



City of Grand Island

Tuesday, November 23, 2021

Council Session

Item E-3

Public Hearing on Acquisition of Public Utility Easement for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1

Council action will take place under Consent Agenda item G-9.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: November 23, 2021

Subject: Public Hearing on Acquisition of Public Utility Easement for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1

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

Background

The Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1 is for the improvement of Capital Avenue from the Moores Creek Drainway to the roundabout at North Road. This will be 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 utility easements are needed to accommodate the roadway improvements along Capital Avenue. The property owners have signed the necessary documents to grant the property, as shown on the attached exhibits.

Engineering staff of the Public Works Department negotiated with the property owners for such acquisitions.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Martin Montelongo and Maria S. Montelongo	A PERMANENT DRAINAGE EASEMENT LOCATED IN LOT 3, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE ON AN ASSUMED BEARING OF S00°07'04"W ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 12.00 FEET; THENCE N89°53'03"W PARALLEL TO AND 12.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 5.00	\$100.00

	FEET; THENCE N00°07'04"E PARALLEL TO AND 5.00 FEET WEST OF THE EAST LINE OF SAID LOT 3, A DISTANCE OF 12.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3, POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE S89°53'03"E ALONG THE NORTH LINE OF SAID LOT 3, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT DRAINAGE EASEMENT CONTAINS 60 SF MORE OR LESS.	
Tommy Lee Anderson	<p>A PERMANENT DRAINAGE EASEMENT LOCATED IN LOT 4, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF N89°57'05"E ALONG THE NORTH LINE OF SAID LOT 4, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, A DISTANCE OF 5.00 FEET; THENCE S00°07'04"W PARALLEL TO AND 5.00 FEET EAST OF THE WEST LINE OF SAID LOT 4, A DISTANCE OF 12.00 FEET; THENCE S89°57'05"W PARALLEL TO AND 12.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE N00°07'04"E ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT DRAINAGE EASEMENT CONTAINS 60 SF MORE OR LESS.</p> <p style="text-align: center;">AND</p> <p>A PERMANENT UTILITY EASEMENT LOCATED IN LOT 4, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4, THENCE ON AN ASSUMED BEARING OF S00°07'04"W ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 10.00 FEET; THENCE S89°57'05"W PARALLEL TO AND 10.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 10.00 FEET; THENCE N00°07'04"E PARALLEL TO AND 10.00 FEET WEST OF THE EAST LINE OF SAID LOT 4, A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4; THENCE N89°57'05"E ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT UTILITY EASEMENT CONTAINS 100 SF MORE OR LESS.</p>	\$160.00

TS12, LLC	A PERMANENT DRAINAGE EASEMENT LOCATED IN LOT 1, STERLING ESTATES SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF S89°52'30"W ALONG THE NORTH LINE OF SAID LOT 1, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, A DISTANCE OF 80.53 FEET TO THE POINT OF BEGINNING; THENCE S00°07'30"W A DISTANCE OF 10.27 FEET; THENCE N89°52'30"W A DISTANCE OF 10.00 FEET; THENCE N00°07'30"E A DISTANCE OF 10.27 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE S89°52'30"E ALONG THE NORTH LINE OF SAID LOT 1, LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT DRAINAGE EASEMENT CONTAINS 103 SF MORE OR LESS.	Donated
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Total cost of Permanent Easements= \$260.00

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

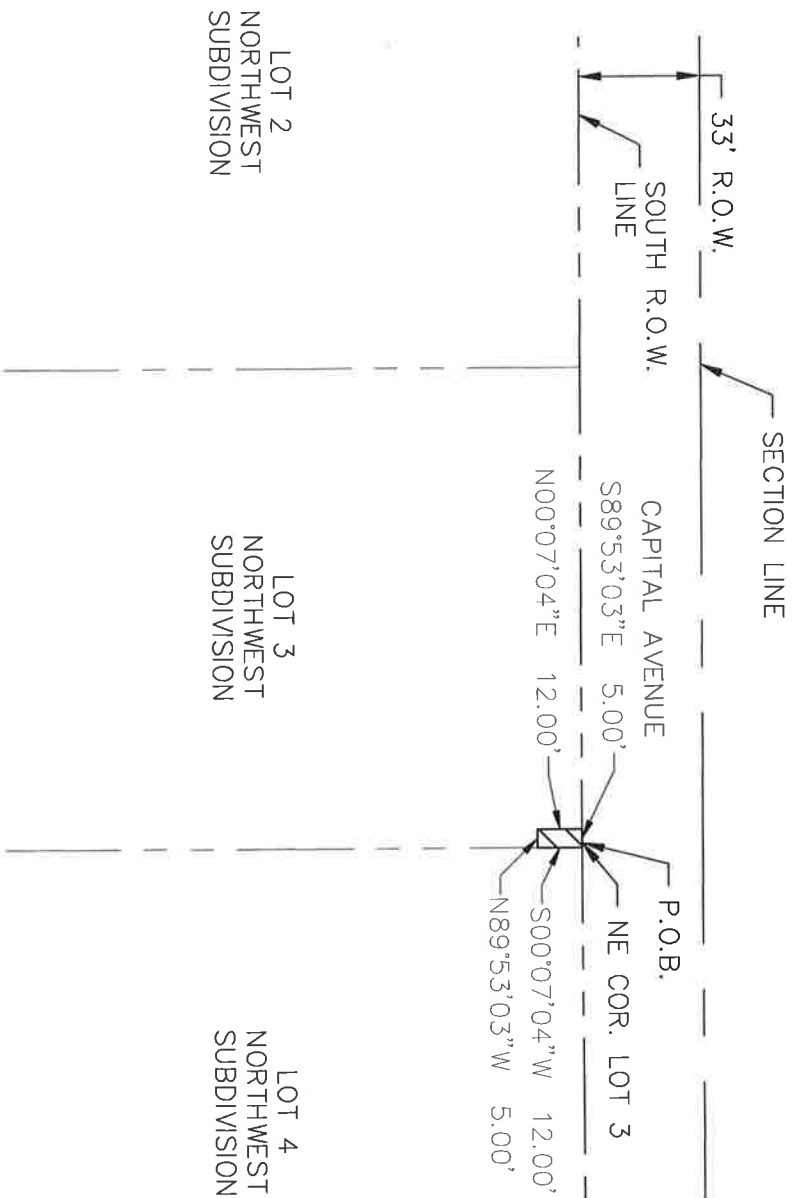
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public utility easement from the affected property owners for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1, in the amount of \$260.00.

Sample Motion

Move to approve the acquisitions.

DRAINAGE EASEMENT CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA TRACT NO. 3 CAPITAL AVENUE PAVING IMPROVEMENTS



DRAINAGE EASEMENT DESCRIPTION

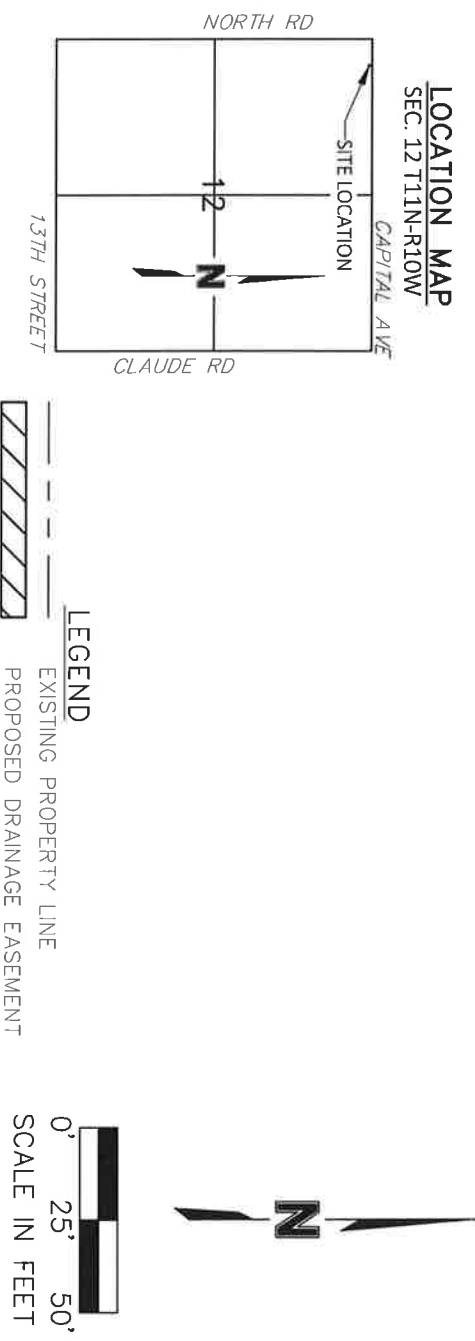
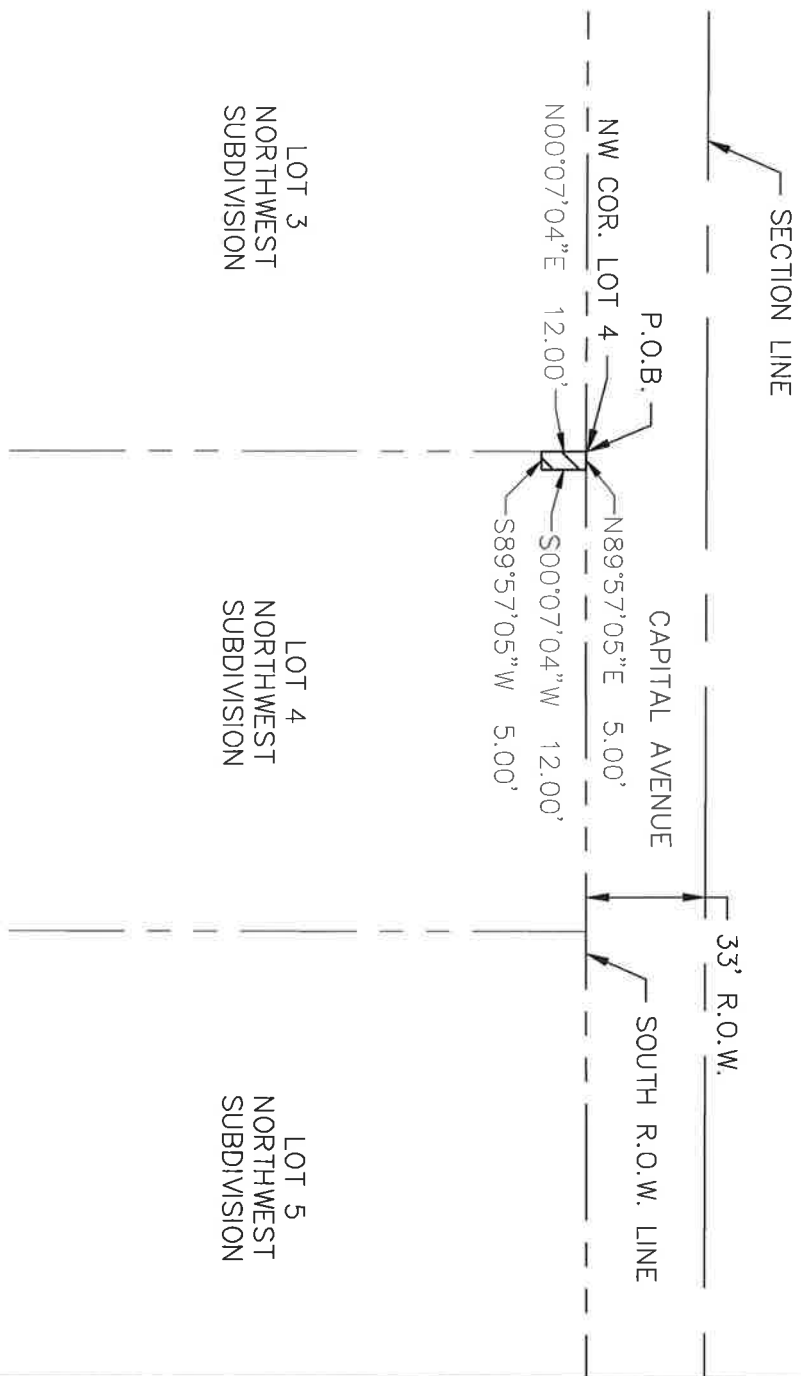
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DATE: Jan 18, 2021 9:31am XREFS: V_XRWAY-ROADWAY_0200583

PROJECT NO: 020-0583	PERMANENT EASEMENT	<div> <div>olsson</div> <div> 201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 </div> </div>	EXHIBIT
DRAWN BY: LS			
DATE: 1.18.2021			1

DRAINAGE EASEMENT CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA TRACT NO. 4 CAPITAL AVENUE PAVING IMPROVEMENTS



DRAINAGE EASEMENT DESCRIPTION

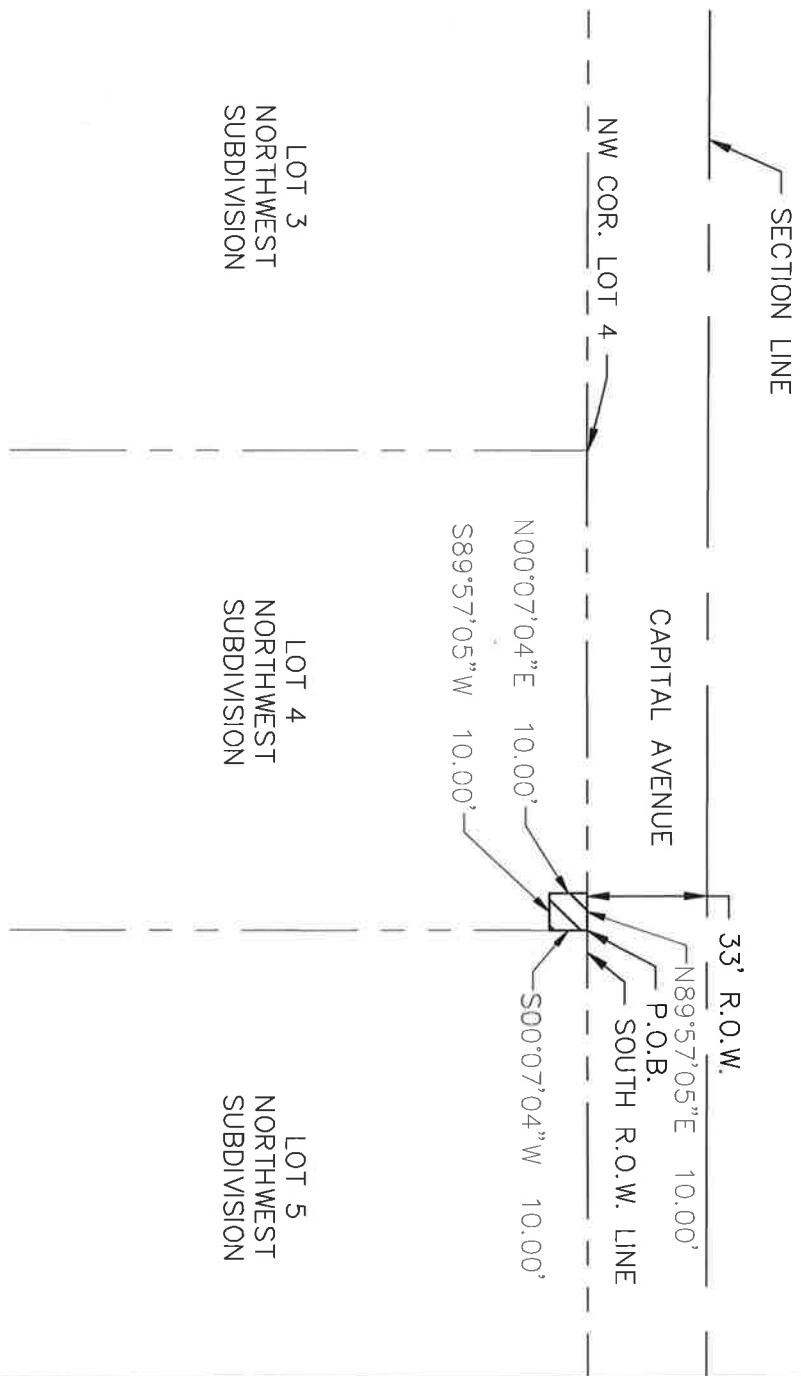
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DRAWN BY: LS			1
DATE: 1.18.2021			

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UTILITY EASEMENT CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA TRACT NO. 4 CAPITAL AVENUE PAVING IMPROVEMENTS



DRAINAGE EASEMENT DESCRIPTION

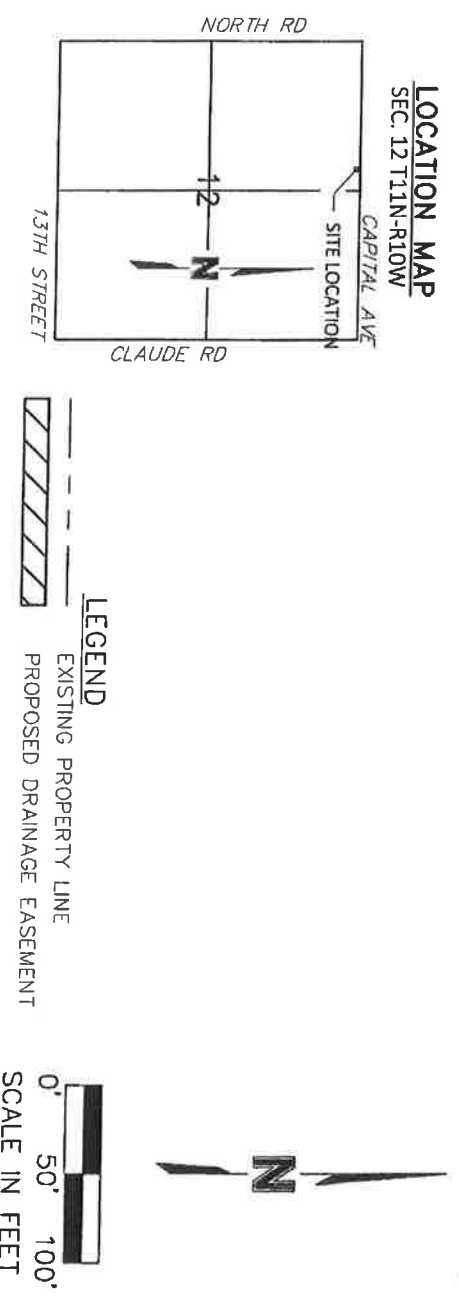
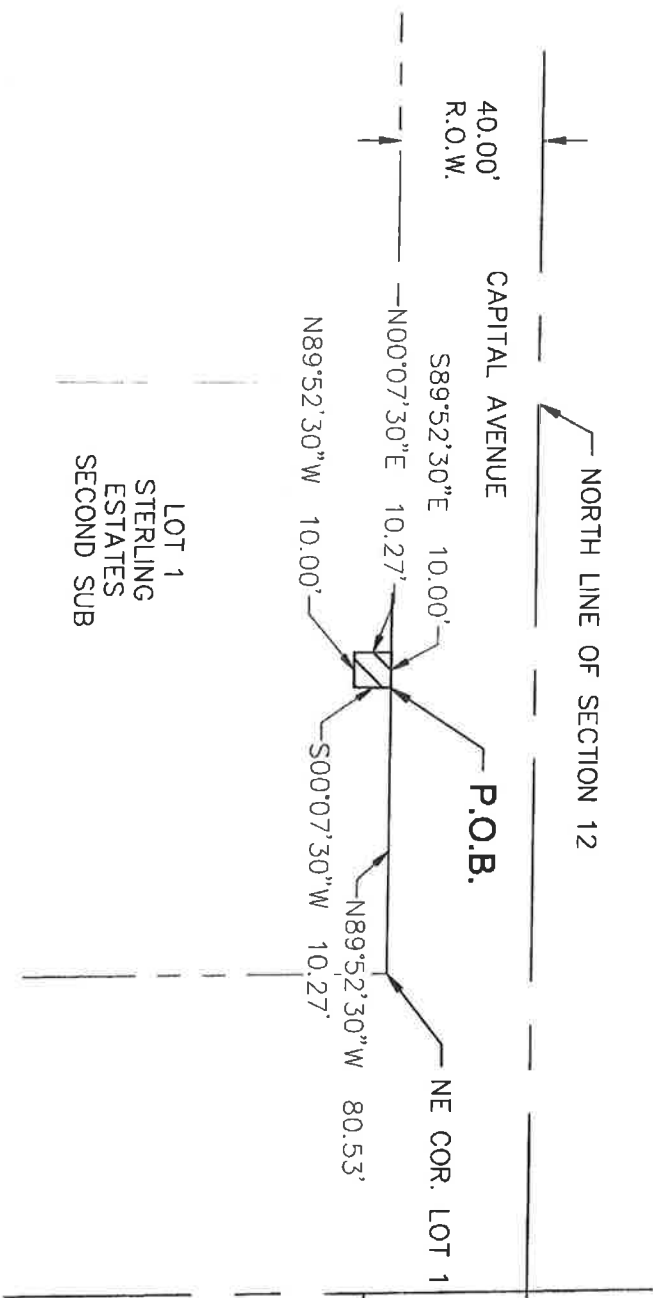
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PROJECT NO: 020-0583	PERMANENT EASEMENT	<p>201 East 2nd Street Grand Island, NE 68801 TEL. 308.384.8750</p>	EXHIBIT
DRAWN BY: LS			
DATE: 1.27.2021			1

DRAINAGE EASEMENT CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA TRACT NO. 12 CAPITAL AVENUE PAVING IMPROVEMENTS



DRAINAGE EASEMENT DESCRIPTION

A PERMANENT DRAINAGE EASEMENT LOCATED IN LOT 1, STERLING ESTATES SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PROJECT NO: 020-0583		PERMANENT EASEMENT		olsson		EXHIBIT 1	
DRAWN BY: LS				201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750			
DATE: 1.18.2021							

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