



City of Grand Island

Tuesday, March 28, 2023

Council Session

Item E-6

Public Hearing on Acquisition of Public Right-of-Way for 18th Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 (PIC Development of Grand Island, LLC- 1804, 1809 and 1904 Aspen Circle)

Council action will take place under Consent Agenda item G-14.

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: Public Hearing on Acquisition of Public Right-of-Way for 18th Street- Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 (PIC Development of Grand Island, LLC- 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 18th 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 18th 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.

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 the new 18th Street, which is scheduled to be built this coming spring, from the proposed Claude Road to Diers Avenue. The property owner has signed the necessary documents to grant the property, as shown on the attached drawings.

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>
PIC Development of Grand Island, LLC	<p>A TRACT OF LAND CONSISTING OF PART OF LOT 10 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT A SOUTHEASTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°52'53"W ALONG THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 100.03 FEET TO A SOUTHWESTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10 AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 66°17'01", AN ARC LENGTH OF 80.98 FEET AND A CHORD BEARING N56°57'35"W FOR A DISTANCE OF 76.54 FEET; THENCE S58°59'10"E A DISTANCE OF 17.13 FEET; THENCE N89°56'31"E A DISTANCE OF 73.46 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE 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 N68°32'33"E FOR A DISTANCE OF 156.89 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10, SAID LINE ALSO BEING THE WEST R.O.W. LINE OF ASPEN CIRCLE; THENCE S00°03'00"E ALONG SAID EAST LINE OF LOT 10 A DISTANCE OF 20.02 FEET TO A SOUTHEASTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 90°06'00", AN ARC LENGTH OF 110.08 FEET AND A CHORD BEARING S44°55'59"W FOR A DISTANCE OF 99.08 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 8,590 SQUARE FEET MORE OR LESS.</p>	\$30,070.00

<p>PIC Development of Grand Island, LLC</p>	<p>A TRACT OF LAND CONSISTING OF PART OF LOT 1 OF KAAAR SECOND SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N00°04'19"W ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 168.03 FEET; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE 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 S16°49'36"E FOR A DISTANCE OF 69.19 FEET; THENCE S33°31'44"E A DISTANCE OF 11.48 FEET; THENCE S84°41'30"E A DISTANCE OF 19.09 FEET; THENCE AROUND A CURVE IN A CLOCKWISE 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 N74°41'48"E FOR A DISTANCE OF 90.81 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE S00°35'21"E ALONG SAID EAST LINE A DISTANCE OF 68.63 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 93-108517; THENCE CONTINUING ALONG SAID LINE OF LOT 1 S00°31'27"E A DISTANCE OF 44.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S89°37'10"W ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 133.88 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 14,001 SQUARE FEET MORE OR LESS.</p>	<p>\$49,010.00</p>
<p>PIC Development of Grand Island, LLC</p>	<p>A TRACT OF LAND CONSISTING OF PART OF LOT 3 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHWEST CORNER OF LOT 2 OF KAAAR SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°3'44"E ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 315.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT BEING THE POINT OF BEGINNING; THENCE N89°56'31"E ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 168.52 FEET TO THE NORTHEAST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 38°54'28", AN ARC LENGTH OF 88.28 FEET AND A CHORD BEARING S36°07'10"E FOR A DISTANCE OF 86.59 FEET; THENCE</p>	<p>\$46,340.00</p>

	<p>S89°56'31"W ALONG A LINE BEING 70.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 203.84 FEET; THENCE S44°39'42"W A DISTANCE OF 21.11 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE N00°35'44"W ALONG SAID WEST LINE A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 13,239 SQUARE FEET MORE OR LESS.</p>	
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Total= \$125,420.00

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

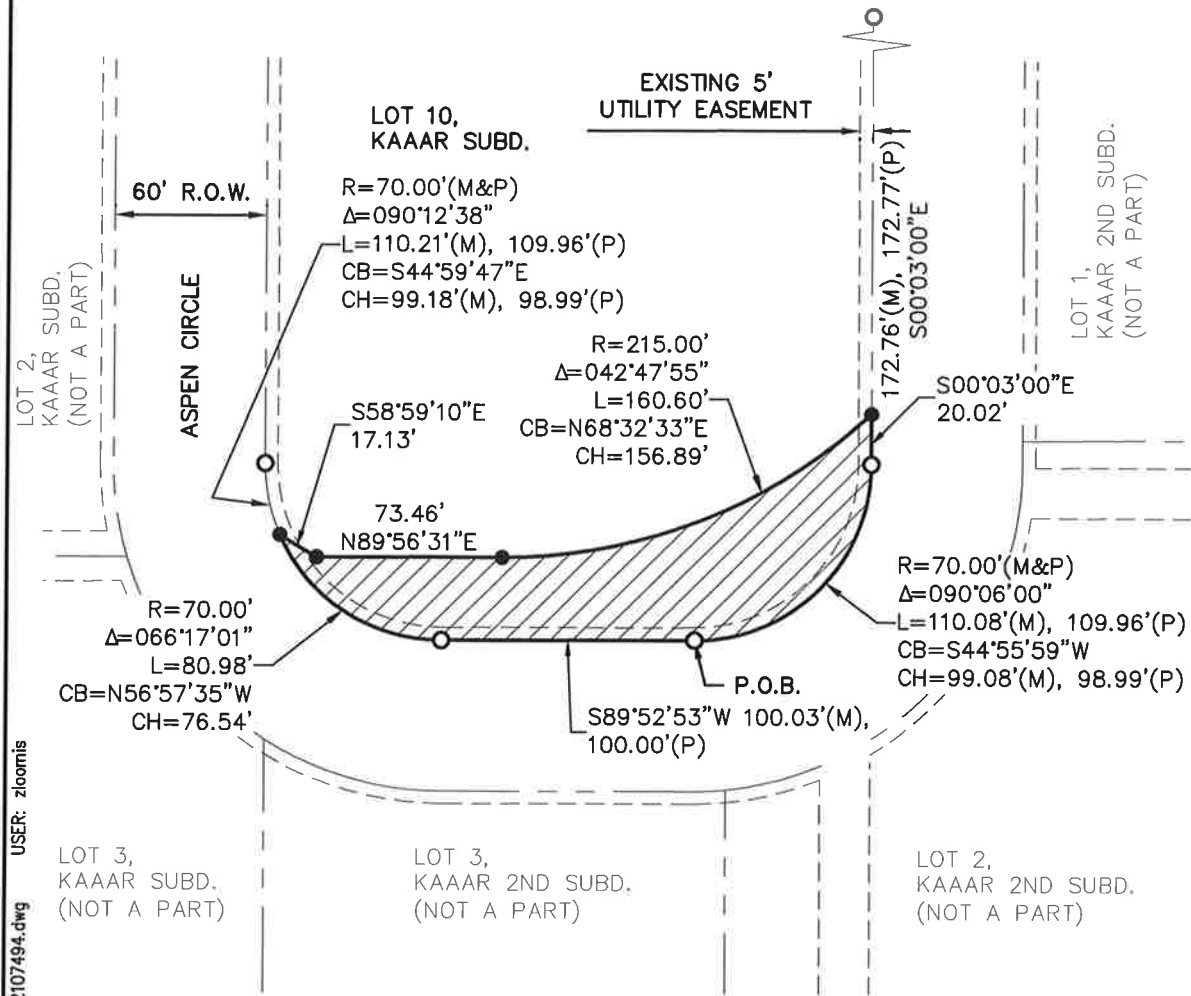
Recommendation

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 \$125,420.00.

Sample Motion

Move to approve the acquisitions.

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



DWG: F:\2021\07001-07500\021-07494\40-Design\Exhibits\ROW & Easement Exhibits\Tract 3 ROW_02107494.dwg
 DATE: May 04, 2022 1:10pm
 USER: zloomis
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LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (3/4" PIPE W/CAP)
- - - - - EXISTING EASEMENT LINE
- ==== EXISTING PROPERTY LINE
- RIGHT OF WAY BOUNDARY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE



	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. 3
 DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS

LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF LOT 10 OF KAAAR SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SOUTHEASTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF ASPEN CIRCLE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°52'53"W ALONG THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 100.03 FEET TO A SOUTHWESTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10 AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 66°17'01", AN ARC LENGTH OF 80.98 FEET AND A CHORD BEARING N56°57'35"W FOR A DISTANCE OF 76.54 FEET; THENCE S58°59'10"E A DISTANCE OF 17.13 FEET; THENCE N89°56'31"E A DISTANCE OF 73.46 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 42°47'55", AN ARC LENGTH OF 160.60 FEET AND A CHORD BEARING N68°32'33"E FOR A DISTANCE OF 156.89 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10, SAID LINE ALSO BEING THE WEST R.O.W. LINE OF ASPEN CIRCLE; THENCE S00°03'00"E ALONG SAID EAST LINE OF LOT 10 A DISTANCE OF 20.02 FEET TO A SOUTHEASTERLY CORNER OF SAID LOT 10, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 70.00 FEET, A DELTA ANGLE OF 90°06'00", AN ARC LENGTH OF 110.08 FEET AND A CHORD BEARING S44°55'59"W FOR A DISTANCE OF 99.08 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 8,590 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 10, KAAAR 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.

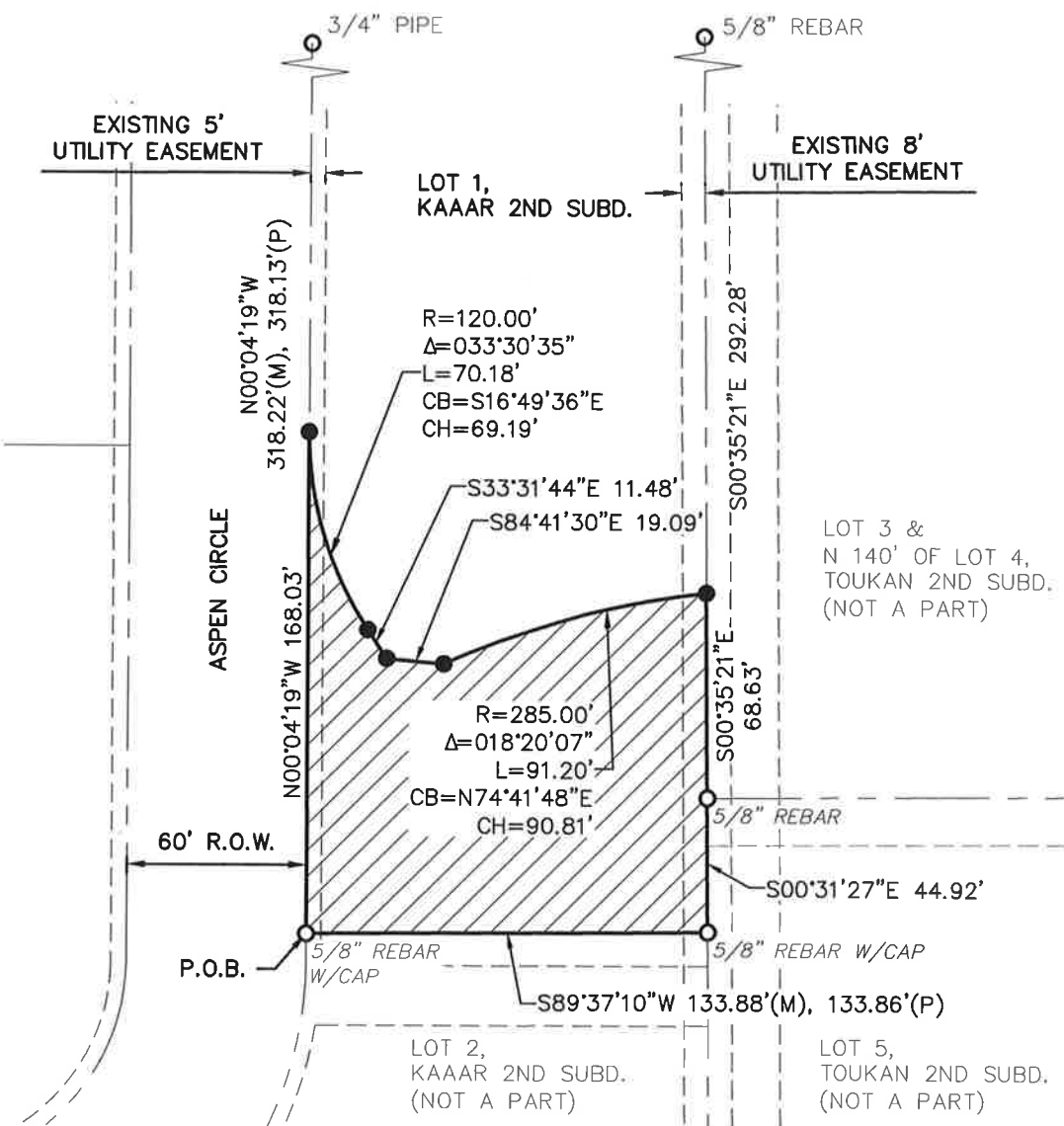
 JAI JASON ANDRIST
 NEBRASKA REGISTERED LAND SURVEYOR NO. LS-630

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	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
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RIGHT-OF-WAY
 CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
 TRACT NO. 5
 DIERS AVENUE / CLAUDE ROAD PAVING IMPROVEMENTS

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olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
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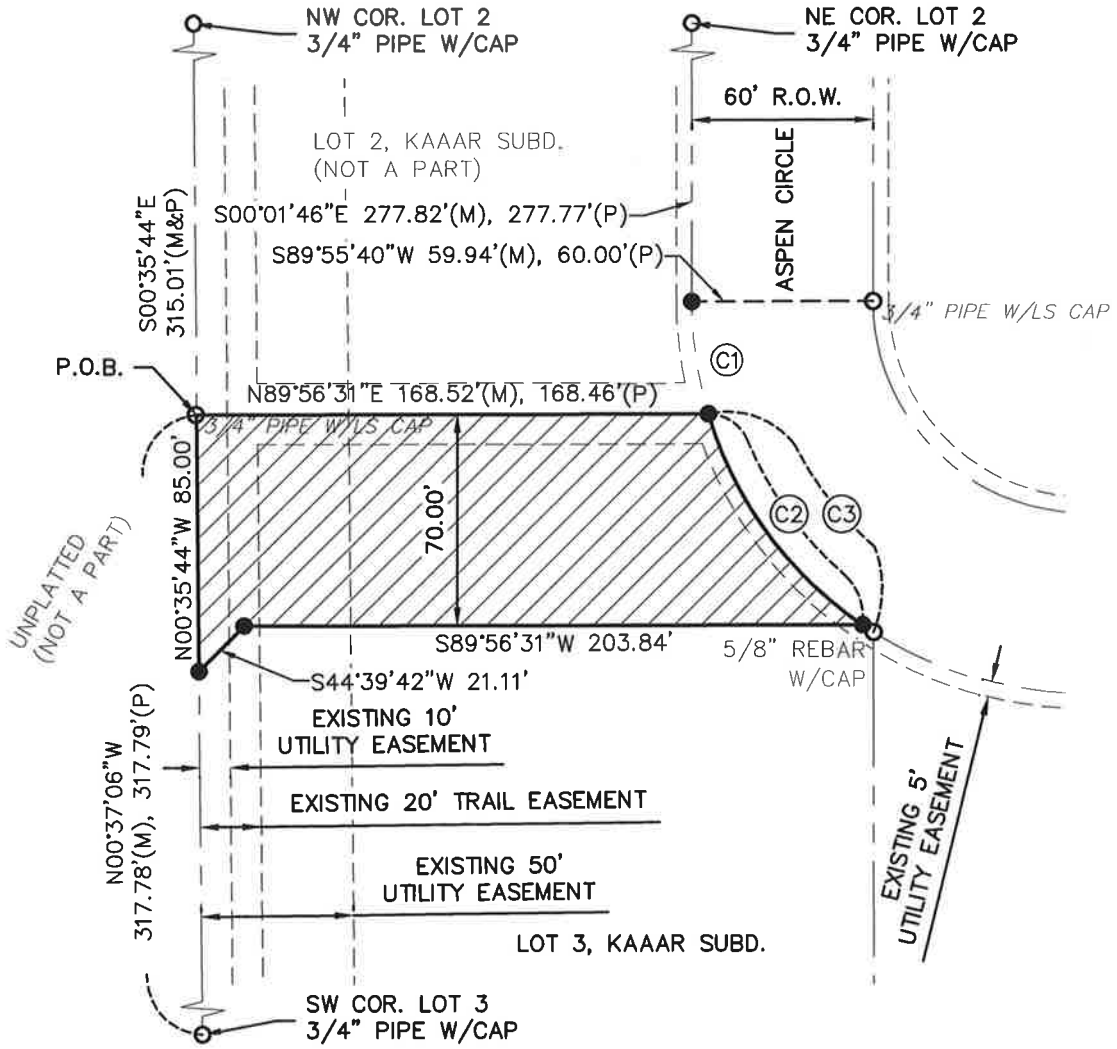
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RIGHT-OF-WAY

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



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 XREFS: V_XRWAY_LDP_02107494

CURVE TABLE					
ID	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	130.00' (M&P)	016°38'31"	37.76' (M&P)	S08°21'00"E	37.63'(M), 37.62'(P)
C2	130.00'	038°54'28"	88.28'	S36°07'10"E	86.59'
C3	130.00' (M&P)	040°47'23"	92.55'(M), 92.53'(P)	S37°03'38"E	90.61'(M), 92.59'(P)

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olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
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RIGHT-OF-WAY

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 2

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