



# City of Grand Island

Tuesday, September 13, 2022

Council Session

## Item E-3

**Public Hearing on Acquisition of Public Right-of-Way for Claude Road; Faidley Avenue to State Street; Project No. 2022-P-4 (Staab Brothers Partnership- 1810 N Diers Avenue)**

*Council action will take place under Consent item G-18.*

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

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 right-of-way is needed to accommodate one of the connections from Diers Avenue to the new Claude Road section. The property owner has signed the necessary documents to grant the property, as shown on the attached drawing.

Engineering staff of the Public Works Department negotiated with the property owner for such purchase.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
<p>Staab Brothers Partnership</p>	<p>A TRACT OF LAND 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:            COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED IN INSTRUMENT NO. 93-108517, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF DIERS AVENUE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°28'55"W ALONG THE SOUTH LINE OF SAID PARCEL A DISTANCE OF 344.28 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE N00°35'21"W ALONG THE WEST LINE OF SAID PARCEL A DISTANCE OF 68.63 FEET; THENCE ALONG A CURVE IN A 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 N86°40'23"E FOR A DISTANCE OF 27.93 FEET; THENCE N89°28'55"E ALONG A LINE BEING 70.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID PARCEL A DISTANCE OF 196.13 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER 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 N83°02'13"E FOR A DISTANCE OF 48.27 FEET; THENCE N76°35'31"E A DISTANCE OF 8.27 FEET; THENCE N46°35'31"E A DISTANCE OF 21.08 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 09°26'41", AN ARC LENGTH OF 46.16 FEET AND A CHORD BEARING S25°47'28"E FOR A DISTANCE OF 46.10 FEET; THENCE CONTINUING ALONG SAID WEST R.O.W. LINE S30°49'40"E A DISTANCE OF 57.82 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 23,122 SQUARE FEET MORE OR LESS.</p>	<p>\$234,460.00</p>

**Total= \$234,460.00**

**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 acquisitions of the public right-of-way from the affected property owner, in the total amount of \$234,460.00.

### **Sample Motion**

Move to approve the acquisitions.

# RIGHT-OF-WAY

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 7  
DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS

LOT 2,  
TOUKAN 2ND SUBD.  
(NOT A PART)

LOT 3 & N. 140' LOT 4,  
TOUKAN 2ND SUBD.  
INST. NO. 93-108517

R=280.00'(M&P)  
Δ=029°59'26"  
L=146.56'(M), 146.61'(P)  
CB=S15°31'06"E  
CH=144.89'(M), 144.94'(P)

N46°35'31"E 21.08'  
N76°35'31"E 8.27'

R=285.00'  
Δ=005°37'03"  
L=27.94'  
CB=N86°40'23"E  
CH=27.93'

R=215.00'  
Δ=012°53'24"  
L=48.37'  
CB=N83°02'13"E  
CH=48.27'

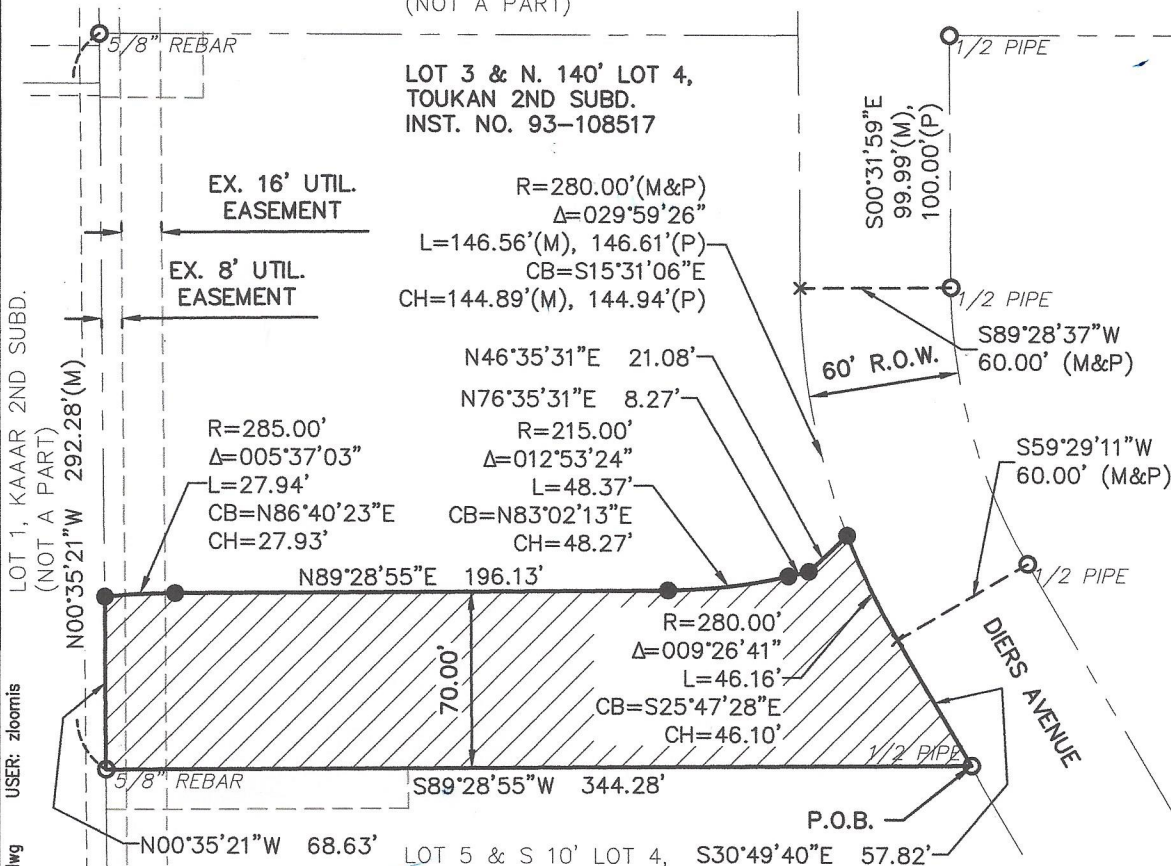
N89°28'55"E 196.13'

R=280.00'  
Δ=009°26'41"  
L=46.16'  
CB=S25°47'28"E  
CH=46.10'

S89°28'55"W 344.28'

N00°35'21"W 68.63'

LOT 5 & S 10' LOT 4,  
TOUKAN 2ND SUBD.  
(NOT A PART)  
S30°49'40"E 57.82'



LOT 1, KAAAR 2ND SUBD. (NOT A PART)  
N00°35'21"W 292.28'(M)  
N00°35'21"W 68.63'  
5/8" REBAR  
5/8" REBAR  
USER: zboomis

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DATE: May 04, 2022 12:53pm  
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### LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- X CALCULATED POINT
- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
- RIGHT OF WAY BOUNDARY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE



**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. 7

DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS

## LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF A PARCEL DESCRIBED IN WARRANTY DEED INST. 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:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED IN INST. NO. 93-108517, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF DIERS AVENUE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°28'55"W ALONG THE SOUTH LINE OF SAID PARCEL A DISTANCE OF 344.28 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE N00°35'21"W ALONG THE WEST LINE OF SAID PARCEL A DISTANCE OF 68.63 FEET; THENCE ALONG A CURVE IN A 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 N86°40'23"E FOR A DISTANCE OF 27.93 FEET; THENCE N89°28'55"E ALONG A LINE BEING 70.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID PARCEL A DISTANCE OF 196.13 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER 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 N83°02'13"E FOR A DISTANCE OF 48.27 FEET; THENCE N76°35'31"E A DISTANCE OF 8.27 FEET; THENCE N46°35'31"E A DISTANCE OF 21.08 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 09°26'41", AN ARC LENGTH OF 46.16 FEET AND A CHORD BEARING S25°47'28"E FOR A DISTANCE OF 46.10 FEET; THENCE CONTINUING ALONG SAID WEST R.O.W. LINE S30°49'40"E A DISTANCE OF 57.82 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 23,122 SQUARE FEET MORE OR LESS.

## 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 LOT 3 AND THE NORTH 140 FEET OF LOT 4 OF TOUKAN SUBDIVISION, 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

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V\_XTOPO\_LDP\_02107494  
USER: zibornis

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EXHIBIT
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