUTHEAST CORNER OF LOT 33 WESTWOOD PARK SUBDIVISION; THENCE S90°00'00"E, A DISTANCE OF EIGHT (8) FEET; THENCE N00°00'00"E PARALLEL WITH THE EAST LINE OF WESTWOOD PARK SUBDIVISION, A DISTANCE OF THREE HUNDRED SIXTY TWO (362) FEET; THENCE ALONG THE SOUTH LINE OF LOT 41, WESTWOOD PARK SUBDIVISION ON A BEARING OF N90°00'00"W, A DISTANCE OF EIGHT (8) FEET TO THE POINT OF BEGINNING CONTAINING 2896.000 SQUARE FEET MORE OR LESS.</p>

Alternatives

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

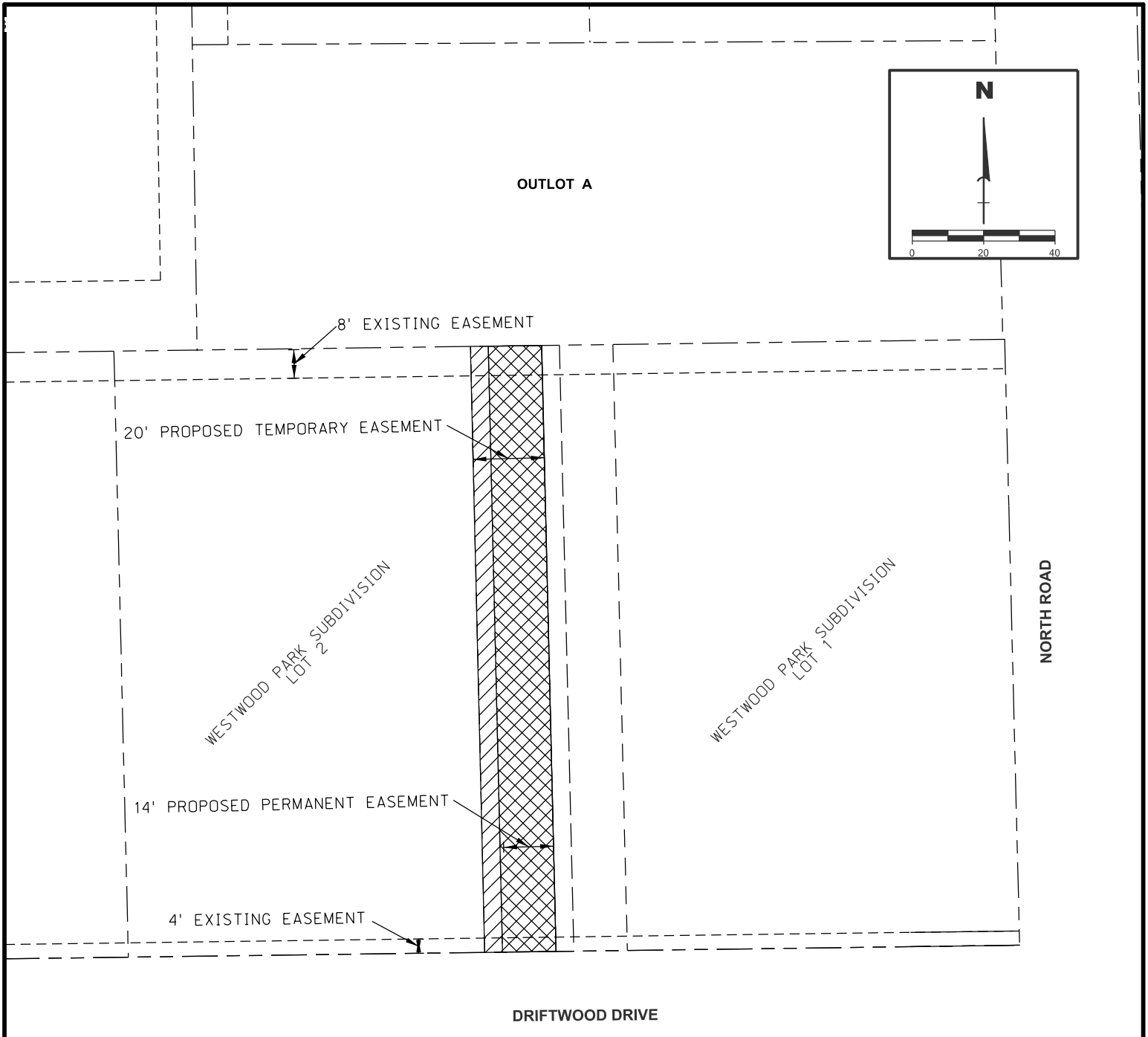
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve acquisition of the necessary permanent utility easements.

Sample Motion

Motion to approve the acquisition of the necessary permanent utility easements.



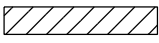
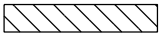
TEMPORARY CONSTRUCTION EASEMENT #2 DESCRIPTION

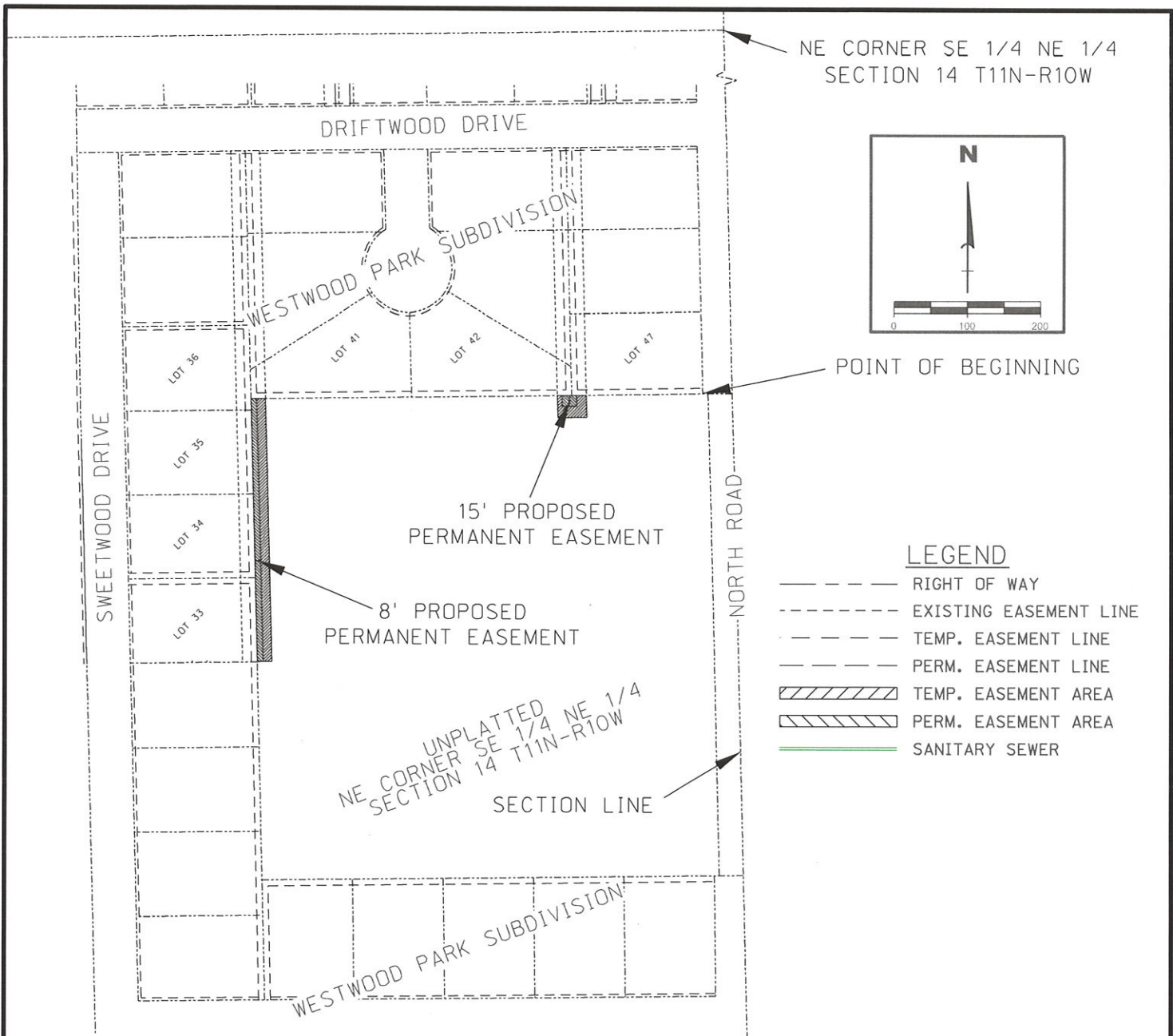
THE EAST TWENTY (20) FEET OF LOT TWO (2) IN WESTWOOD PARK SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

PERMANENT UTILTIY EASEMENT #2 DESCRIPTION

THE EAST FOURTEEN (14) FEET OF LOT TWO (2) IN WESTWOOD PARK SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

LEGEND

- — — — — RIGHT OF WAY
- - - - - EXISTING EASEMENT LINE
- · - · - · - TEMP. EASEMENT LINE
- - - - - PERM. EASEMENT LINE
-  TEMP. EASEMENT AREA
-  PERM. EASEMENT AREA



PERMANENT UTILITY EASEMENT #5 DESCRIPTION

A 20-FOOT-WIDE PERMANENT UTILITY EASEMENT COMPRISING OF A PART OF PT S 1/2 NE 1/4 SECTION 14 TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 42 WESTWOOD PARK SUBDIVISION, THENCE N 90°00'00"E, A DISTANCE OF SIX AND FIVE TENTHS (6.50') FEET; THENCE S 00°00'00"E, A DISTANCE OF FIFTEEN (15.00') FEET; THENCE N 90°00'00"W, A DISTANCE OF TWENTY (20.00') FEET; THENCE N 00°00'00"E, A DISTANCE OF FIFTEEN (15.00') FEET; THENCE ALONG THE SOUTH LINE LOT 42 WESTWOOD PARK SUBDIVISION ON A BEARING OF N 90°00'00" E, A DISTANCE OF THIRTEEN AND FIVE TENTHS (13.50') FEET TO THE POINT OF BEGINNING AND CONTAINING 300.000 SQUARE FEET MORE OR LESS.

PERMANENT UTILITY EASEMENT #6 DESCRIPTION

A 8-FOOT-WIDE PERMANENT UTILITY EASEMENT COMPRISING OF A PART OF PT S 1/2 NE 1/4 SECTION 14 TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 41 WESTWOOD PARK SUBDIVISION, THENCE S 00°00'00"E A LONG THE EAST LINE OF WESTWOOD PARK SUBDIVISION, A DISTANCE OF THREE HUNDRED SIXTY TWO (362.00') FEET TO THE SOUTHEAST CORNER OF LOT 33 WESTWOOD PARK SUBDIVISION; THENCE S 90°00'00"E, A DISTANCE OF EIGHT (8.00') FEET; THENCE N 00°00'00"E PARALLEL WITH THE EAST LINE OF WESTWOOD PARK SUBDIVISION, A DISTANCE OF THREE HUNDRED SIXTY TWO (362.00') FEET; THENCE ALONG THE SOUTH LINE OF LOT 41 WESTWOOD PARK SUBDIVISION ON A BEARING OF N 90°00'00"W, A DISTANCE OF EIGHT (8.00') FEET TO THE POINT OF BEGINNING CONTAINING 2896.000 SQUARE FEET MORE OR LESS.

EXHIBIT: 7B	PROJECT NO.: H1908.02	PT S 1/2 NE 1/4 SECTION 14 TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., PLATTE COUNTY, NEBRASKA SANITARY SEWER DISTRICT 544 GRAND ISLAND, NEBRASKA	
	DRAWN BY: CTP		
	DATE: JUL. 2020		