



# City of Grand Island

Tuesday, November 24, 2020

Council Session

## Item E-3

**Public Hearing on Acquisition of Public Right-of-Way for Capital Avenue Drainage Improvements- North Road to Moores Creek; Project No. 2020-D-2 (Irvine- Parcel No. 400149524; North of Capital Avenue, East of North Road)**

*Council action will take place under Consent Agenda item G-16.*

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:** Public Hearing on Acquisition of Public Right-of-Way for Capital Avenue Drainage Improvements- North Road to Moores Creek; Project No. 2020-D-2 (Parcel No. 400149524- Irvine North of Capital Avenue, East of North Road)

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

## Background

The Capital Avenue Drainage Improvements- North Road to Moores Creek; Project No. 2020-D-2 is for drainage improvements associated with the paving improvement project known as Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1 The Engineering Division of the Public Works Department is proposing a concrete curb and gutter roadway section with associated sidewalk, traffic control, drainage and all other related improvements needed to complete the project.

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 the drainage improvements along Capital Avenue from North Road to Moores Creek (see attached sketch).

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Pamela S. Irvine and Robin R. Irvine	A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SEC. 1, T11N, R10W, THENCE ON AN ASSUMED BEARING OF N89°52'56"W ALONG THE SOUTH LINE OF SAID SEC.	\$57,500.00

	<p>1, A DISTANCE OF 110.00 FEET; THENCE N00°31'57"W A DISTANCE OF 58.00 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY, INSTRUMENT #84005216, ALSO BEING THE POINT OF BEGINNING; THENCE N89°53'10"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, LINE ALSO BEING THE NORTH LINE OF INSTRUMENT #87104372, A DISTANCE OF 2126.85 FEET TO THE SOUTHEAST CORNER OF LOT 1, PRIMROSE SUBDIVISION; THENCE N00°29'56"W ALONG THE EAST LINE OF SAID LOT 1, PRIMROSE SUBDIVISION, A DISTANCE OF 47.14 FEET; THENCE S89°52'56"E A DISTANCE OF 2126.83 FEET TO A POINT ON THE WEST LINE OF SAID INSTRUMENT #84005216; THENCE S00°31'57"E ALONG SAID WEST LINE, A DISTANCE OF 47.00 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 2.30 ACRES MORE OR LESS.</p>	
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**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 public right-of-way.

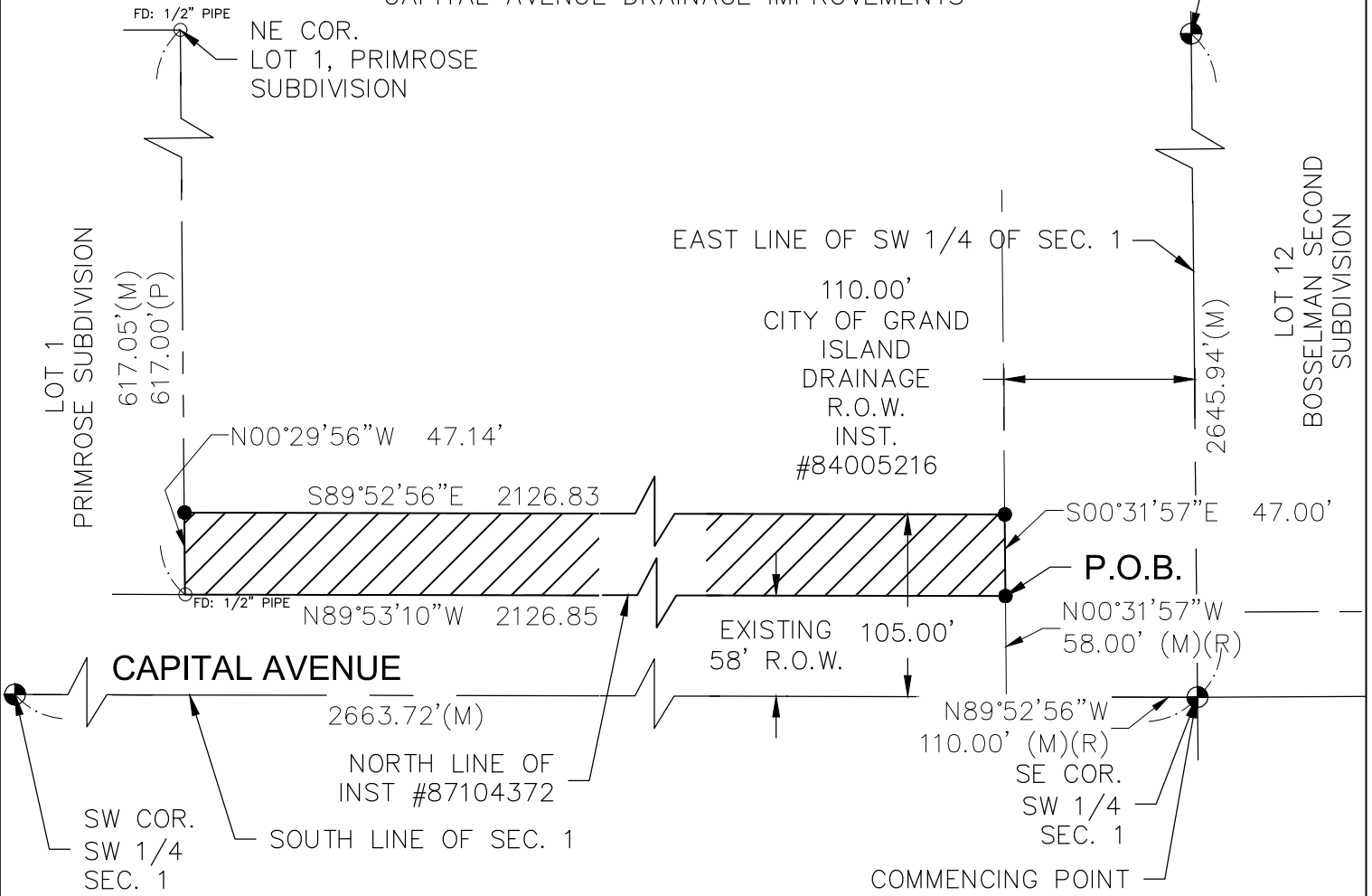
**Sample Motion**

Move to approve the acquisition of the necessary public right-of-way.

# RIGHT-OF-WAY

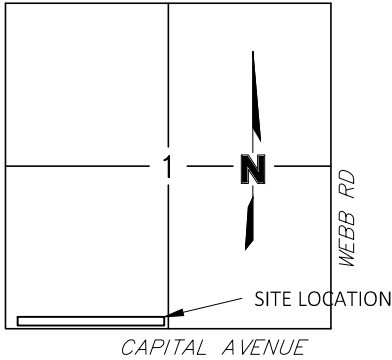
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
CAPITAL AVENUE DRAINAGE IMPROVEMENTS

NE COR.  
SW 1/4  
SEC. 1



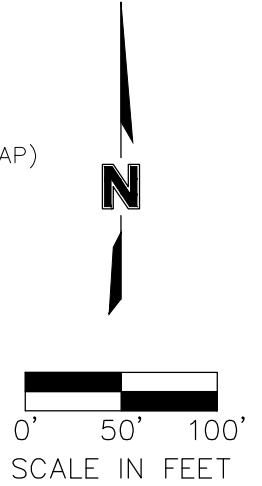
### LOCATION MAP

SEC. 1 T11N-R10W  
AIRPORT ROAD



### LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER
- EXISTING PROPERTY LINE
- ▨ NEW RIGHT OF WAY
- M MEASURED DISTANCE
- R RECORDED DISTANCE
- P PRIMROSE SUBDIVISION



### RIGHT-OF-WAY DESCRIPTION

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

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SEC. 1, T11N, R10W, THENCE ON AN ASSUMED BEARING OF N89°52'56"W ALONG THE SOUTH LINE OF SAID SEC. 1, A DISTANCE OF 110.00 FEET; THENCE N00°31'57"W A DISTANCE OF 58.00 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY, INSTRUMENT #84005216, ALSO BEING THE POINT OF BEGINNING; THENCE N89°53'10"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, LINE ALSO BEING THE NORTH LINE OF INSTRUMENT #87104372, A DISTANCE OF 2126.85 FEET TO THE SOUTHEAST CORNER OF LOT 1, PRIMROSE SUBDIVISION; THENCE N00°29'56"W ALONG THE EAST LINE OF SAID LOT 1, PRIMROSE SUBDIVISION, A DISTANCE OF 47.14 FEET; THENCE S89°52'56"E A DISTANCE OF 2126.83 FEET TO A POINT ON THE WEST LINE OF SAID INSTRUMENT #84005216; THENCE S00°31'57"E ALONG SAID WEST LINE, A DISTANCE OF 47.00 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 2.30 ACRES MORE OR LESS.

PROJECT NO: 020-0583	<b>RIGHT OF WAY</b>	<b>olsson</b>	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750
DRAWN BY: LS			EXHIBIT
DATE: 11.18.2020			

**RIGHT-OF-WAY**  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
CAPITAL AVENUE DRAINAGE IMPROVEMENTS

**SECTION TIES**

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

FOUND 3/4" IRON BAR 1.0' BELOW GRADE. MONUMENT IS UNDER METAL "H" POLES

E 39.80 TO 5/8" REBAR @ GRADE  
NE 75.74 TO REDHEAD IN POWER POLE  
SE 107.37 TO MAG NAIL & WASHER IN POWERPOLE  
NW 19.13 TO 5/8" REBAR @ GRADE

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

FOUND ALUMINUM CAP (LS-263) IN ASPHALT ROAD

NW 62.55 TO P.K. NAIL W/ LS-458 WASHER IN POWER POLE  
NE 48.22 TO R.R. SPIKE IN POWER POLE  
SE 114.99 TO NAIL W/ RIBBON IN POWER POLE  
SW 46.09 TO TOP NUT OF FIRE HYDRANT

SE COR OF SW 1/4 SEC. 1 T11N R10W

FOUND ALUMINUM CAP W/ 5/8" IRON REBAR

S 33.00 TO 3/4" IRON PIPE  
SE 88.70 TO NAIL IN POWER POLE  
NE 44.88 TO "X" IN BRASS CAP (B.M. #740)  
NE 73.83 TO NAIL IN POWER POLE

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT ON November 18<sup>th</sup>, 2020 UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., 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.

USER: Istoltenberg  
V\_XITOPD\_0200583

DWG: C:\Temp\AcPublish\_22760\ROW\_LEGAL\_11.16.2020.dwg  
DATE: Nov 18, 2020 2:53pm  
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*Jai Jason Andrist*  
JAI JASON ANDRIST  
NEBRASKA REGISTERED LAND SURVEYOR



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