



# City of Grand Island

Tuesday, November 24, 2020

Council Session

## Item G-19

**#2020-309 - Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (HMS Enterprises, Inc.- 3333 W Old Potash Highway, USCOC Nebraska/Kansas, LLC- 3560 Kaufman Avenue)**

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

# Council Agenda Memo

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

**Meeting:** November 24, 2020

**Subject:** Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (HMS Enterprises, Inc. - 3333 W Old Potash Highway, USCOC Nebraska/Kansas, LLC - 3560 Kaufman 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.

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>
HMS ENTERPRISES, INC.	<p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  COMMENCING AT THE NORTHEAST CORNER OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE ON AN ASSUMED BEARING OF N89°28'48"E ALONG THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°28'48"E, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 206.00 FEET TO THE NORTHWEST CORNER OF A PROPOSED ACCESS EASEMENT; THENCE S00°31'16"E PARALLEL TO AND 20.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 80.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF SAID PROPOSED ACCESS EASEMENT, A DISTANCE OF 20.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE S00°31'16"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE S89°28'48"W A DISTANCE OF 55.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 55.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 72.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 85.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 7.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 79.82 FEET; THENCE S01°27'43"E A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 46.13 FEET; THENCE N01°27'43"W A DISTANCE OF 8.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 15.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 24.94 FEET TO A POINT OF THE WEST LINE OF SAID LOT 2; THENCE N01°27'43"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 5.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 10.00 SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF SAID PROPOSED</p>	\$15,750.00

	<p>UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N01°27'43"W PARALLEL TO AND 10.00' EAST OF THE WEST LINE OF SAID LOT 2, LINE ALSO BEING THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 6208 SQ FT MORE OR LESS.</p>	
<p>USCOC Nebraska/Kansas, LLC</p>	<p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 5, COMMONWEALTH BUSINESS PARK THIRD SBUDIVISION, AS ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, COMMONWEALTH BUSINESS PARK THIRD SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S89°09'17"W ALONG THE SOUTH LINE OF SAID LOT 5, LINE ALSO BEING THE NORTH LINE OF KAUFMAN AVENUE RIGHT-OF-WAY, A DISTANCE OF 22.43 FEET TO A POINT OF CURVATURE; THENCE ALONG THE NORTH LINE OF A PROPOSED RIGHT-OF-WAY TRACT, AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 6°46'20", A RADIUS OF 780.00 FEET, A CHORD BEARING OF S84°48'32"W, A CHORD DISTANCE OF 92.14 FEET, AN ARCH LENGTH OF 92.20 FEET; THENCE S81°25'22"W ALONG THE NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 41.04 FEET TO A POINT ON THE WEST LINE OF SAID LOT 5, POINT ALSO BEING THE NORTHWEST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE N01°32'13"W ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 5.04 FEET; THENCE N81°25'22"E A DISTANCE OF 40.42 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 6°46'31", A RADIUS OF 785.00 FEET, A CHORD BEARING OF N84°48'37"E, A CHORD DISTANCE OF 92.77 FEET, AN ARCH LENGTH OF 92.783 FEET; THENCE N89°09'17"E PARALLEL TO AND 5.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 22.41 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5; THENCE S01°36'15"E ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 778 SQ FT MORE OR LESS.</p>	<p>\$240.00</p>

**Total= \$15,990.00**

## **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 \$15,990.00.

## **Sample Motion**

Move to approve the temporary construction easements.

RESOLUTION 2020-309

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>
HMS ENTERPRISES, INC.	<p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHEAST CORNER OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE ON AN ASSUMED BEARING OF N89°28'48"E ALONG THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°28'48"E, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 206.00 FEET TO THE NORTHWEST CORNER OF A PROPOSED ACCESS EASEMENT; THENCE S00°31'16"E PARALLEL TO AND 20.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 80.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF SAID PROPOSED ACCESS EASEMENT, A DISTANCE OF 20.00 FEET TO A POINT ON THEE EAST LINE OF SAID LOT 2; THENCE S00°31'16"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE S89°28'48"W A DISTANCE OF 55.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 55.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 72.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 85.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 7.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 79.82 FEET; THENCE S01°27'43"E A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 46.13 FEET; THENCE N01°27'43"W A DISTANCE OF 8.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 15.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 24.94 FEET TO A POINT OF THE WEST LINE OF SAID LOT 2; THENCE N01°27'43"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 5.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 10.00 SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF</p>	\$15,750.00

Approved as to Form <input type="checkbox"/> _____ November 23, 2020 <input type="checkbox"/> City Attorney
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	<p>SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N01°27'43"W PARALLEL TO AND 10.00' EAST OF THE WEST LINE OF SAID LOT 2, LINE ALSO BEING THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 6208 SQ FT MORE OR LESS.</p>	
<p>USCOC Nebraska/Kansas, LLC</p>	<p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 5, COMMONWEALTH BUSINESS PARK THIRD SBUDIVISION, AS ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:          BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, COMMONWEALTH BUSINESS PARK THIRD SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S89°09'17"W ALONG THE SOUTH LINE OF SAID LOT 5, LINE ALSO BEING THE NORTH LINE OF KAUFMAN AVENUE RIGHT-OF-WAY, A DISTANCE OF 22.43 FEET TO A POINT OF CURVATURE; THENCE ALONG THE NORTH LINE OF A PROPOSED RIGHT-OF-WAY TRACT, AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 6°46'20", A RADIUS OF 780.00 FEET, A CHORD BEARING OF S84°48'32"W, A CHORD DISTANCE OF 92.14 FEET, AN ARCH LENGTH OF 92.20 FEET; THENCE S81°25'22"W ALONG THE NORTH LINE OF SAID PROPOSED RIGHT-OF-WAY TRACT, A DISTANCE OF 41.04 FEET TO A POINT ON THE WEST LINE OF SAID LOT 5, POINT ALSO BEING THE NORTHWEST CORNER OF SAID PROPOSED RIGHT-OF-WAY TRACT; THENCE N01°32'13"W ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 5.04 FEET; THENCE N81°25'22"E A DISTANCE OF 40.42 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 6°46'31", A RADIUS OF 785.00 FEET, A CHORD BEARING OF N84°48'37"E, A CHORD DISTANCE OF 92.77 FEET, AN ARCH LENGTH OF 92.783 FEET; THENCE N89°09'17"E PARALLEL TO AND 5.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 22.41 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5; THENCE S01°36'15"E ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 778 SQ FT MORE OR LESS.</p>	<p>\$240.00</p>

**Total= \$15,990.00**

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, November 24, 2020.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

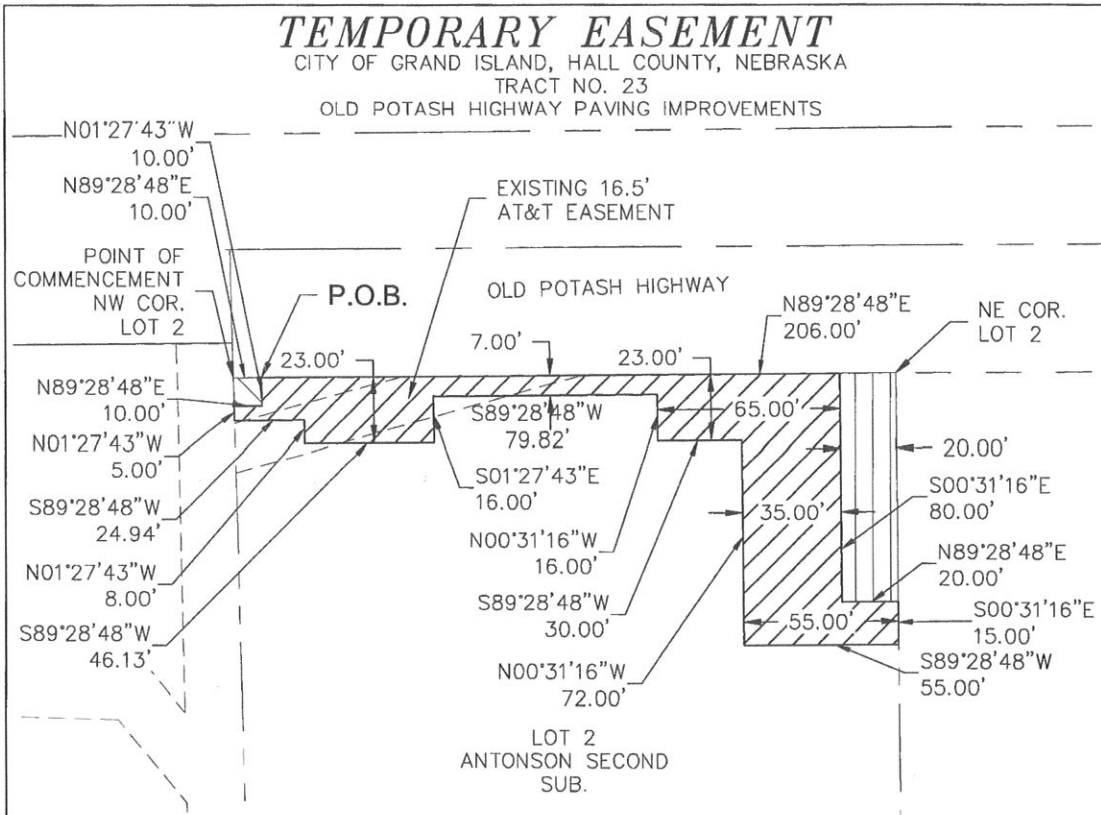
- 3 -



EXHIBIT "A"

TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 23  
OLD POTASH HIGHWAY PAVING IMPROVEMENTS



USER: istoltenberg  
 V\_XTOPO\_GIMSP\_73110  
 T.E.\_0173110.dwg  
 Design\Exhibits\T.E.\23\_110\017-3110\017-3500\017-3110\017-3110.dwg  
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 DATE: Jan 08, 2020  
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LEGEND

- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
- ▨ PROPOSED TEMPORARY EASEMENT
- ▤ PROPOSED ACCESS EASEMENT
- ▥ PROPOSED UTILITY EASEMENT



LOCATION MAP

SEC. 24 T11N-R10W



TEMPORARY EASEMENT DESCRIPTION

A TEMPORARY EASEMENT LOCATED IN PART OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, ANTONSON SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE ON AN ASSUMED BEARING OF N89°28'48"E ALONG THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°28'48"E ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 206.00 FEET TO THE NORTHWEST CORNER OF A PROPOSED ACCESS EASEMENT; THENCE S00°31'16"E PARALLEL TO AND 20.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED ACCESS EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 80.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF SAID PROPOSED ACCESS EASEMENT, A DISTANCE OF 20.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE S00°31'16"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE S89°28'48"W A DISTANCE OF 55.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 55.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 72.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET; THENCE N00°31'16"W PARALLEL TO AND 85.00 FEET WEST OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 7.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 79.82 FEET; THENCE S01°27'43"E A DISTANCE OF 16.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 23.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 46.13 FEET; THENCE N01°27'43"W A DISTANCE OF 8.00 FEET; THENCE S89°28'48"W PARALLEL TO AND 15.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 24.94 FEET TO A POINT OF THE WEST LINE OF SAID LOT 2; THENCE N01°27'43"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 5.00 FEET TO THE SOUTHWEST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N89°28'48"E PARALLEL TO AND 10.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, LINE ALSO BEING THE SOUTH LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE N01°27'43"W PARALLEL TO AND 10.00' EAST OF THE WEST LINE OF SAID LOT 2, LINE ALSO BEING THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 10.00 FEET TO A POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 6208 SQ FT MORE OR LESS.

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: 9.10.2019				

