



City of Grand Island

Tuesday, January 11, 2022

Council Session

Item E-4

Public Hearing on Acquisition of Public Right-of-Way 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-12.

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: Public Hearing on Acquisition of Public Right-of-Way 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.

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

Public right-of-way is needed to accommodate the roadway improvements along Capital Avenue. The property owner has 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 owner for such acquisitions.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
<p>Starostka Group Unlimited, Inc.</p>	<p>A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF (N1/2) OF THE 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:</p> <p>COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF N89°52'56"W ALONG THE NORTH LINE OF THE NW¼ OF SAID SECTION 12, A DISTANCE OF 1099.59 FEET TO THE POINT OF BEGINNING; THENCE S00°41'16"W A DISTANCE OF 40.00 FEET TO THE NORTHWEST CORNER OF LOT 1, STERLING ESTATES NINTH SUBDIVISION; THENCE N89°52'56"W PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF THE NW1/4 OF SAID SECTION 12, A DISTANCE OF 401.51 FEET; THENCE S00°32'01"E A DISTANCE OF 233.83 FEET; THENCE S89°27'59"W A DISTANCE OF 12.47 FEET; THENCE N00°25'18"W A DISTANCE OF 240.96 FEET; THENCE N00°36'33"W A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH LINE OF THE NW1/4 OF SAID SECTION 12; THENCE S89°52'56"E ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 12, A DISTANCE OF 414.41 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 19,422 SF MORE OR LESS, OF WHICH 13,663 SF IS EXISTING COUNTY ROAD RIGHT-OF-WAY.</p> <p>AND</p> <p>A TRACT OF LAND LOCATED IN LOT 8, NORTHWEST SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>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; THENCE N89°52'56"W A DISTANCE OF 130.08 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 7.49 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE S89°42'07"E ALONG THE NORTH LINE OF SAID LOT</p>	<p>DONATED</p>

	8, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, A DISTANCE OF 130.07 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 947 SF MORE OR LESS.	
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Total cost of Public Right-of-Way= 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

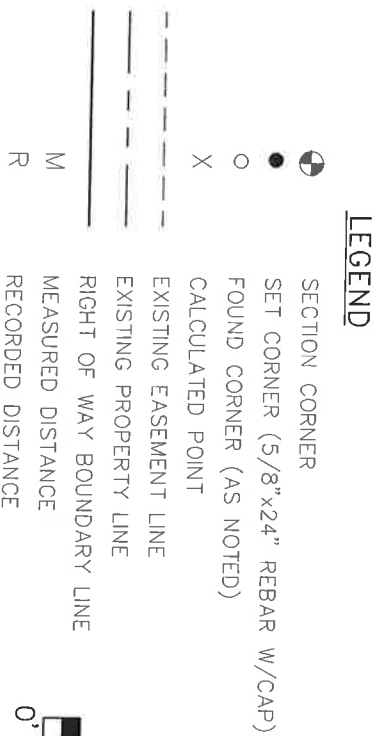
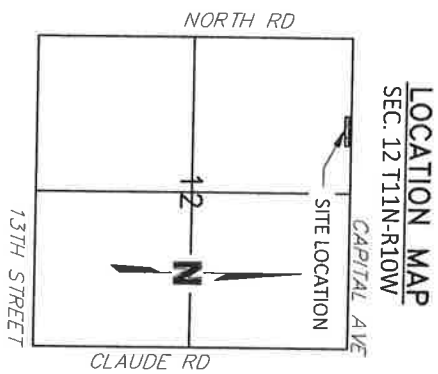
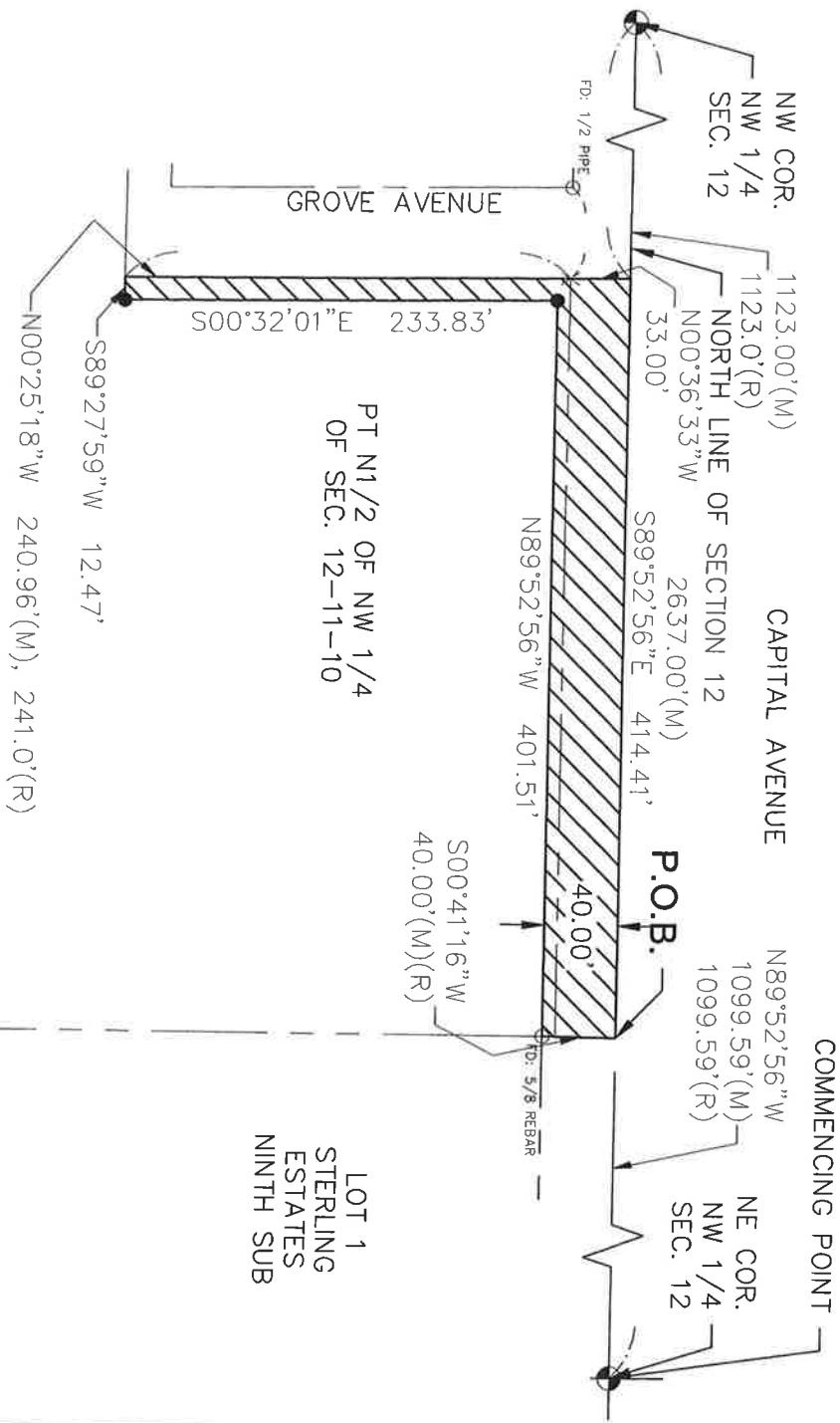
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public right-of-way from 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 acquisitions.

RIGHT-OF-WAY
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
 TRACT NO. 9
 CAPITAL AVENUE PAVING IMPROVEMENTS



DWG: C:\Temp\AcPublish_17368\09_ROW_200583.dwg USER: zloomis
 DATE: Oct 04, 2021 7:17am XREFS: V_XRWAY-ROADWAY_0200583 V_XTOPO_0200583

PROJECT NO: 020-0583
 DRAWN BY: LS
 DATE: 9.17.2021

RIGHT-OF-WAY

olsson
 201 East 2nd Street
 Grand Island, NE 68801
 TEL. 308.384.8750

EXHIBIT
 1

RIGHT-OF-WAY
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
 TRACT NO. 9
 CAPITAL AVENUE PAVING IMPROVEMENTS

RIGHT-OF-WAY DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF (N1/2) OF THE 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 THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF N89°52'56"W ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 12, A DISTANCE OF 1099.59 FEET TO THE POINT OF BEGINNING; THENCE S00°41'16"W A DISTANCE OF 40.00 FEET TO THE NORTHWEST CORNER OF LOT 1, STERLING ESTATES NINTH SUBDIVISION; THENCE N89°52'56"W PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 12, A DISTANCE OF 401.51 FEET; THENCE S00°32'01"E A DISTANCE OF 233.83 FEET; THENCE S89°27'59"W A DISTANCE OF 12.47 FEET; THENCE N00°25'18"W A DISTANCE OF 240.96 FEET; THENCE N00°36'33"W A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 12; THENCE S89°52'56"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 12, A DISTANCE OF 414.41 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 19,422 SF MORE OR LESS, OF WHICH 13,663 SF IS EXISTING COUNTY ROAD RIGHT-OF-WAY.

SECTION TIES

NW COR. NW 1/4 SEC. 12 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

NE COR OF NW 1/4 SEC. 12 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 _____ UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF SECTION 12, 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.

JAI JASON ANDRIST
 NEBRASKA REGISTERED LAND SURVEYOR NO. LS-630

DWG: C:\Temp\AcPublish_17368\09_ROW_200583.dwg USER: zloomis
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RIGHT-OF-WAY

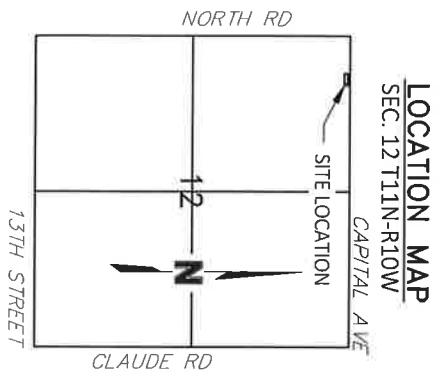
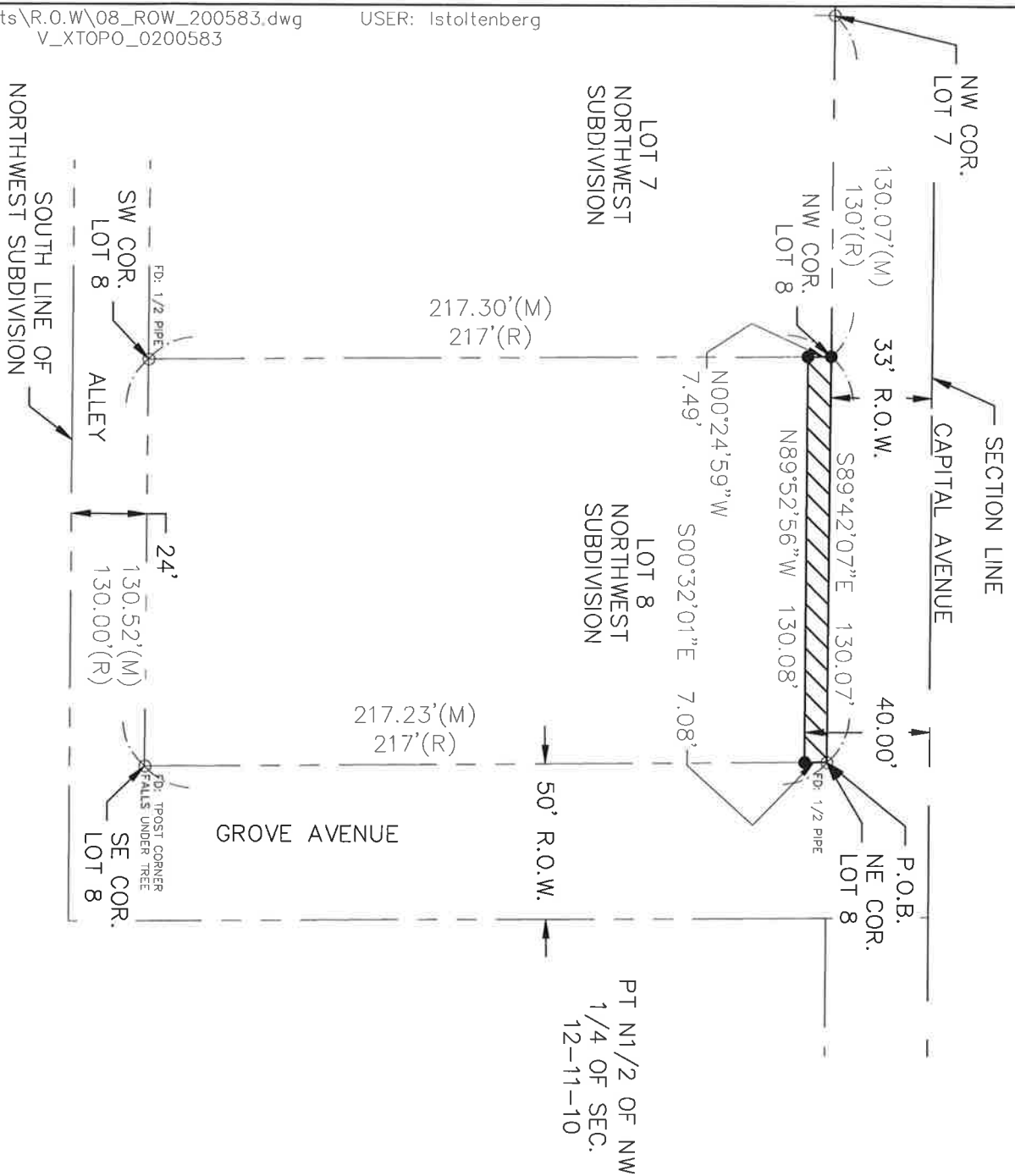
Olsson

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 TEL 308.384.8750

EXHIBIT

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RIGHT-OF-WAY
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 TRACT NO. 8
 CAPITAL AVENUE PAVING IMPROVEMENTS



DWG: F:\2020\0501-1000\020-0583\40-Design\Exhibits\ROW & Easements\R.O.W\08_ROW_200583.dwg USER: Istoltenberg
 DATE: Sep 08, 2021 8:20am XREFS: V_XRWAY-ROADWAY_0200583 V_XTOPO_0200583

PROJECT NO: 020-0583
 DRAWN BY: LS
 DATE: 9.8.2021

RIGHT OF WAY

Olsson
 201 East 2nd Street
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EXHIBIT
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RIGHT-OF-WAY
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
 TRACT NO. 8
 CAPITAL AVENUE PAVING IMPROVEMENTS

RIGHT-OF-WAY DESCRIPTION

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 JAI JASON ANDRIST
 NEBRASKA REGISTERED LAND SURVEYOR NO. LS-630

USER: Istoltenberg

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