



# City of Grand Island

Tuesday, March 28, 2023

Council Session

## Item G-15

**#2023-83 - Approving Temporary Construction Easements for 18th Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 (PIC Development of Grand Island, LLC- 1709, 1804, 1809 and 1904 Aspen Circle)**

Staff Contact: Keith Kurz PE, Interim Public Works Director

# Council Agenda Memo

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

**Meeting:** March 28, 2023

**Subject:** Approving Temporary Construction Easements for 18<sup>th</sup> Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 (PIC Development of Grand Island, LLC-1709, 1804, 1809 and 1904 Aspen Circle)

**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. The Diers Avenue improvements would be 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 could involve potential application of NDOT safety funds and would involve coordination with NDOT throughout the project.

Construction of 18<sup>th</sup> Street, from Diers Avenue to Claude Road is the first improvement with the Claude Road project. On January 24, 2023, via Resolution No. 2023-21, City Council approved the bid award of 18<sup>th</sup> Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 to The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$1,149,288.25.

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 sketch is attached to show the temporary construction easement areas.

## Discussion

Temporary construction easements are needed for the new 18<sup>th</sup> Street, which is scheduled to be built this coming spring, from the proposed Claude Road to Diers Avenue.

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>Cost</i>
PIC Development of Grand Island, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 3 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 5.00 FEET OF SAID LOT 3. SAID TEMPORARY EASEMENT CONTAINS 931 SQUARE FEET MORE OR LESS.	\$515.00
PIC Development of Grand Island, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 10 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°03'00"E ALONG THE EAST LINE OF SAID LOT 10 A DISTANCE OF 152.74 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE ALONG SAID NORTH LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 42°47'55", AN ARC LENGTH OF 160.60 FEET AND A CHORD BEARING S68°32'33"W FOR A DISTANCE OF 156.89 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°56'31"W A DISTANCE OF 73.46 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N58°59'10"W A DISTANCE OF 17.13 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EASTERLY R.O.W. LINE OF ASPEN CIRCLE; THENCE ALONG SAID EASTERLY LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 23°55'37", AN ARC LENGTH OF 29.23 FEET AND A CHORD BEARING N11°51'16"W FOR A DISTANCE OF 29.02 FEET; THENCE CONTINUING ALONG SAID EASTERLY LINE N00°03'21"W A DISTANCE OF 81.06 FEET; THENCE N89°59'00"E A DISTANCE OF 235.14 FEET; THENCE N00°03'00"W A DISTANCE OF 91.70 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 10; THENCE N89°55'43"E ALONG SAID NORTH LINE A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 26,073 SQUARE FEET MORE OR LESS.	\$36,520.00

<p>PIC Development of Grand Island, LLC</p>	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF N00°04'19"W ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 168.03 FEET 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 OF LOT 1 N00°04'19"W A DISTANCE OF 9.93 FEET; THENCE N89°56'21"E A DISTANCE OF 5.00 FEET; THENCE S00°04'19"E A DISTANCE OF 9.93 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 115.00 FEET, A DELTA ANGLE OF 33°30'35", AN ARC LENGTH OF 67.26 FEET AND A CHORD BEARING S16°49'36"E FOR A DISTANCE OF 66.30 FEET; THENCE S33°31'44"E A DISTANCE OF 5.07 FEET; THENCE S75°00'18"E A DISTANCE OF 10.46 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 295.00 FEET, A DELTA ANGLE OF 19°24'41", AN ARC LENGTH OF 99.94 FEET AND A CHORD BEARING N74°20'50"E FOR A DISTANCE OF 99.47 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE S00°35'21"E ALONG SAID EAST LINE A DISTANCE OF 10.05 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE ALONG SAID NORTH LINE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 285.00 FEET, A DELTA ANGLE OF 18°20'07", AN ARC LENGTH OF 91.20 FEET AND A CHORD BEARING S74°41'48"W FOR A DISTANCE OF 90.81 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N84°41'30"W A DISTANCE OF 11.48 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EAST LINE OF PROPOSED ROAD R.O.W.; THENCE N33°31'44"W ALONG SAID EAST LINE A DISTANCE OF 11.48 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 120.00 FEET, A DELTA ANGLE OF 33°30'35", AN ARC LENGTH OF 70.18 FEET AND A CHORD BEARING N16°49'36"W FOR A DISTANCE OF 69.19 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 1,493 SQUARE FEET MORE OR LESS.</p>	<p>\$28,820.00</p>
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<p>PIC Development of Grand Island, LLC</p>	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 3 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  COMMENCING AT A NORTHEASTERLY CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°04'14"E ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 5.64 FEET; THENCE S89°56'31"W A DISTANCE OF 202.32 FEET; THENCE S00°35'44"E A DISTANCE OF 214.85 FEET; THENCE N89°57'44"E A DISTANCE OF 35.00 FEET; THENCE S00°35'44"E A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3, THENCE S89°57'44"W ALONG SAID SOUTH LINE A DISTANCE OF 55.00 FEET; THENCE N00°35'44"W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 232.84 FEET TO A POINT ON A SOUTHERLY LINE OF PROPOSED ROAD R.O.W.; THENCE N44°39'42"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 21.11 FEET; THENCE N89°56'31"E ALONG A SOUTHERLY LINE OF SAID PROPOSED ROAD R.O.W. A DISTANCE OF 203.84 FEET TO A POINT ON THE SOUTHWESTERLY R.O.W. LINE OF ASPEN CIRCLE; THENCE ALONG SAID SOUTHWESTERLY R.O.W. LINE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 01°52'55", AN ARC LENGTH OF 4.27 FEET AND A CHORD BEARING S56°30'52"E FOR A DISTANCE OF 4.27 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 7334 SQUARE FEET MORE OR LESS.</p>	<p>\$35,510.00</p>
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*Total= \$101,365.00*

### 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 Easements between the City of Grand Island and the affected property owner for 18<sup>th</sup>

Street- Moores Creek Drainway to Diers Avenu; Project No. 2022-P-8, in the total amount of \$101,365.00.

**Sample Motion**

Move to approve the temporary construction easements.

RESOLUTION 2023-83

WHEREAS, temporary construction easements are required by the City of Grand Island, from property described below to construct 18<sup>th</sup> Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8:

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
PIC Development of Grand Island, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 3 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 5.00 FEET OF SAID LOT 3. SAID TEMPORARY EASEMENT CONTAINS 931 SQUARE FEET MORE OR LESS.	\$515.00
PIC Development of Grand Island, LLC	A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 10 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°03'00"E ALONG THE EAST LINE OF SAID LOT 10 A DISTANCE OF 152.74 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE ALONG SAID NORTH LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 42°47'55", AN ARC LENGTH OF 160.60 FEET AND A CHORD BEARING S68°32'33"W FOR A DISTANCE OF 156.89 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°56'31"W A DISTANCE OF 73.46 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N58°59'10"W A DISTANCE OF 17.13 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EASTERLY R.O.W. LINE OF ASPEN CIRCLE; THENCE ALONG SAID EASTERLY LINE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 23°55'37", AN ARC LENGTH OF 29.23 FEET AND A CHORD BEARING N11°51'16"W FOR A DISTANCE OF 29.02 FEET; THENCE CONTINUING ALONG SAID EASTERLY LINE N00°03'21"W A DISTANCE OF 81.06 FEET; THENCE N89°59'00"E A DISTANCE OF 235.14 FEET; THENCE N00°03'00"W A DISTANCE OF 91.70 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 10; THENCE N89°55'43"E ALONG SAID NORTH LINE A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 26,073 SQUARE FEET MORE OR LESS.	\$36,520.00
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Approved as to Form March 24, 2023	<input type="checkbox"/> _____ <input type="checkbox"/> City Attorney
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	<p>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 OF LOT 1 N00°04'19"W A DISTANCE OF 9.93 FEET; THENCE N89°56'21"E A DISTANCE OF 5.00 FEET; THENCE S00°04'19"E A DISTANCE OF 9.93 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 115.00 FEET, A DELTA ANGLE OF 33°30'35", AN ARC LENGTH OF 67.26 FEET AND A CHORD BEARING S16°49'36"E FOR A DISTANCE OF 66.30 FEET; THENCE S33°31'44"E A DISTANCE OF 5.07 FEET; THENCE S75°00'18"E A DISTANCE OF 10.46 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 295.00 FEET, A DELTA ANGLE OF 19°24'41", AN ARC LENGTH OF 99.94 FEET AND A CHORD BEARING N74°20'50"E FOR A DISTANCE OF 99.47 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE S00°35'21"E ALONG SAID EAST LINE A DISTANCE OF 10.05 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF PROPOSED ROAD R.O.W.; THENCE ALONG SAID NORTH LINE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 285.00 FEET, A DELTA ANGLE OF 18°20'07", AN ARC LENGTH OF 91.20 FEET AND A CHORD BEARING S74°41'48"W FOR A DISTANCE OF 90.81 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N84°41'30"W A DISTANCE OF 11.48 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EAST LINE OF PROPOSED ROAD R.O.W.; THENCE N33°31'44"W ALONG SAID EAST LINE A DISTANCE OF 11.48 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 120.00 FEET, A DELTA ANGLE OF 33°30'35", AN ARC LENGTH OF 70.18 FEET AND A CHORD BEARING N16°49'36"W FOR A DISTANCE OF 69.19 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 1,493 SQUARE FEET MORE OR LESS.</p>	
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	<p>LINE OF PROPOSED ROAD R.O.W.; THENCE N44°39'42"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 21.11 FEET; THENCE N89°56'31"E ALONG A SOUTHERLY LINE OF SAID PROPOSED ROAD R.O.W. A DISTANCE OF 203.84 FEET TO A POINT ON THE SOUTHWESTERLY R.O.W. LINE OF ASPEN CIRCLE; THENCE ALONG SAID SOUTHWESTERLY R.O.W. LINE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 01°52'55", AN ARC LENGTH OF 4.27 FEET AND A CHORD BEARING S56°30'52"E FOR A DISTANCE OF 4.27 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 7334 SQUARE FEET MORE OR LESS.</p>	
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**Total= \$101,365.00**

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 owner 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, March 28, 2023.

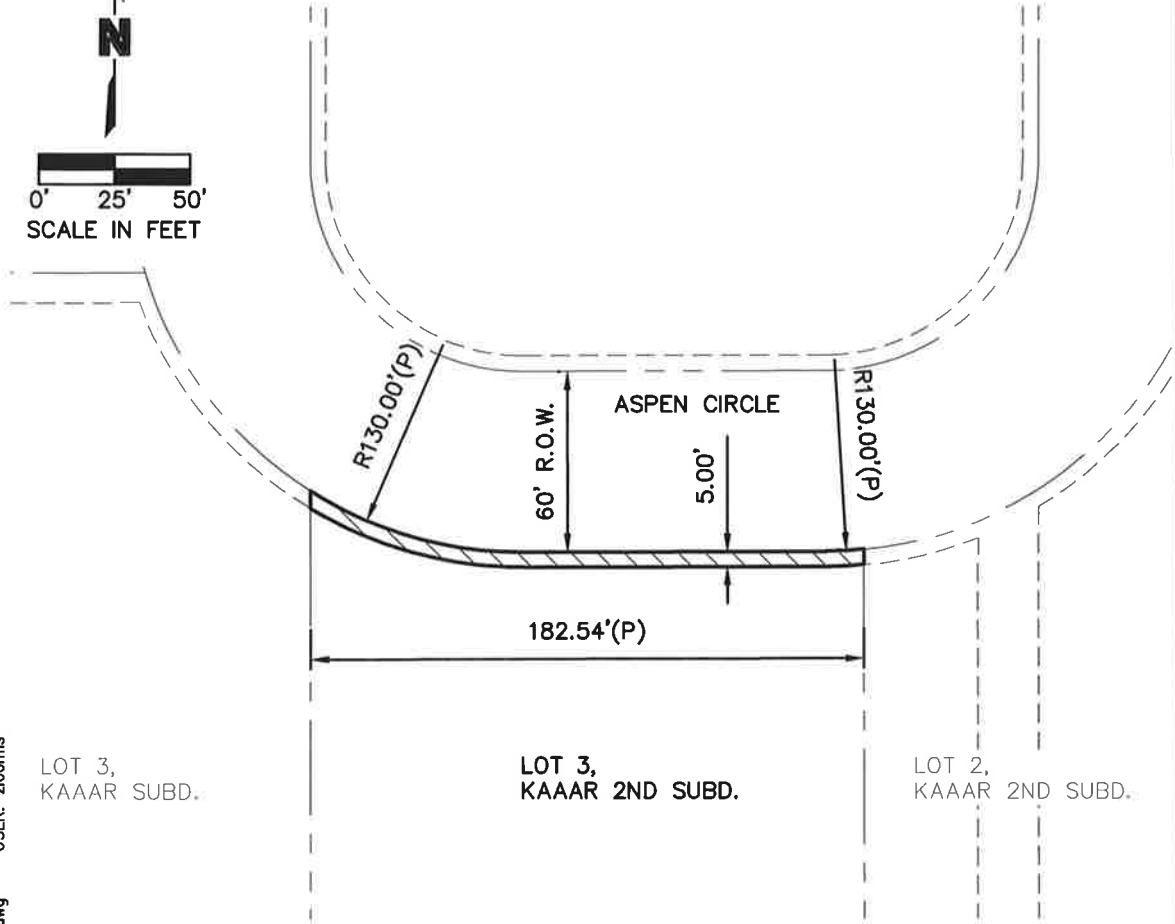
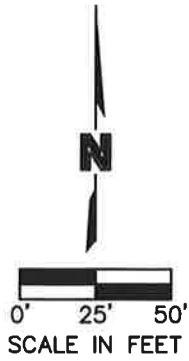
\_\_\_\_\_  
Roger G. Steele, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

# TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 4  
DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS



USER: zloomis

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DATE: May 04, 2022 3:19pm XREFS: V\_XRWAY\_LDP\_02107494

LOT 3,  
KAAAR SUBD.

LOT 3,  
KAAAR 2ND SUBD.

LOT 2,  
KAAAR 2ND SUBD.

## EASEMENT DESCRIPTION

A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 3 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 5.00 FEET OF SAID LOT 3. SAID TEMPORARY EASEMENT CONTAINS 931 SQUARE FEET MORE OR LESS.

**olsson**

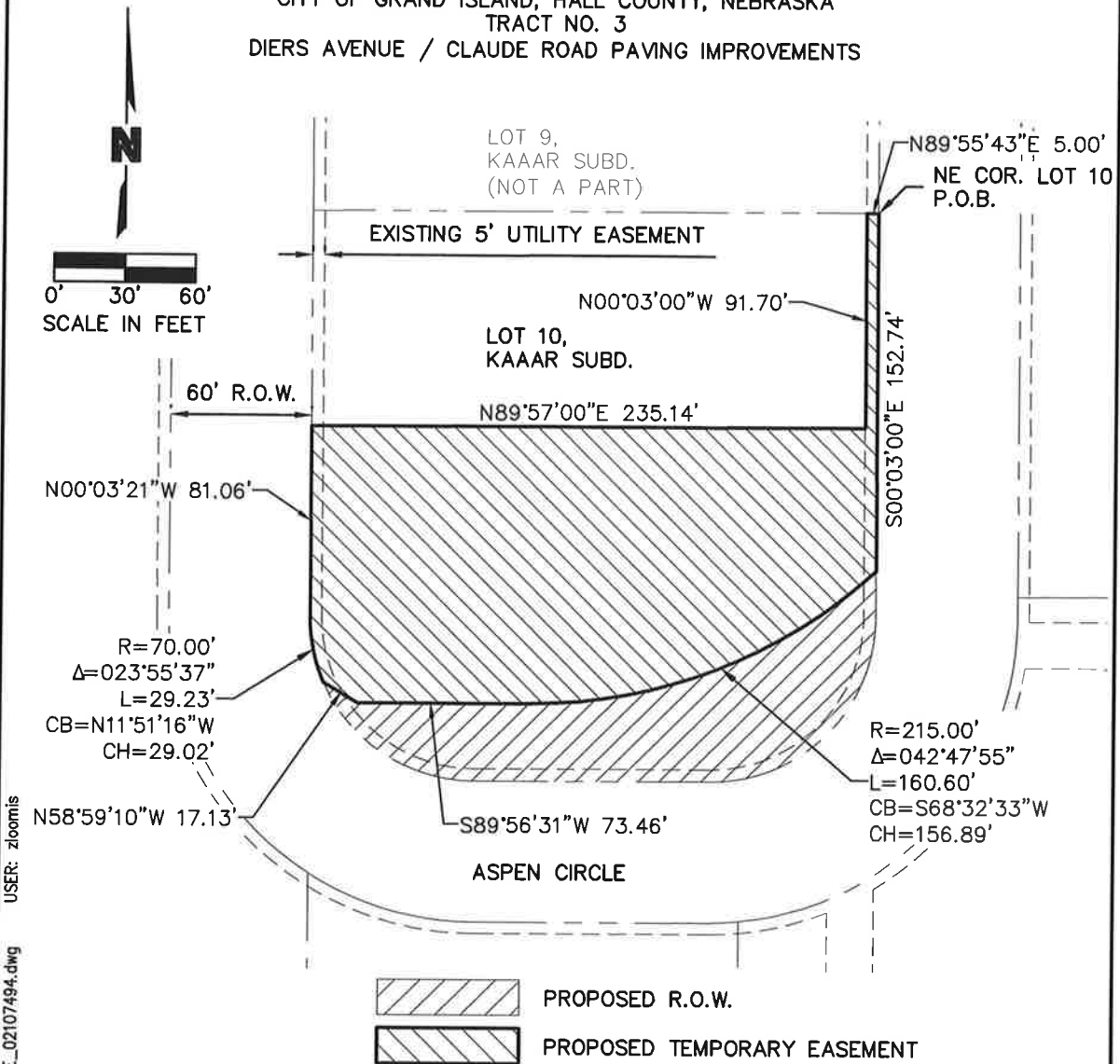
201 East 2nd Street  
Grand Island, NE 68801  
TEL 308.384.8750

EXHIBIT

1

# TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 3  
DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS



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 DATE: May 04, 2022 3:15pm XREFS: V\_XRWAY\_LDP\_02107494 USER: zloomis

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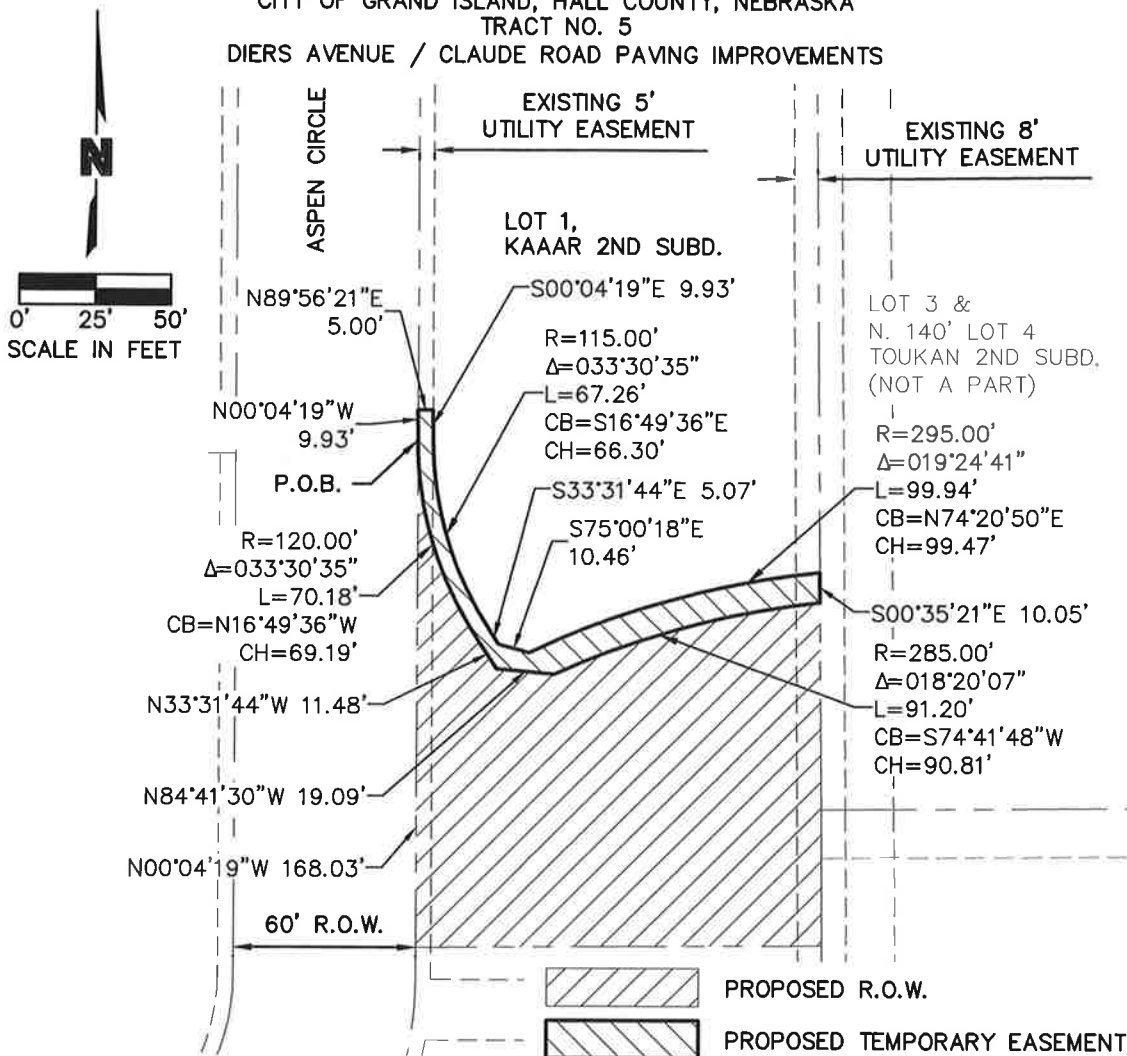
	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
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# TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

TRACT NO. 5

DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS



## EASEMENT DESCRIPTION

A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

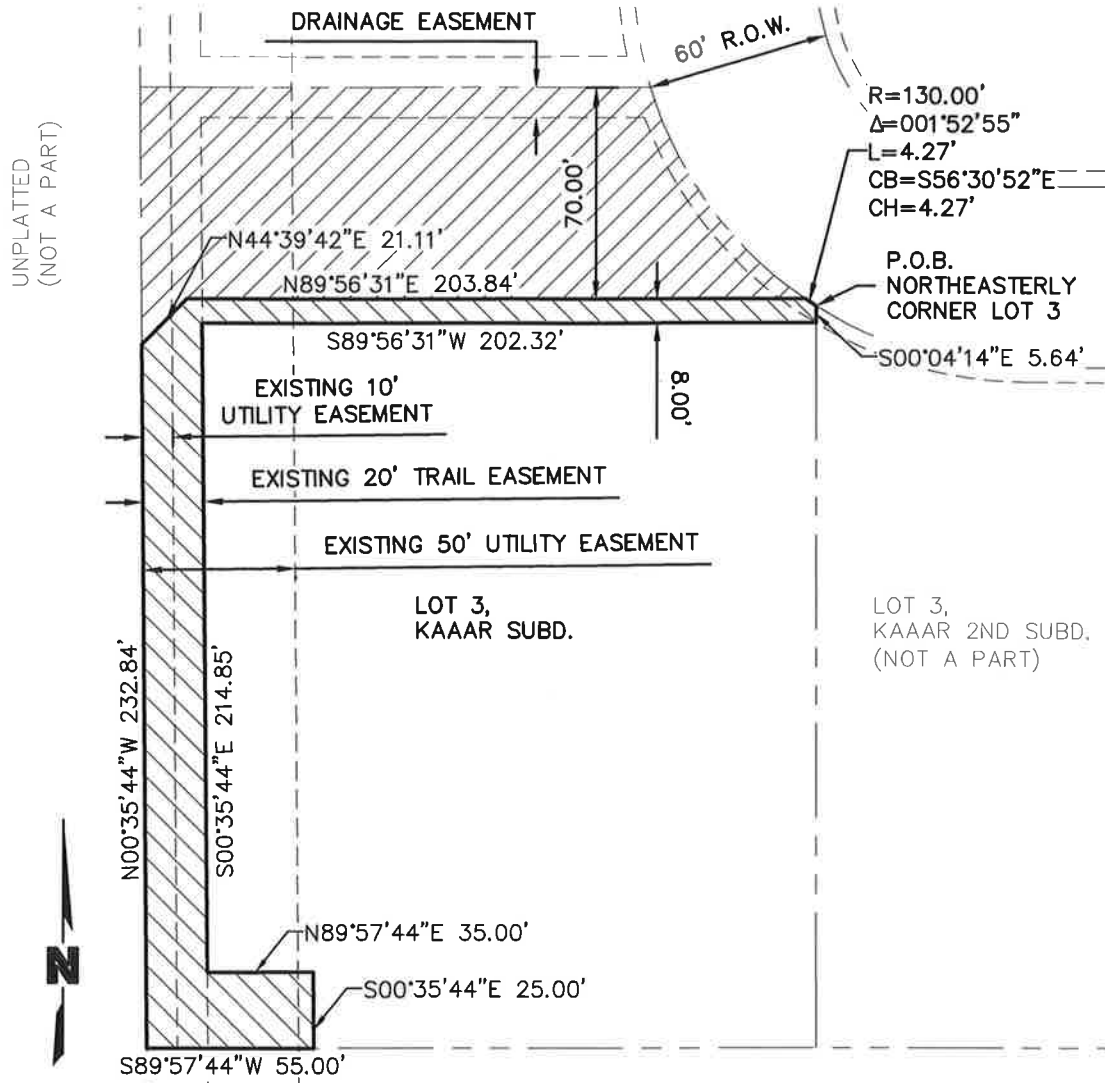
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 DATE: May 04, 2022 3:39pm  
 XREFS: V\_XRWAY\_LDP\_02107494  
 USER: zloomis

	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
		1

# TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
TRACT NO. 2  
DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS



UNPLATTED  
(NOT A PART)

R=130.00'  
Δ=001°52'55\"/>  
L=4.27'  
CB=S56°30'52\"/>  
CH=4.27'

P.O.B.  
NORTHEASTERLY  
CORNER LOT 3

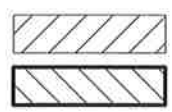
S00°04'14\"/>

LOT 3,  
KAAAR 2ND SUBD.,  
(NOT A PART)

DWC: F:\2021\07001-07500\021-07494\40-Design\Exhibits\ROW & Easement Exhibits\TRACT 2 TE\_02107494.dwg USER: teamest  
DATE: Jun 28, 2022 8:24am XREFS: V\_XRWAY\_LDP\_02107494



SCALE IN FEET



PROPOSED R.O.W.  
PROPOSED TEMPORARY EASEMENT

### EASEMENT DESCRIPTION

A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 3 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NORTHEASTERLY CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°04'14\"/>

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