



City of Grand Island

Tuesday, September 27, 2022

Council Session

Item G-6

#2022-263 - Approving Temporary Construction Easement for Circle Drive Drainage Improvements; Project No. 2022-D-1 (Michael & Jean Wilson and LA Rentals, LLC)

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Interim Public Works Director

Meeting: September 27, 2022

Subject: Approving Temporary Construction Easement for Circle Drive Drainage Improvements; Project No. 2022-D-1 (Michael & Jean Wilson and LA Rentals, LLC)

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

Background

On March 8, 2022 Street Improvement District No. 1266; Circle Drive, which consists of the northwest area of Stewart Place Subdivision was presented to City Council for creation. Upon Council discussion Public Works was directed to design, bid and construct this paving and drainage improvement at City cost, rather than through the assessment district.

Temporary construction easements are needed to accommodate the construction activities for Circle Drive Drainage Improvements; Project No. 2022-D-1, which must be approved by City Council. The temporary construction easements will allow for the roadway improvements to this area.

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

Discussion

Temporary construction easements are needed for Circle Drive Drainage Improvements; Project No. 2022-D-1 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>
Michael R Wilson and Jean A Wilson	A PARCEL OF LAND LOCATED IN LOTS 10 AND 11, BLOCK 1, STEWART PLACE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHEAST CORNER OF LOT 11, BLOCK 1, STEWART PLACE SUBDIVISION; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 11, A DISTANCE OF 53 FEET;

	<p>MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 78-002917; THENCE N00°03'12"E (ASSUMED BEARING) CONTINUING ON THE EAST LINE OF SAID LOT 11, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING; THENCE N88°39'25"W, PARALLEL WITH AND 18.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 57.97 FEET TO THE WEST LINE OF SAID PARCEL; THENCE N00°02'56"E ON SAID WEST LINE, A DISTANCE OF 14.00 FEET; THENCE S88°39'25"E, PARALLEL WITH AND 32.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 28.00 FEET; THENCE N01°20'35"E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 11.00 FEET; THENCE S88°39'25"E, PARALLEL WITH AND 43.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 40.00 FEET; THENCE S01°15'58"W, A DISTANCE OF 12.89 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE N88°39'25"W ON SAID SOUTH LINE, A DISTANCE OF 10.00 FEET; THENCE S00°03'12"W ON THE EAST LINE OF SAID LOTS 10 AND 11, A DISTANCE OF 12.11 FEET TO THE POINT OF BEGINNING, CONTAINING 1270 SQUARE FEET, MORE OR LESS.</p>
<p>LA Rentals, LLC</p>	<p>A PARCEL OF LAND LOCATED IN LOT 11, BLOCK 1, STEWART PLACE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 11, BOCK 1, STEWART PLACE SUBDIVISION; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 11, A DISTANCE OF 50 FEET; MORE OR LESS TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 2018-07816; THENCE N00°01'10"E (ASSUMED BEARING) CONTINUING ON SAID WEST LINE, A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING; THENCE S88°45'38"E, PARALLEL WITH AND 21.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 91.91 FEET TO THE EAST LINE OF SAID PARCEL; THENCE N00°02'56"E ON SAID EAST LINE, A DISTANCE OF 14.00 FEET; THENCE N88°45'38"W, PARALLEL WITH AND 35.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 62.00 FEET; THENCE S01°14'22"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 9.00 FEET; THENCE N88°45'38"W, PARALLEL WITH AND 26.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 29.73 FEET TO SAID WEST LINE; THENCE S00°01'10"W ON SAID WEST LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1018 SQUARE FEET, MORE OR LESS.</p>

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 Easements between the City of Grand Island and the affected property owners for Circle Drive Drainage Improvements; Project No. 2022-D-1, at no cost to the City.

Sample Motion

Move to approve the temporary construction easements.

RESOLUTION 2022-263

WHEREAS, temporary construction easements are required by the City of Grand Island, from property described below to construct Circle Drive Drainage Improvements; Project No. 2022-D-1:

<i>Property Owner</i>	<i>Legal Description</i>
Michael R Wilson and Jean A Wilson	A PARCEL OF LAND LOCATED IN LOTS 10 AND 11, BLOCK 1, STEWART PLACE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHEAST CORNER OF LOT 11, BLOCK 1, STEWART PLACE SUBDIVISION; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 11, A DISTANCE OF 53 FEET; MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 78-002917; THENCE N00°03'12"E (ASSUMED BEARING) CONTINUING ON THE EAST LINE OF SAID LOT 11, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING; THENCE N88°39'25"W, PARALLEL WITH AND 18.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 57.97 FEET TO THE WEST LINE OF SAID PARCEL; THENCE N00°02'56"E ON SAID WEST LINE, A DISTANCE OF 14.00 FEET; THENCE S88°39'25"E, PARALLEL WITH AND 32.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 28.00 FEET; THENCE N01°20'35"E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 11.00 FEET; THENCE S88°39'25"E, PARALLEL WITH AND 43.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 40.00 FEET; THENCE S01°15'58"W, A DISTANCE OF 12.89 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE N88°39'25"W ON SAID SOUTH LINE, A DISTANCE OF 10.00 FEET; THENCE S00°03'12"W ON THE EAST LINE OF SAID LOTS 10 AND 11, A DISTANCE OF 12.11 FEET TO THE POINT OF BEGINNING, CONTAINING 1270 SQUARE FEET, MORE OR LESS.
LA Rentals, LLC	A PARCEL OF LAND LOCATED IN LOT 11, BLOCK 1, STEWART PLACE SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 11, BOCK 1, STEWART PLACE SUBDIVISION; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 11, A DISTANCE OF 50 FEET; MORE OR LESS TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 2018-07816; THENCE N00°01'10"E (ASSUMED BEARING) CONTINUING ON SAID WEST LINE, A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING; THENCE S88°45'38"E, PARALLEL WITH AND 21.00 FEET DISTANT FROM THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 91.91 FEET TO THE EAST LINE OF SAID PARCEL; THENCE N00°02'56"E ON SAID EAST LINE, A

Approved as to Form ✕ _____ September 23, 2022 ✕ City Attorney

	DISTANCE OF 14.00 FEET; THENCE N88°45'38"W, PARALLEL WITH AND 35.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 62.00 FEET; THENCE S01°14'22"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 9.00 FEET; THENCE N88°45'38"W, PARALLEL WITH AND 26.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 29.73 FEET TO SAID WEST LINE; THENCE S00°01'10"W ON SAID WEST LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1018 SQUARE FEET, MORE OR LESS.
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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 compensate the affected property owners for the Temporary Construction easements on the above described tracts of land.

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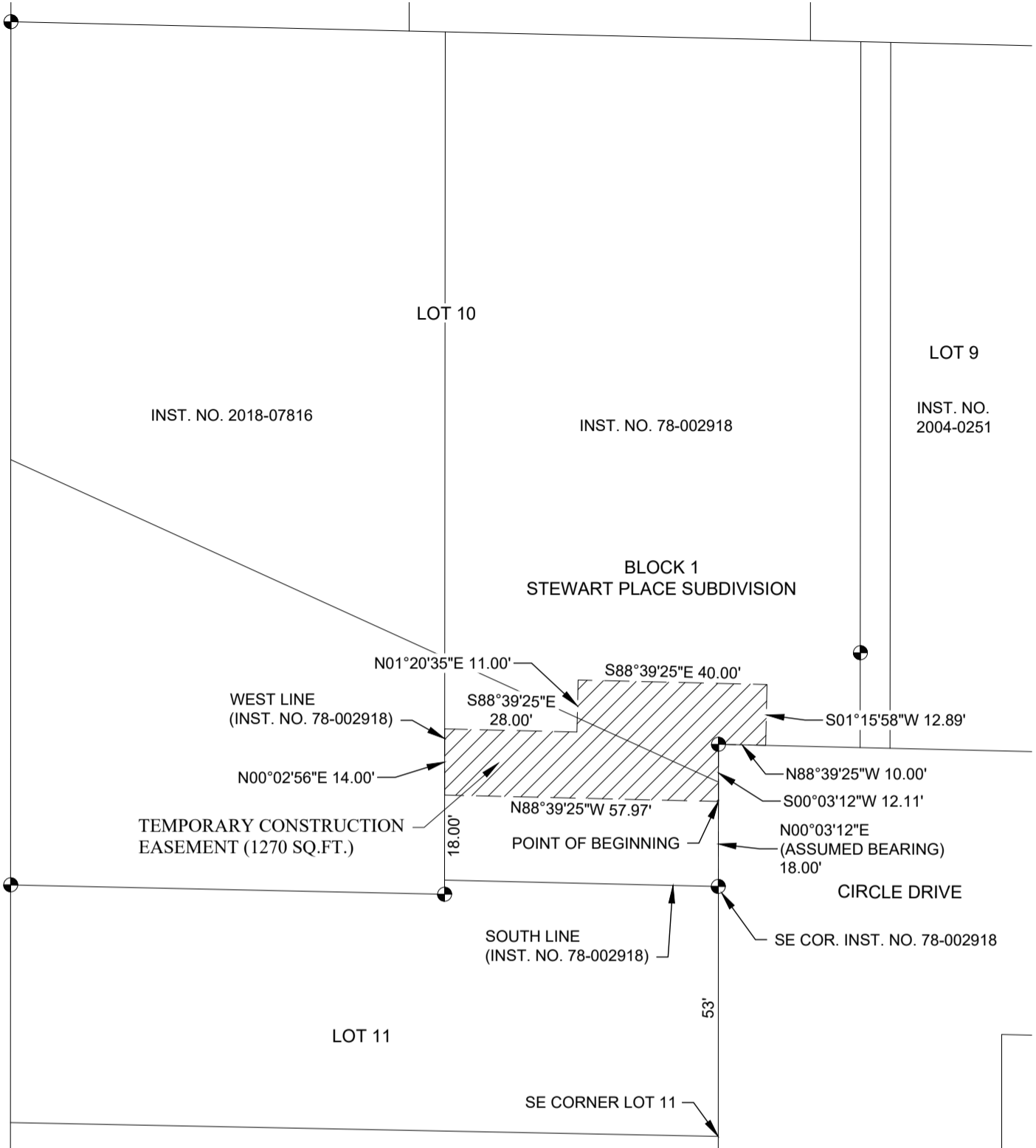
Adopted by the City Council of the City of Grand Island, Nebraska, September 27, 2022.

Roger G. Steele, Mayor

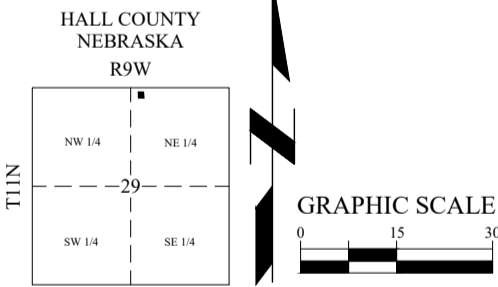
Attest:

RaNae Edwards, City Clerk

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



VICINITY SKETCH



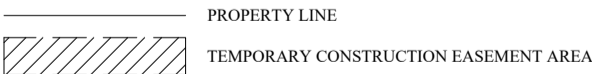
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NOTE: ALL BEARINGS ARE ASSUMED.

LEGEND

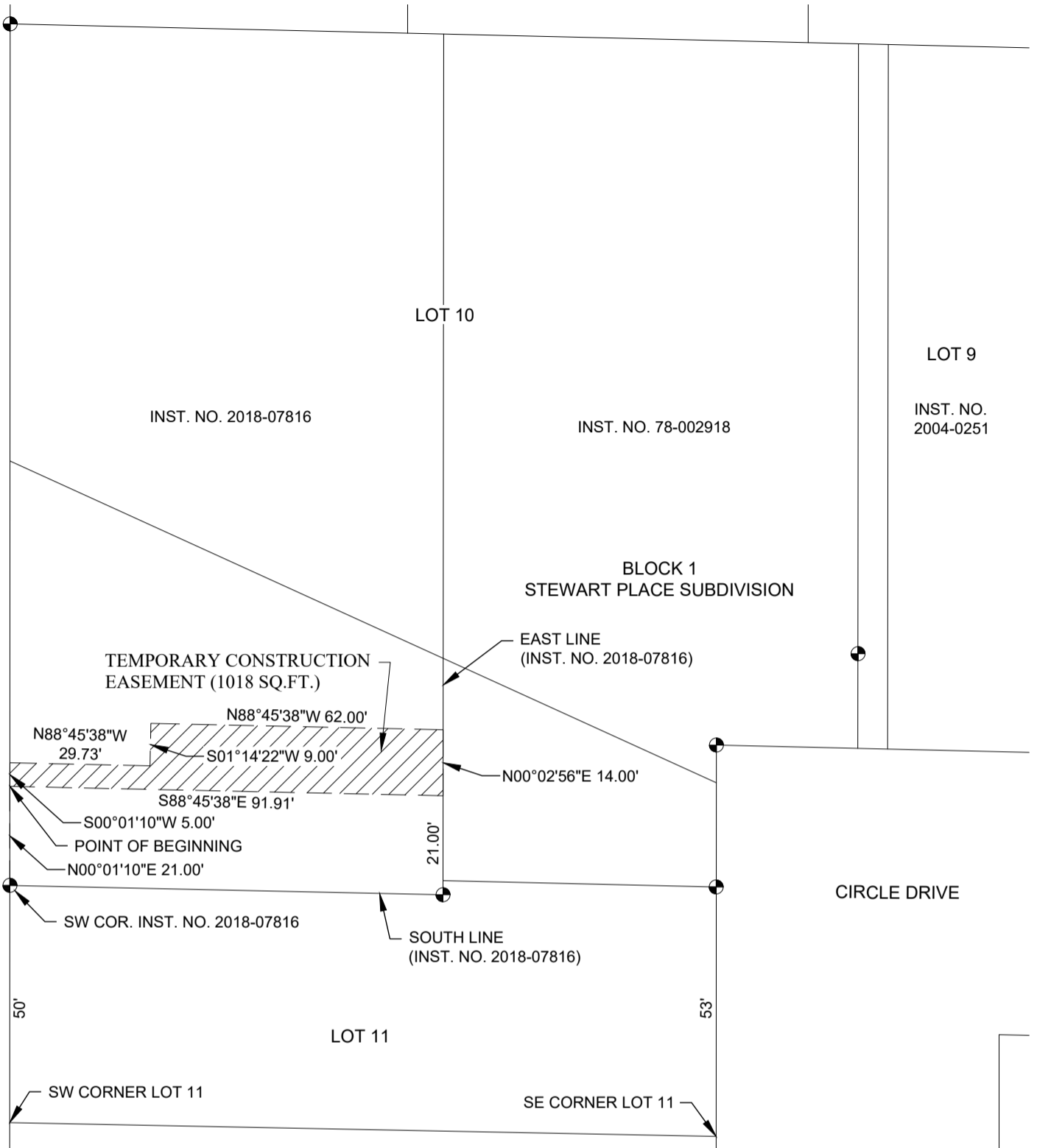
- MONUMENT FOUND
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- CALCULATED POINT
- D DEEDED DISTANCE
- G GOVERNMENT DISTANCE
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- R RECORDED DISTANCE



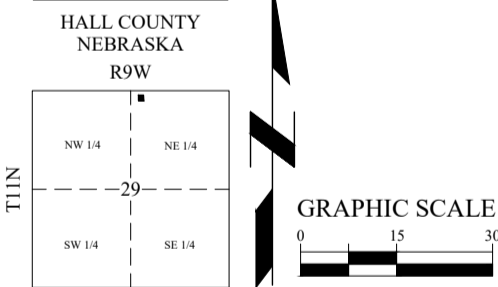
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JOB NO.	R201607
FIELD BOOK	GRAND ISLAND #9
FIELD WORK	BS
SHEET	1 OF 1
TRACT NO.	2

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TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



VICINITY SKETCH



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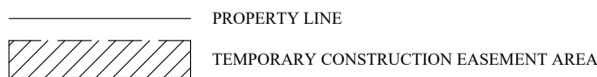
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