



# City of Grand Island

Tuesday, September 13, 2022

Council Session

## Item G-19

**#2022-250 - Approving Temporary Construction Easement for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4 (Staab Brothers Partnership- 1810 N Diers Avenue)**

Staff Contact: Keith Kurz PE, Interim Public Works Director

# Council Agenda Memo

**From:** Keith Kurz PE, Interim Public Works Director

**Meeting:** September 13, 2022

**Subject:** Approving Temporary Construction Easement for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4 (Staab Brothers Partnership- 1810 N Diers Avenue)

**Presenter(s):** Keith Kurz PE, Interim Public Works Director

## Background

The Claud Road; Faidley Avenue to State Street project is for the addition and improvement of several roadways in the City of Grand Island. It is anticipated that these projects will occur over several years at a pace dictated by budgets, development growth and need. A Claude Road extension from just north of Faidley Avenue to State Street is the major focus of this project. It is desired to build this roadway and several connections to Diers Avenue guided by an existing City of Grand Island concept plan. This project will allow for improvements to the Diers Avenue corridor intended to control access and improve traffic performance and safety. These Diers Avenue improvements are the second component to this project. Also associated with this project is the potential for improvements to the Highway 281 and 30 corridors adjacent to the other project areas. These improvements would focus on creating north and southbound left-turn lane offsets as well as right turn lanes to exit from the highway. This portion of the project would involve potential application of NDOT safety funds and would involve coordination with NDOT throughout the project.

The Public Works Department is proposing a concrete curb and gutter roadway section along with sidewalk, traffic control, drainage and all other associated improvements needed to complete the project.

A temporary construction easement is needed to accommodate the construction activities for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4, which must be approved by City Council. The temporary construction easement will allow for the roadway improvements to this area.

A sketch is attached to show the temporary construction easement area.

## Discussion

A temporary construction easement is needed for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4 to be constructed.

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

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
STAAB BROTHERS PARTNERSHIP	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF A PARCEL DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 93-108517, BEING LOT 3 AND THE NORTH 140 FEET OF LOT 4 OF TOUKAN SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN INSTRUMENT NO. 93-108517; THENCE ON AN ASSUMED BEARING OF N00°35'21"W ALONG THE WEST LINE OF SAID PARCEL TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH LINE OF PROPOSED ROAD RIGHT-OF-WAY (R.O.W.), SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE N00°35'21"W A DISTANCE OF 28.87 FEET; THENCE N89°28'55"E A DISTANCE OF 215.07 FEET; THENCE N00°27'56"E A DISTANCE OF 29.87 FEET; THENCE S89°32'04"E A DISTANCE OF 69.49 FEET TO A POINT ON THE WEST R.O.W. LINE OF DIERS AVENUE; THENCE ALONG SAID WEST R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 280.00 FEET, A DELTA ANGLE OF 07°23'44", AN ARC LENGTH OF 36.14 FEET AND A CHORD BEARING S17°22'16"E FOR A DISTANCE OF 36.12 FEET TO THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE S46°35'31"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 21.08 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S76°35'31"W A DISTANCE OF 8.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID NORTH LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 12°53'24", AN ARC LENGTH OF 48.37 FEET AND A CHORD BEARING S83°02'13"W FOR A DISTANCE OF 48.27 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°28'55"W A DISTANCE OF 196.13 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG</p>	\$44,710.00

	SAID NORTH LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 285.00 FEET, A DELTA ANGLE OF 05°37'03", AN ARC LENGTH OF 27.94 FEET AND A CHORD BEARING S86°40'23"W FOR A DISTANCE OF 27.93 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 9,926 SQUARE FEET MORE OR LESS.	
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*Total= \$44,710.00*

### **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 approve the Temporary Construction Easement between the City of Grand Island and the affected property owner for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4, in the total amount of \$44,710.00.

### **Sample Motion**

Move to approve the temporary construction easement.

RESOLUTION 2022-250

WHEREAS, a temporary construction easement is required by the City of Grand Island, from property described below to construct Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4:

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
STAAB BROTHERS PARTNERSHIP	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF A PARCEL DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 93-108517, BEING LOT 3 AND THE NORTH 140 FEET OF LOT 4 OF TOUKAN SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN INSTRUMENT NO. 93-108517; THENCE ON AN ASSUMED BEARING OF N00°35'21"W ALONG THE WEST LINE OF SAID PARCEL TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH LINE OF PROPOSED ROAD RIGHT-OF-WAY (R.O.W.), SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE N00°35'21"W A DISTANCE OF 28.87 FEET; THENCE N89°28'55"E A DISTANCE OF 215.07 FEET; THENCE N00°27'56"E A DISTANCE OF 29.87 FEET; THENCE S89°32'04"E A DISTANCE OF 69.49 FEET TO A POINT ON THE WEST R.O.W. LINE OF DIERS AVENUE; THENCE ALONG SAID WEST R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 280.00 FEET, A DELTA ANGLE OF 07°23'44", AN ARC LENGTH OF 36.14 FEET AND A CHORD BEARING S17°22'16"E FOR A DISTANCE OF 36.12 FEET TO THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE S46°35'31"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 21.08 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S76°35'31"W A DISTANCE OF 8.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID NORTH LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 12°53'24", AN ARC LENGTH OF 48.37 FEET AND A CHORD BEARING S83°02'13"W FOR A DISTANCE OF 48.27 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°28'55"W A DISTANCE OF 196.13 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID NORTH LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 285.00 FEET, A DELTA ANGLE OF 05°37'03", AN ARC LENGTH OF 27.94 FEET AND A CHORD BEARING S86°40'23"W FOR A DISTANCE OF 27.93 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 9,926 SQUARE FEET MORE OR LESS.</p>	\$44,710.00

**Total= \$44,710.00**

Approved as to Form <input type="checkbox"/> _____ September 9, 2022 <input type="checkbox"/> City Attorney
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WHEREAS, such Temporary Construction easement has 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 compensate the affected property owner for the Temporary Construction easement on the above described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 13, 2022.

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Roger G. Steele, Mayor

Attest:

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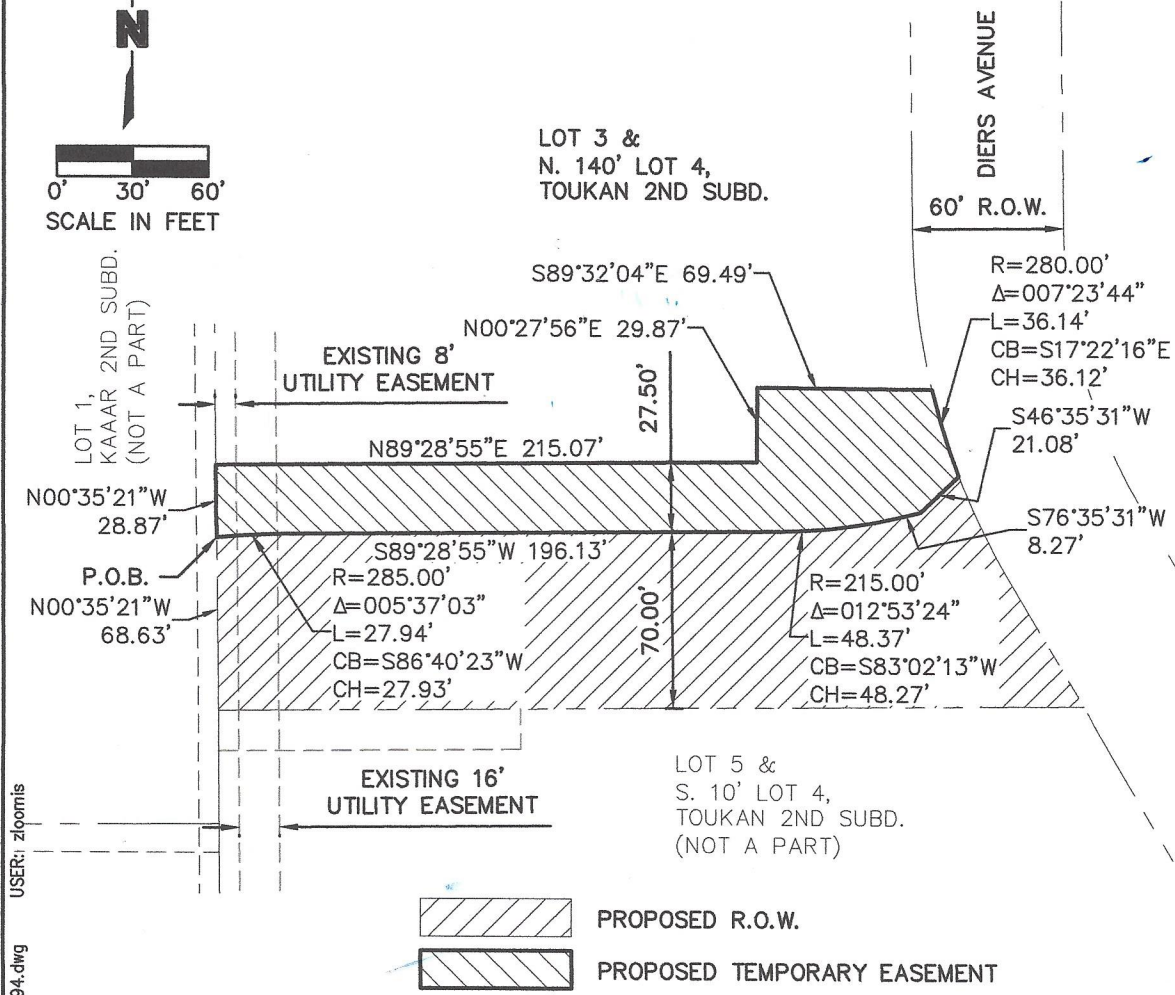
RaNae Edwards, City Clerk

# TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

TRACT NO. 7

DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS



USER: zlpomis  
 DWG: F:\2021\07001-07500\021-07494-40-Design\Exhibits\ROW & Easement Exhibits\TRACT 7 TE\_02107494.dwg  
 DATE: May 05, 2022 6:58am  
 XREFS: V\_XRWAY\_LDP\_02107494

## EASEMENT DESCRIPTION

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