Item E-4

Public Hearing on Acquisition of Utility Easement - 1814 N. Eddy (Casey's Retail Co.)

Council action will take place under Consent Agenda item G-5.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
              Stacy Nonhof, Interim City Attorney

Meeting: June 22, 2021

Subject: Acquisition of Utility Easement – 1814 N. Eddy Street –
              Casey's Retail Co. a/k/a Casey's General Store

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire utility easement relative to the property Casey's Retail Company, located through a part of the Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition to the City of Grand Island, Hall County, Nebraska (1814 N. Eddy Street), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Casey's Retail company constructed a new store located at 1814 North Eddy Street in 2008. An 8" water main (Water Main Project 2008-W-7) was relocated to accommodate the construction of the new gas canopy. Due to some construction in the Five Points area, Utility Engineering discovered the original document was never signed or filed. This easement will allow the Utilities Department to access, operate, and maintain the water infrastructure previously installed at this location.

Alternatives

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

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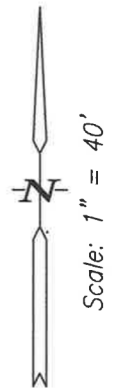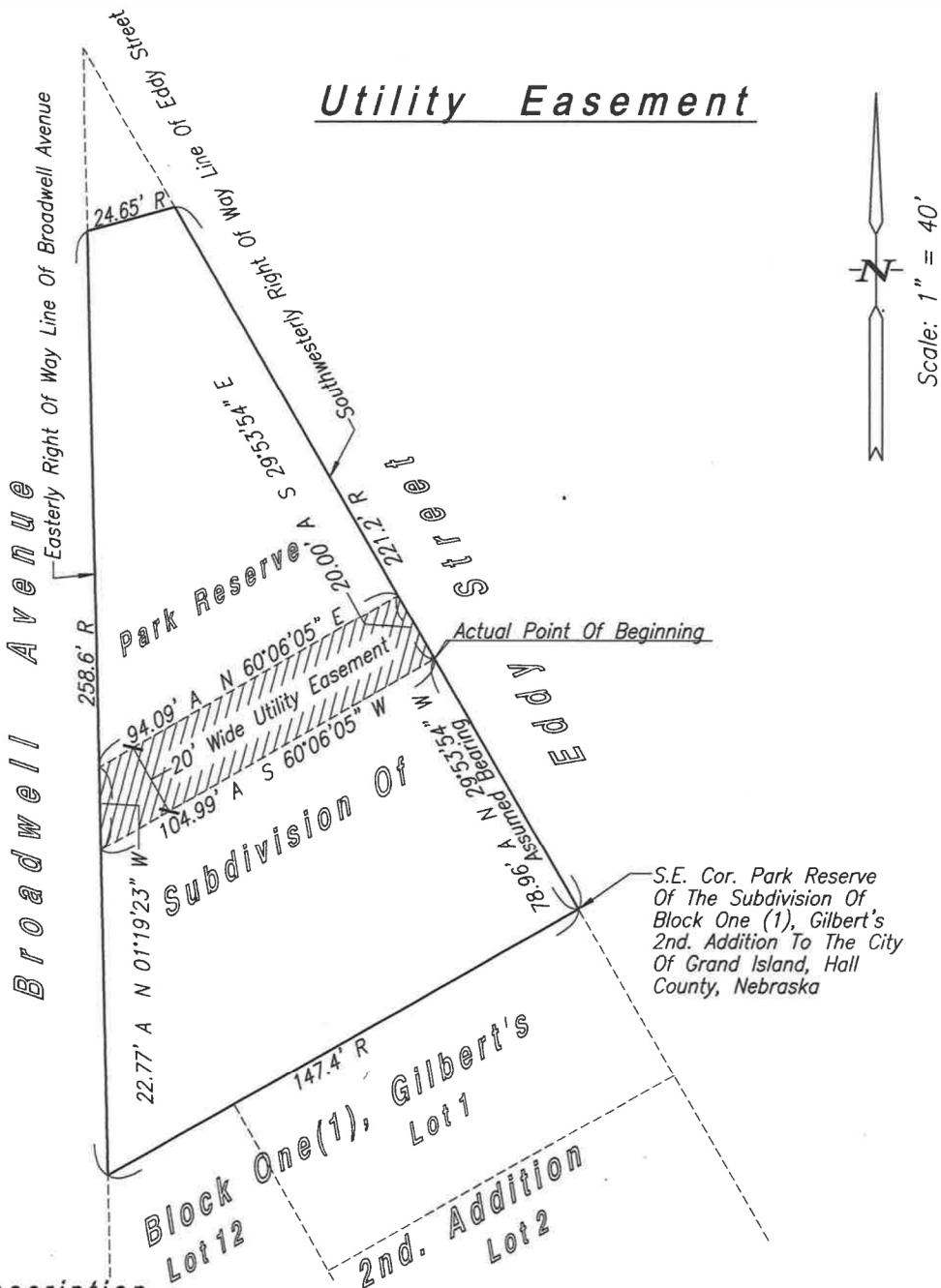4.   Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar ($1.00).

Sample Motion

Move to approve acquisition of the Utility Easement.

Utility Easement

Scale: 1" = 40'

— N —

Broadwell Avenue

Easterly Right Of Way Line Of Broadwell Avenue

Line Of Eddy Street

Southwesterly Right Of Way Line Of Eddy Street

24.65' R

258.6' R

Park Reserve

20.00' A   S 29°53'54" E

221.2' R

94.09' A   N 60°06'05" E

20' Wide Utility Easement

104.99' A   S 60°06'05" W

22.77' A   N 01°19'23" W

Subdivision Of

78.96' Assumed Bearing   N 29°53'54" W

Actual Point Of Beginning

Eddy Street

S.E. Cor. Park Reserve
Of The Subdivision Of
Block One (1), Gilbert's
2nd. Addition To The City
Of Grand Island, Hall
County, Nebraska

147.4' R

Block One (1), Gilbert's
Lot 1

Lot 12

2nd. Addition
Lot 2

Description

A tract of land comprising a part of the Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition to the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, said point also being on the southwesterly right of way line of Eddy Street; thence running northwesterly along the northeasterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, and the southwesterly right of way line of Eddy Street, on an Assumed Bearing of N29°53'54"W, a distance of Seventy Eight and Ninety Six Hundredths (78.96) feet, to the ACTUAL point of beginning; thence running S60°06'05"W, a distance of One Hundred Four and Ninety Nine Hundredths (104.99) feet, to a point on the westerly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the easterly right of way line of Braodwell Avenue; thence running N01°19'23"W, along the west line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the easterly right of way line of Broadwell Avenue, a distance of Twenty Two and Seventy Seven Hundredths (22.77) feet; thence running N60°06'05"E a distance Ninety Four and Nine Hundredths (94.09) feet, to a point on the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the westerly right of way line of Eddy Street; thence running S29°53'54"E, along the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the westerly right of way line of Eddy Street, a distance of Twenty (20.00) feet, to the ACTUAL point of beginning and containing 0.046 acres more or less.

EXHIBIT "A"

Rockwell **A**nd **A**ssoc.   **R**ockwell **L**and **A**ssoc.   **E**ngineering **&** **S**urveying

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DATE: 4/28/2021