



City of Grand Island

Tuesday, April 23, 2013

Council Session

Item G-11

#2013-116 - Approving Agreement for Temporary Construction Easements for the North Interceptor Phase I Project No. 2012-S-6

Staff Contact: John Collins PE, Public Works Director

Council Agenda Memo

From: Terry Brown PE, Manager of Engineering Services

Meeting: April 23, 2013

Subject: Approving Agreement for Temporary Construction Easements for the North Interceptor Phase I Project No. 2012-S-6

Item #'s: G-11

Presenter(s): Terry Brown, Interim Public Works Director

Background

A new north interceptor is planned to replace the existing north interceptor, which will be abandoned. The new 54" north interceptor is to be located north of Swift Road and routed south to the new pumping station. A new junction box will be located in Swift Road to facilitate rehabilitation of the existing 42" line to the existing pumping station, and for connection of a new 54" line from the west. This project is between 7th Street and the Wastewater Treatment Plant.

Phase I – 7th Street to the Wastewater Treatment Plant (WWTP)

- Replacement of both the existing 30" and 36" diameter concrete pipe. The existing pipe between 7th Street and the WWTP will be abandoned;
- Approximately 8,200 feet of 54" diameter interceptor sewer to increase capacity and condition of the sewer;
- Removal and replacement of an existing section of interceptor along Seedling Mile Road between Museum Drive and Villa Mar Dee Avenue;
- A 670 foot service lateral south of Seedling Mile Road to connect to the south end of Villa Mar Dee Avenue;
- Interceptor sewer for one railroad crossing and a Highway 30 crossing

Temporary construction easements are necessary for this project to be completed, which must be approved by City Council.

Discussion

The planned work, as stated in the background will allow for much needed improvements within the north interceptor sanitary sewer line. A temporary construction easement is

needed from 4 property owners in this project area. All documents have been signed and returned by the property owners. Authorization of the documents is contingent upon City Council approval. Following is a summary of the payments, totaling \$8,570.00, for each of the 4 properties.

No.	Property Owner	Legal Description	Easement Payment	Total
1	Ervin L and Sharon L Luth	The W 30' of the E 60' of a tract of land as described in Instrument No. 200703251 of the Register of Deeds Office of Hall County, Nebraska. Said tract contains a calculated area of 8,683 square feet or 0.199 acres more or less.	0.199 acres @ \$2,000.00/acre + Fencing @ \$1,090.00	\$1,490.00
2	Harold Schmader	Commencing at the NE corner of said Lot 2, Schmader 2nd Subdivision; thence S89 44'09"W (assumed bearing) along the N line of said Lot 2 a distance of 821.74 feet to the true point of beginning; thence S01 14'59"E a distance of 30.00 feet; thence N89 44'09"E parallel with and 30.00 feet S of the N line of said Lot 2 a distance of 421.77 feet; thence S27 06'37"E a distance of 174.12 feet to the southeasterly line of said Lot 2, and northwesterly right-of-way line of the Union Pacific Railroad; thence S62 53'23"W along said southeasterly line of said Lot 2 and northwesterly right-of-way line of the Union Pacific Railroad a distance of 30.00 feet; thence N27 06'37"W a distance of 155.68 feet; thence S89 44'09"W parallel with and 60 feet S of the N line of said Lot 2 a distance of 432.82 feet; thence N01 14'59"W a distance of 60 feet to the N line of said Lot 2; thence N89 44'09"E along said N line of Lot 2 a distance of 30.00 feet to the point of beginning. Said tract contains a calculated area of 19,116 square feet or 0.439 acres more or less.	0.439 acres @ \$2,500.00/acre + Fencing @ \$430.00	\$1,530.00
3	Bosselman Carriers, Inc.	The W 30' of the E 85' of Lot 5, Bosselman Brothers Subdivision in the City of Grand Island, Hall County, Nebraska, except the N 16' and the S 30' thereof. Said tract contains a calculated area of 11,685 square feet or 0.268 acres more or less.	0.268 acres @ \$56,627/acre	\$3,035.00

4	Wilbeth, Inc.	Commencing at the SE corner of said Lot 4, Bosselman Brothers Subdivision; thence S63 19'58"W (assumed bearing) along the S line of said Lot 4 and N line of US Highway No. 30 a distance of 55.79 feet to the true point of beginning; thence continuing S63 19'58"W along the S line of said Lot 4 and N line of US Highway No. 30 a distance of 30.87 feet; thence N40 17'22"W a distance of 26.46 feet; thence N00 45'25"E a distance of 286.96 feet; thence N01 13'37"W parallel with and 85 feet W of the E line of said Lot 4 a distance of 82.71 feet to the S line of an existing utility and access easement; thence N58 59'30"E along the S line of said utility and access easement, parallel with and 30 feet S of the N line of said Lot 4 a distance of 34.57 feet; thence S01 13'37"E parallel with and 55 feet W of the E line of said Lot 4 a distance of 100.40 feet; thence S00 45'25"W a distance of 276.25 feet; thence S40 17'22"E a distance of 22.50 feet to the point of beginning. Said tract contains a calculated area of 11,929 square feet or 0.274 acres more or less.	0.274 acres @ \$9,170.00/acre	\$2,515.00
				\$8,570.00

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

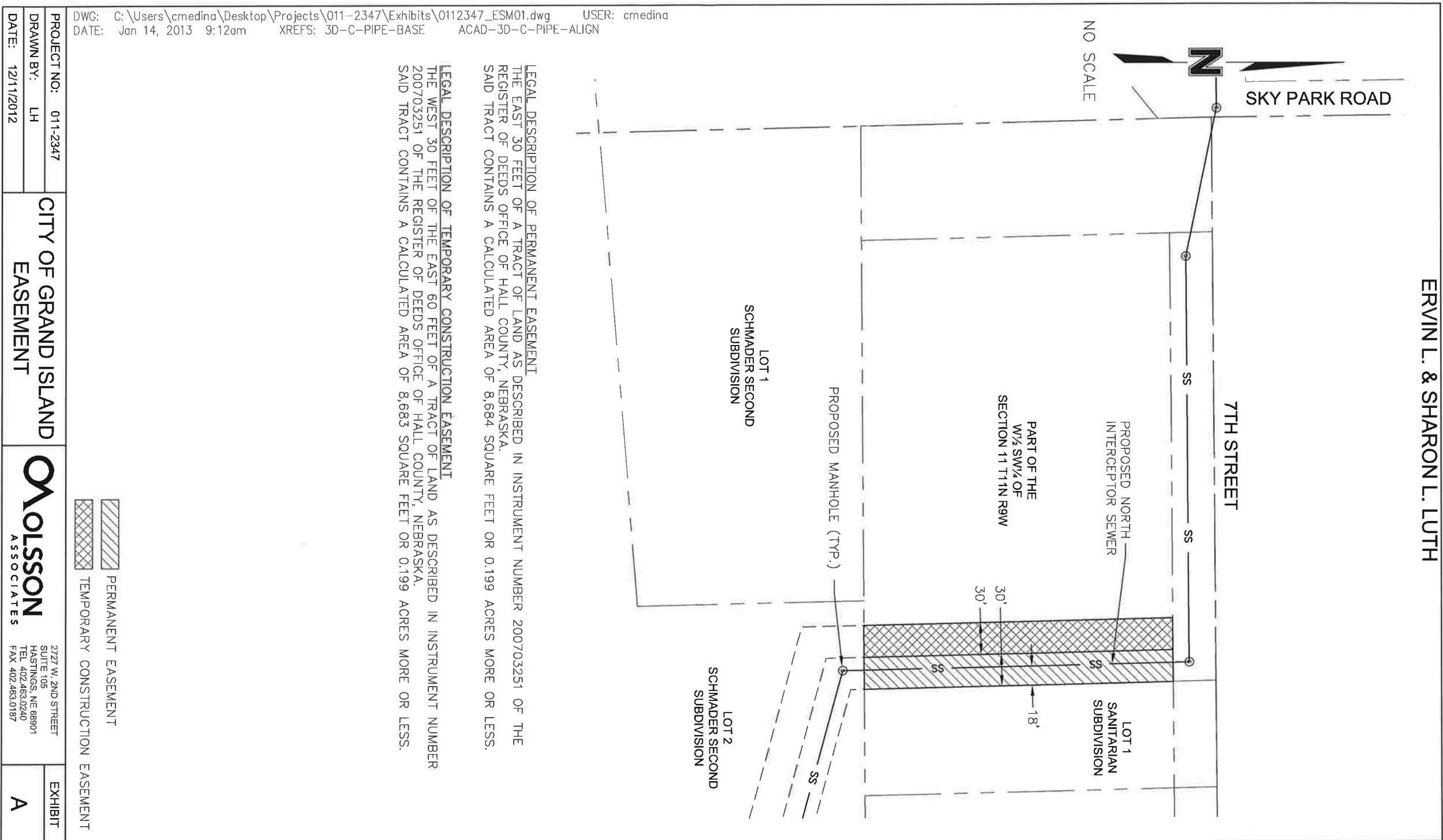
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

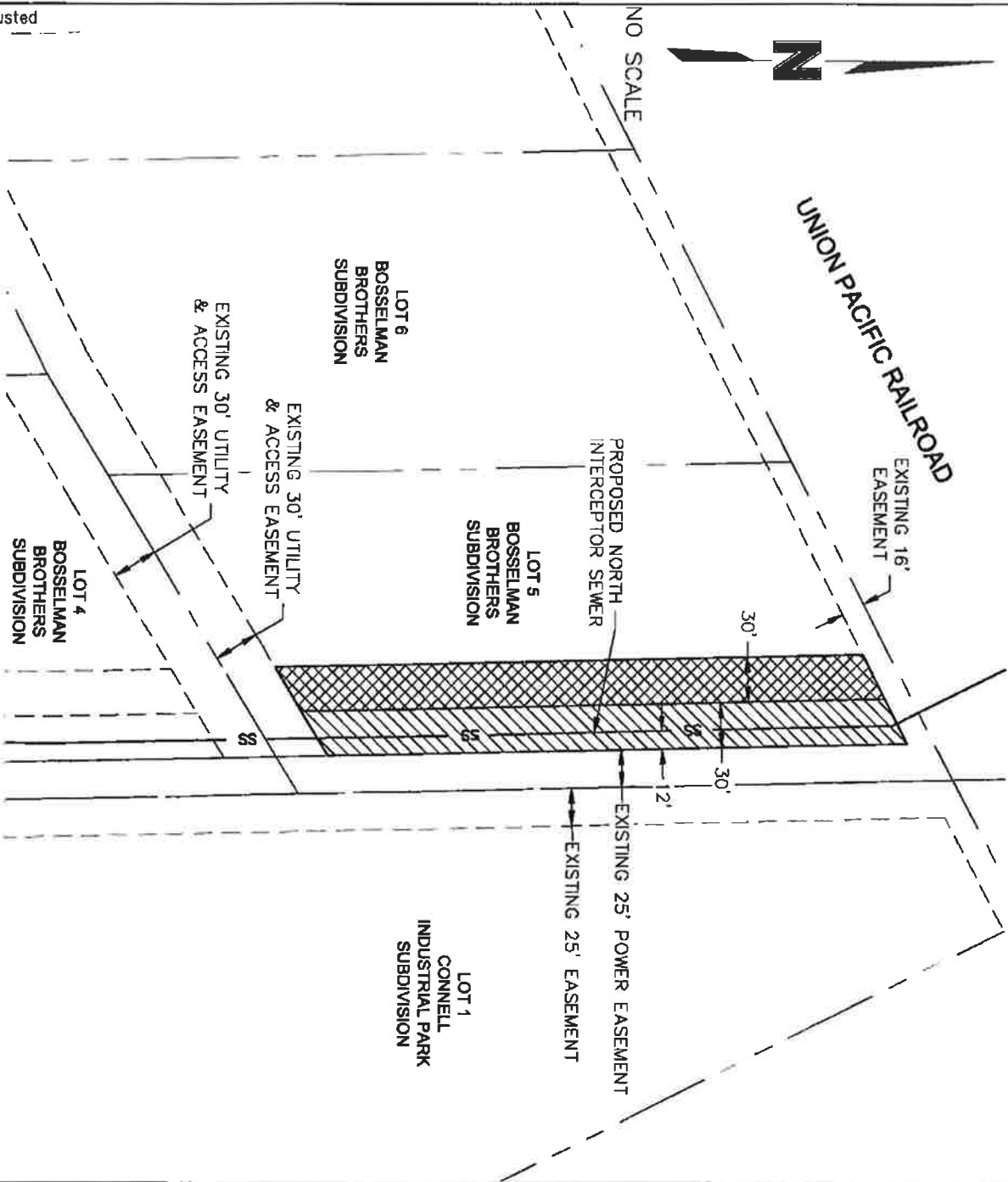
Recommendation

City Administration recommends that the Council approve the Agreement for Temporary Construction Easements between the City of Grand Island, Public Works Department and the affected property owners in the North Interceptor-Phase I Project.

Sample Motion

Move to approve the Temporary Construction Easement Agreements.





LEGAL DESCRIPTION OF PERMANENT EASEMENT
THE WEST 30 FEET OF THE EAST 55 FEET OF LOT FIVE (5), BOSSELMAN BROTHERS SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, EXCEPT THE NORTH 16 FEET AND THE SOUTH 30 FEET THEREOF.
SAID TRACT CONTAINS A CALCULATED AREA OF 11,607 SQUARE FEET OR 0.266 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT
THE WEST 30 FEET OF THE EAST 85 FEET OF LOT FIVE (5), BOSSELMAN BROTHERS SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, EXCEPT THE NORTH 16 FEET AND THE SOUTH 30 FEET THEREOF.
SAID TRACT CONTAINS A CALCULATED AREA OF 11,665 SQUARE FEET OR 0.268 ACRES MORE OR LESS.

DWG: F:\Projects\011-2347\MUNI North Interceptor\Exhibits\0112347_ESM03.dwg USER: lhusted
DATE: Sep 20, 2012 3:36pm XREFS: 3D-C-PIPE-BASE ACAD-3D-C-PIPE-ALIGN



PROJECT NO: 011-2347
DRAWN BY: LH
DATE: 09/21/2012

CITY OF GRAND ISLAND
EASEMENT

OLSSON
ASSOCIATES

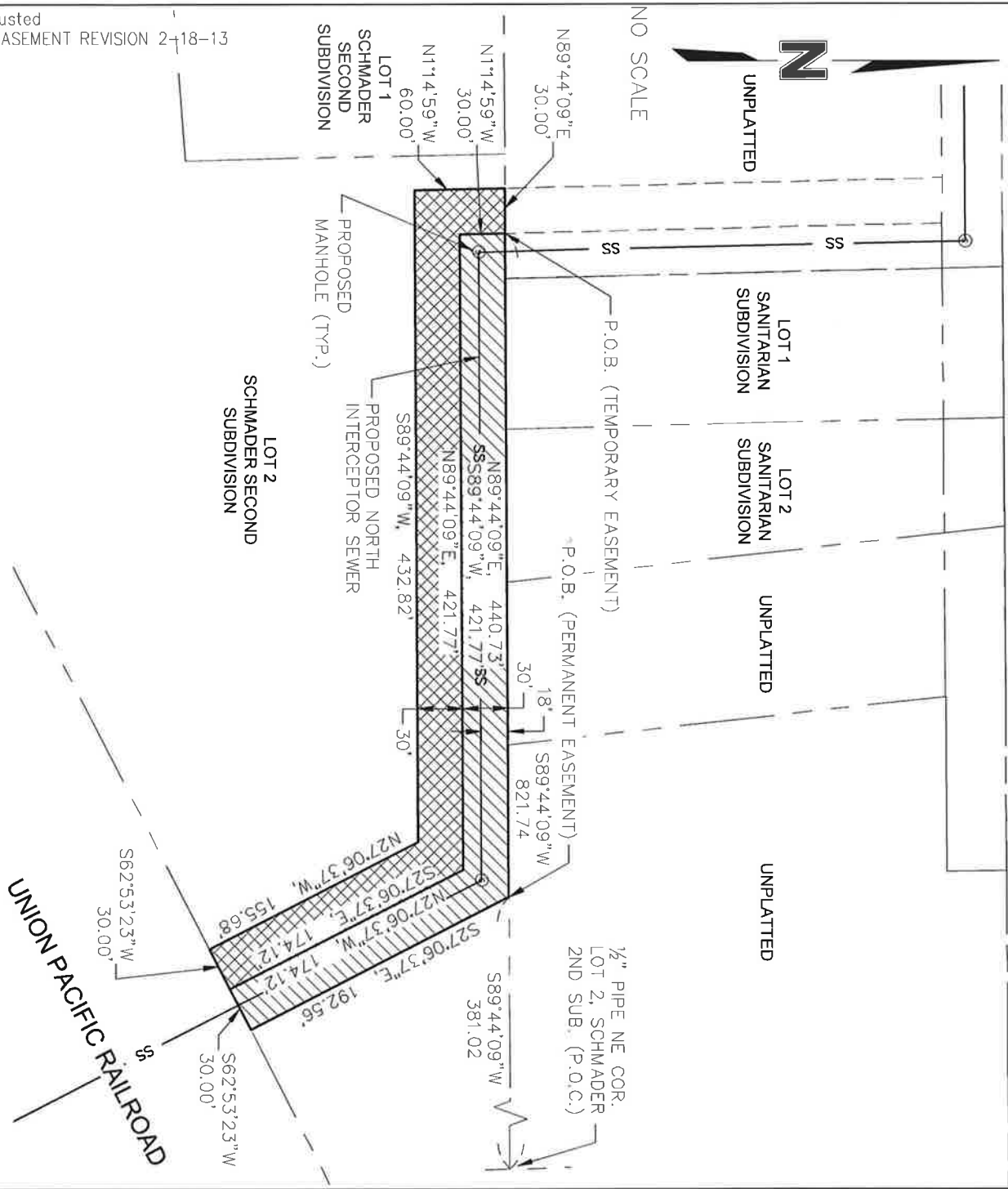
2727 W. 2ND STREET
SUITE 105
HASTINGS, NE 68801
TEL. 402.463.0240
FAX 402.463.0167

EXHIBIT
A

 PERMANENT EASEMENT
 TEMPORARY CONSTRUCTION EASEMENT

HAROLD SCHMADER

7TH STREET



LEGAL DESCRIPTION OF PERMANENT EASEMENT

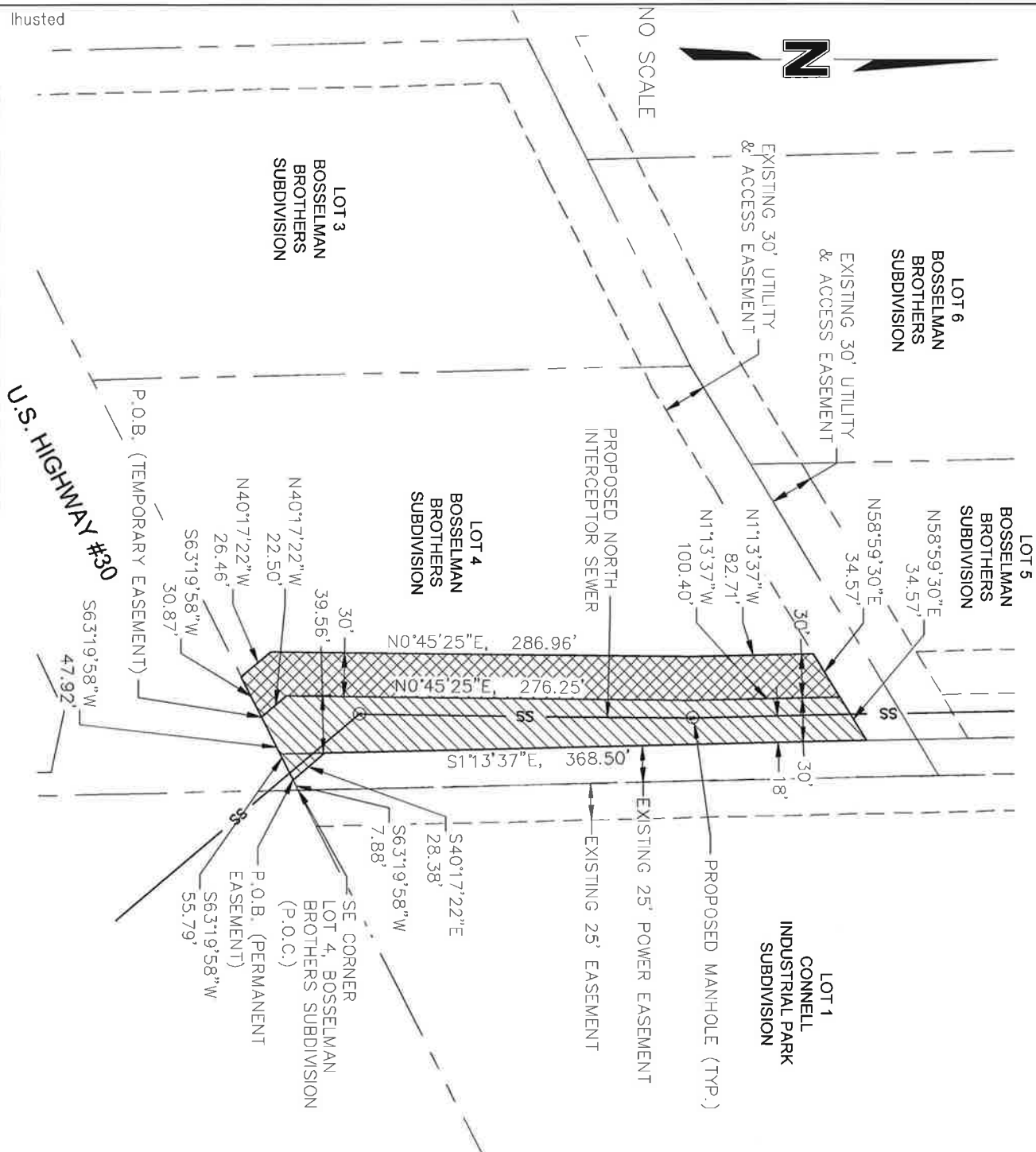
THAT PART OF LOT TWO (2) SCHMADER SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT TWO (2), SCHMADER SECOND SUBDIVISION; THENCE S89°44'09"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT TWO (2) A DISTANCE OF 381.02 FEET TO THE TRUE POINT OF BEGINNING; THENCE S27°06'37"E A DISTANCE OF 192.56 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT TWO (2) AND NORTHWESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S62°53'23"W ALONG SAID SOUTHEASTERLY LINE OF SAID LOT TWO (2) AND NORTHWESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF 30.00 FEET; THENCE N27°06'37"W A DISTANCE OF 174.12 FEET; THENCE S89°44'09"W PARALLEL WITH AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT TWO (2) A DISTANCE OF 421.77 FEET; THENCE N01°14'59"W A DISTANCE OF 30.00 FEET TO THE NORTH LINE OF SAID LOT TWO (2); THENCE N89°44'09"E ALONG SAID NORTH LINE OF LOT TWO (2) A DISTANCE OF 440.73 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 18.438 SQUARE FEET OR 0.423 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

THAT PART OF LOT TWO (2) SCHMADER SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT TWO (2), SCHMADER SECOND SUBDIVISION; THENCE S89°44'09"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT TWO (2) A DISTANCE OF 821.74 FEET TO THE TRUE POINT OF BEGINNING; THENCE S01°14'59"E A DISTANCE OF 30.00 FEET; THENCE N89°44'09"E PARALLEL WITH AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT TWO (2) A DISTANCE OF 421.77 FEET; THENCE S27°06'37"E A DISTANCE OF 174.12 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT TWO (2) AND NORTHWESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S62°53'23"W ALONG SAID SOUTHEASTERLY LINE OF SAID LOT TWO (2) AND NORTHWESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S89°44'09"W PARALLEL WITH AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT TWO (2) A DISTANCE OF 432.82 FEET; THENCE N01°14'59"W A DISTANCE OF 60.00 FEET TO THE NORTH LINE OF SAID LOT TWO (2); THENCE N89°44'09"E ALONG SAID NORTH LINE OF LOT TWO (2) A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 19,116 SQUARE FEET OR 0.439 ACRES MORE OR LESS.

PROJECT NO:	011-2347	CITY OF GRAND ISLAND	EXHIBIT
DRAWN BY:	LH	EASEMENT	A
DATE:	02/18/2013		

DWG: F:\Projects\011-2347\MUNI North Interceptor\Exhibits\0112347_ESM02.dwg USER: lhusted
DATE: Feb 18, 2013 1:01pm XREFS: 3D-C-PIPE-BASE ACAD-3D-C-PIPE-ALIGN EASEMENT REVISION 2-18-13



LEGAL DESCRIPTION OF PERMANENT EASEMENT

THAT PART OF LOT FOUR (4), BOSSELMAN BROTHERS SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOUR (4), BOSSELMAN BROTHERS SUBDIVISION; THENCE S63°19'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID LOT FOUR (4) AND NORTH LINE OF U.S. HIGHWAY NUMBER 30 A DISTANCE OF 7.88 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S63°19'58"W ALONG THE SOUTH LINE OF SAID LOT FOUR (4) AND NORTH LINE OF U.S. HIGHWAY NUMBER 30 A DISTANCE OF 47.92 FEET; THENCE N40°17'22"W A DISTANCE OF 22.50 FEET; THENCE N00°45'25"E A DISTANCE OF 276.25 FEET; THENCE N01°13'37"W PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF SAID LOT FOUR (4) A DISTANCE OF 100.40 FEET TO THE SOUTH LINE OF AN EXISTING UTILITY AND ACCESS EASEMENT; THENCE N58°59'30"E ALONG THE SOUTH LINE OF SAID UTILITY AND ACCESS EASEMENT, PARALLEL WITH AND 30 FEET SOUTH OF THE NORTH LINE OF SAID LOT FOUR (4) A DISTANCE OF 34.57 FEET; THENCE S01°13'37"E PARALLEL WITH AND 25 FEET WEST OF THE EAST LINE OF SAID LOT FOUR (4) A DISTANCE OF 368.50 FEET; THENCE S40°17'22"E A DISTANCE OF 28.38 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 13,560 SQUARE FEET OR 0.305 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

THAT PART OF LOT FOUR (4), BOSSELMAN BROTHERS SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOUR (4), BOSSELMAN BROTHERS SUBDIVISION; THENCE S63°19'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID LOT FOUR (4) AND NORTH LINE OF U.S. HIGHWAY NUMBER 30 A DISTANCE OF 53.79 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S63°19'58"W ALONG THE SOUTH LINE OF SAID LOT FOUR (4) AND NORTH LINE OF U.S. HIGHWAY NUMBER 30 A DISTANCE OF 30.87 FEET; THENCE N40°17'22"W A DISTANCE OF 26.46 FEET; THENCE N00°45'25"E A DISTANCE OF 286.96 FEET; THENCE N01°13'37"W PARALLEL WITH AND 85 FEET WEST OF THE EAST LINE OF SAID LOT FOUR (4) A DISTANCE OF 82.71 FEET TO THE SOUTH LINE OF AN EXISTING UTILITY AND ACCESS EASEMENT; THENCE N58°59'30"E ALONG THE SOUTH LINE OF SAID UTILITY AND ACCESS EASEMENT, PARALLEL WITH AND 30 FEET SOUTH OF THE NORTH LINE OF SAID LOT FOUR (4) A DISTANCE OF 34.57 FEET; THENCE S01°13'37"E PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF SAID LOT FOUR (4) A DISTANCE OF 100.40 FEET; THENCE S00°45'25"W A DISTANCE OF 276.25 FEET; THENCE S40°17'22"E A DISTANCE OF 22.50 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 11,929 SQUARE FEET OR 0.274 ACRES MORE OR LESS.

PROJECT NO: 011-2347	CITY OF GRAND ISLAND EASEMENT	 2727 W. 2ND STREET SUITE 105 HASTINGS, NE 68901 TEL 402.463.0240 FAX 402.463.0187	EXHIBIT
DRAWN BY: LH			A
DATE: 03/01/2013			

RESOLUTION 2013-116

WHEREAS, temporary construction agreements are required by the City of Grand Island, from the affected property owners in the North Interceptor – Phase I Project area, as follows:

No.	Property Owner	Legal Description	Easement Payment	Total
1	Ervin L and Sharon L Luth	The W 30' of the E 60' of a tract of land as described in Instrument No. 200703251 of the Register of Deeds Office of Hall County, Nebraska. Said tract contains a calculated area of 8,683 square feet or 0.199 acres more or less.	0.199 acres @ \$2,000.00/acre + Fencing @ \$1,090.00	\$1,490.00
2	Harold Schmader	Commencing at the NE corner of said Lot 2, Schmader 2nd Subdivision; thence S89 44'09"W (assumed bearing) along the N line of said Lot 2 a distance of 821.74 feet to the true point of beginning; thence S01 14'59"E a distance of 30.00 feet; thence N89 44'09"E parallel with and 30.00 feet S of the N line of said Lot 2 a distance of 421.77 feet; thence S27 06'37"E a distance of 174.12 feet to the southeasterly line of said Lot 2, and northwesterly right-of-way line of the Union Pacific Railroad; thence S62 53'23"W along said southeasterly line of said Lot 2 and northwesterly right-of-way line of the Union Pacific Railroad a distance of 30.00 feet; thence N27 06'37"W a distance of 155.68 feet; thence S89 44'09"W parallel with and 60 feet S of the N line of said Lot 2 a distance of 432.82 feet; thence N01 14'59"W a distance of 60 feet to the N line of said Lot 2; thence N89 44'09"E along said N line of Lot 2 a distance of 30.00 feet to the point of beginning. Said tract contains a calculated area of 19,116 square feet or 0.439 acres more or less.	0.439 acres @ \$2,500.00/acre + Fencing @ \$430.00	\$1,530.00
3	Bosselman Carriers, Inc.	The W 30' of the E 85' of Lot 5, Bosselman Brothers Subdivision in the City of Grand Island, Hall County, Nebraska, except the N 16' and the S 30' thereof. Said tract contains a calculated area of 11,685 square feet or 0.268 acres more or less.	0.268 acres @ \$56,627/acre	\$3,035.00

Approved as to Form ☐ _____
 April 19, 2013 ☐ City Attorney

4	Wilbeth, Inc.	Commencing at the SE corner of said Lot 4, Bosselman Brothers Subdivision; thence S63 19'58"W (assumed bearing) along the S line of said Lot 4 and N line of US Highway No. 30 a distance of 55.79 feet to the true point of beginning; thence continuing S63 19'58"W along the S line of said Lot 4 and N line of US Highway No. 30 a distance of 30.87 feet; thence N40 17'22"W a distance of 26.46 feet; thence N00 45'25"E a distance of 286.96 feet; thence N01 13'37"W parallel with and 85 feet W of the E line of said Lot 4 a distance of 82.71 feet to the S line of an existing utility and access easement; thence N58 59'30"E along the S line of said utility and access easement, parallel with and 30 feet S of the N line of said Lot 4 a distance of 34.57 feet; thence S01 13'37"E parallel with and 55 feet W of the E line of said Lot 4 a distance of 100.40 feet; thence S00 45'25"W a distance of 276.25 feet; thence S40 17'22"E a distance of 22.50 feet to the point of beginning. Said tract contains a calculated area of 11,929 square feet or 0.274 acres more or less.	0.274 acres @ \$9,170.00/acre	\$2,515.00
				\$8,570.00

WHEREAS, an Agreement for Temporary Construction Easements 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 enter into the Agreements for Temporary Construction Easements on the above described tracts of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreements on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 23, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

- 2 -