



City of Grand Island

Tuesday, January 11, 2022

Council Session

Item G-13

**#2022-12 - Approving Temporary Construction Easement for
Capital Avenue- Moores Creek Drainway to North Road Roadway
Improvements; Project No. 2020-P-1**

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: January 11, 2022

Subject: Approving Temporary Construction 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.

Temporary Construction easements are needed to accommodate the construction activities for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1, which must be approved by City Council. The temporary construction easements will allow for the roadway improvements to this area.

A sketch of each temporary construction easement area is attached for reference.

On October 12, 2021, via Resolution No. 2021-271, Grand Island City Council approved award of Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1 construction to Elsbury Construction, LLC of Grand Island, Nebraska in the amount of \$1,449,756.86.

Discussion

Temporary construction easements are needed for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1 to be constructed.

Engineering staff of the Public Works Department negotiated with the property owner for use of such temporary construction easement areas.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Starostka Group Unlimited, Inc.	<p>A TEMPORARY EASEMENT LOCATED IN PART OF THE NORTH HALF (N1/2) OF NORTHWEST QUARTER (NW1/4) OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF NORTHWEST SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°36'33"E ALONG THE EAST LINE OF SAID NORTHWEST SUBDIVISION, A DISTANCE OF 33.00 FEET; THENCE S00°25'18"E A DISTANCE OF 7.00 FEET; THENCE S89°52'56"E A DISTANCE OF 32.01 FEET TO THE POINT OF BEGINNING; THENCE S89°52'56"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF THE NW ¼ OF SAID SECTION 12, A DISTANCE OF 371.51 FEET; THENCE S00°06'28"W A DISTANCE OF 98.00 FEET; THENCE N89°53'32"W A DISTANCE OF 7.00 FEET; THENCE N00°06'28"E PARALLEL TO AND 17.00 FEET WEST OF THE WEST LINE OF LOT 1, STERLING ESTATES NINTH SUBDIVISION, A DISTANCE OF 80.00 FEET; THENCE N44°53'14"W A DISTANCE OF 14.14 FEET; THENCE N89°52'56"W PARALLEL TO AND 48.00 FEET SOUTH OF THE NORTH LINE OF THE NW ¼ OF SAID SETCION 12, A DISTANCE OF 341.72 FEET; THENCE S38°22'48"W A DISTANCE OF 52.06 FEET; THENCE N00°32'01"W A DISTANCE OF 23.88 FEET; THENCE N38°22'48"E A DISTANCE OF 31.84 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 4230 SF MORE OR LESS.</p> <p style="text-align: center;">AND</p> <p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 8, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE ON AN ASSUMED BEARING OF S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 7.08 FEET TO THE POINT OF BEGINNING; THENCE S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE N89°52'56"W A DISTANCE OF 130.12 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE N00°24'59"W ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE S89°52'56"E A DISTANCE OF 130.08 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 1,952 SF MORE OR LESS.</p>	DONATED

Total Cost of Temporary Easements= DONATED

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 Easement between the City of Grand Island and the affected property owner for Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1, at no cost.

Sample Motion

Move to approve the temporary construction easements.

RESOLUTION 2022-12

WHEREAS, temporary construction easements are required by the City of Grand Island, from an affected property owner in Capital Avenue- Moores Creek Drainway to North Road Roadway Improvements; Project No. 2020-P-1 project area:

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Starostka Group Unlimited, Inc.	<p>A TEMPORARY EASEMENT LOCATED IN PART OF THE NORTH HALF (N1/2) OF NORTHWEST QUARTER (NW1/4) OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF NORTHWEST SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°36'33"E ALONG THE EAST LINE OF SAID NORTHWEST SUBDIVISION, A DISTANCE OF 33.00 FEET; THENCE S00°25'18"E A DISTANCE OF 7.00 FEET; THENCE S89°52'56"E A DISTANCE OF 32.01 FEET TO THE POINT OF BEGINNING; THENCE S89°52'56"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF THE NW ¼ OF SAID SECTION 12, A DISTANCE OF 371.51 FEET; THENCE S00°06'28"W A DISTANCE OF 98.00 FEET; THENCE N89°53'32"W A DISTANCE OF 7.00 FEET; THENCE N00°06'28"E PARALLEL TO AND 17.00 FEET WEST OF THE WEST LINE OF LOT 1, STERLING ESTATES NINTH SUBDIVISION, A DISTANCE OF 80.00 FEET; THENCE N44°53'14"W A DISTANCE OF 14.14 FEET; THENCE N89°52'56"W PARALLEL TO AND 48.00 FEET SOUTH OF THE NORTH LINE OF THE NW ¼ OF SAID SETCION 12, A DISTANCE OF 341.72 FEET; THENCE S38°22'48"W A DISTANCE OF 52.06 FEET; THENCE N00°32'01"W A DISTANCE OF 23.88 FEET; THENCE N38°22'48"E A DISTANCE OF 31.84 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 4230 SF MORE OR LESS.</p> <p style="text-align: center;">AND</p> <p>A TEMPORARY EASEMENT LOCATED IN PART OF LOT 8, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE ON AN ASSUMED BEARING OF S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 7.08 FEET TO THE POINT OF BEGINNING; THENCE S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE N89°52'56"W A DISTANCE OF 130.12 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE N00°24'59"W ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE S89°52'56"E A DISTANCE OF 130.08 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 1,952 SF MORE OR LESS.</p>	DONATE D

Total Cost of Temporary Easements= DONATED

Approved as to Form ✕ _____ January 7, 2022 ✕ City Attorney
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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 acquire the Temporary Construction easements on the above described tracts of land, at no cost.

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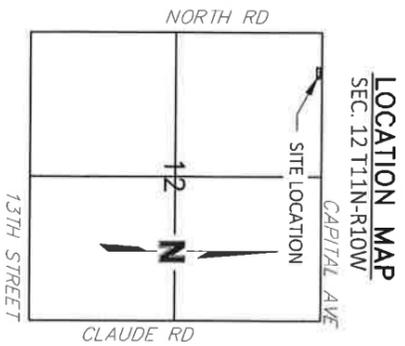
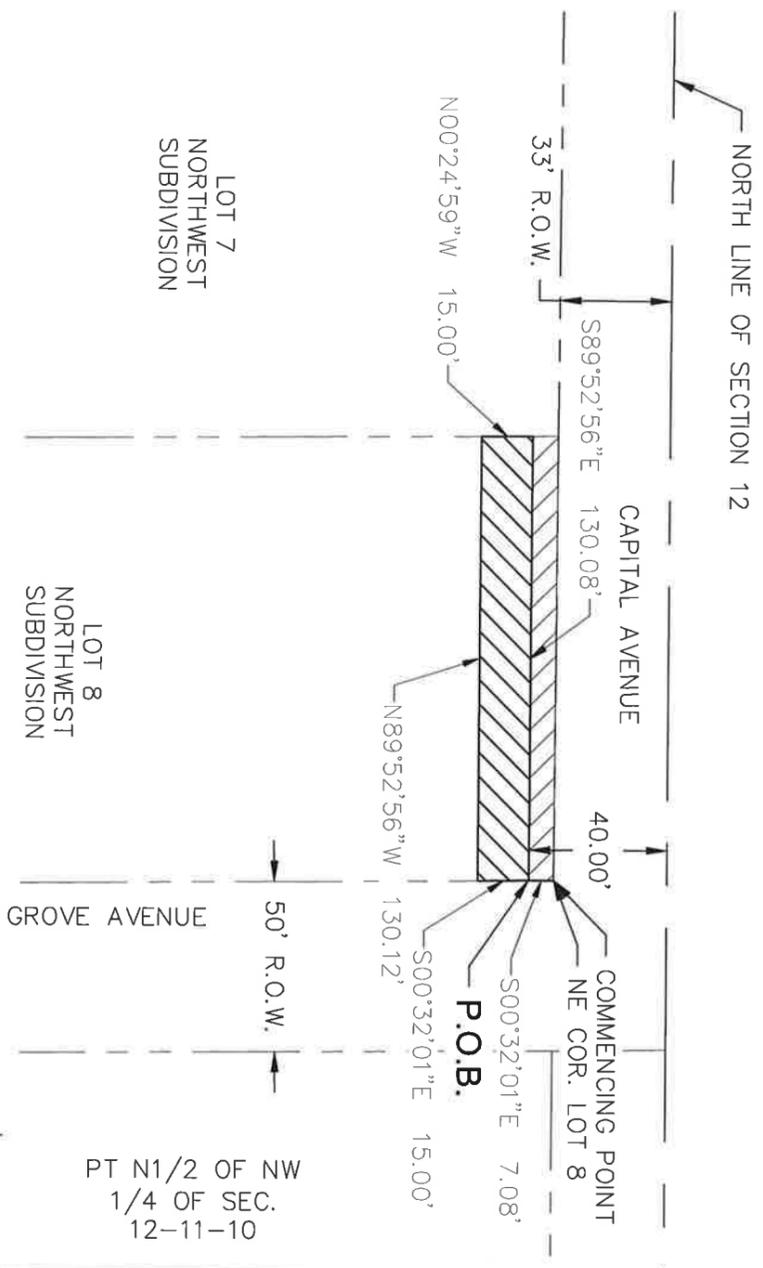
Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

TEMPORARY EASEMENT
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
 TRACT NO. 8
 CAPITAL AVENUE PAVING IMPROVEMENTS



TEMPORARY EASEMENT DESCRIPTION

A TEMPORARY EASEMENT LOCATED IN PART OF LOT 8, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE ON AN ASSUMED BEARING OF S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 7.08 FEET TO THE POINT OF BEGINNING; THENCE S00°32'01"E ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE N89°52'56"W A DISTANCE OF 130.12 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE N00°24'59"W ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET; THENCE S89°52'56"E A DISTANCE OF 130.08 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 1,952 SF MORE OR LESS.

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 DATE: Sep 08, 2021 8:21am XREFS: V_XRWAY-ROADWAY_0200583

PROJECT NO: 020-0583	TEMPORARY EASEMENT	olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				1
DATE: 9.8.2021				