

City of Grand Island

Tuesday, August 13, 2013 Council Session

Item G-17

#2013-265 - Approving Leasehold Agreement for the North Interceptor Phase II, Part B; Sanitary Sewer Project No. 2013-S-4 (Houdek)

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, PW Project Manager

Meeting: August 13, 2013

Subject: Approving Leasehold Agreement for the North

Interceptor Phase II, Part B; Sanitary Sewer Project No.

2013-S-4 (Houdek)

Item #'s: G-17

Presenter(s): John Collins PE, Public Works Director

Background

Public Works Staff in conjunction with the design engineer, Black & Veatch of Kansas City, Missouri have jointly developed multi-year replacement planning stages for the City of Grand Island's large diameter gravity sanitary sewer interceptor network. The current planned interceptor, entitled the "North Interceptor" will replace aged gravity sanitary sewer, reduce or eliminate current sewer pumping station(s), and provide additional capacity for existing and new growth areas of Grand Island.

The new North Interceptor route was developed to incorporate, and partner with other utilities for the Capital Avenue Widening Project, and the new Headworks Pumping Station Project at the Wastewater Treatment Plant.

A phased approach of constructing the North Interceptor was developed as follows:

- Phase I Wastewater Treatment Plant (WWTP) to 7th Street / Skypark Road
- Phase II (Part A) 7th Street / Skypark Road to Broadwell Avenue
- Phase II (Part B) Broadwell Avenue to Webb Road
- Phase II (Part C) Webb Road to Diers Avenue (Lift Station No. 19)

Leasehold Agreements are necessary for this project to be completed, which must be approved by City Council.

Two (2) Leasehold Agreements were approved by Resolution No. 2013-243 for the United Veterans Club, in the total amount of \$200.00 at the July 23, 2013 council meeting.

Discussion

An additional Leasehold agreement is necessary with another tenant in this project area. All documents have been signed and returned by the lessee. Authorization of the document is contingent upon City Council approval. Following is a summary of the payment, totaling \$100.00.

No.	Tenant	Legal Description	Area Payment (minimum \$100.00)	Total
3L	Houdek	RIGHT OF WAY AREA (177,302 square feet or 4.07 acres more or less) A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6 TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE S89°12'48"W A DISTANCE OF 1848.78 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47'12"W A DISTANCE OF 44.00 FEET; THENCE N89°50'38"E A DISTANCE OF 2030.26 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE N89°50'38"E A DISTANCE OF 2030.26 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE N89°50'38"E A DISTANCE OF 2030.26 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 177,302 SQUARE FEET OR 4.07 ACRES MORE OR LESS. PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6 TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:	461,260 s.f.	\$100.00

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133: THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33,00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE: THENCE CONTINUING N00°49'18"W ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING; THENCE S89°50'38"W A DISTANCE OF 2030.26 FEET; THENCE S89°12'48"W A DISTANCE OF 2087.48 FEET; THENCE N00°47'12"W A DISTANCE OF 18.00 FEET; THENCE N89°12'48"E A DISTANCE OF 511.69 FEET: THENCE N00°47'12"W A DISTANCE OF 511.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 432.92 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET: THENCE N89°12'48"E A DISTANCE OF 384.03 FEET: THENCE N00°47'12"W A DISTANCE OF 23.00 FEET: THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 375.85 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 168.13 FEET; THENCE N89°50'38"E A DISTANCE OF 605.51 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET: THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 347.22 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET: THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 366.32 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 352.21 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 137.14 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159,

PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID PERMANENT EASEMENT CONTAINS 79,948 SQUARE FEET OR 1.84 ACRES MORE OR LESS.

PERMANENT EASEMENT #2

A PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5: THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE: THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET: THENCE S89°12'48"W A DISTANCE OF 2268.98 FEET TO THE POINT OF BEGINNING: THENCE CONTINUING S89°12'48"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 199.21 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N65°49'16"E A DISTANCE OF 25.19 FEET; THENCE N89°12'48"E ALONG A LINE BEING 10.00 FEET NORTH OF AND PARALLEL TO SAID NORTH R.O.W. LINE A DISTANCE OF 176.09 FEET; THENCE S00°47'12"E A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,877 SQAURE FEET OR 0.04 ACRES MORE OR LESS.

The property to which the LESSEE hereby **temporarily** relinquishes interest is described below and shown in attached Exhibit A.

TEMPORARY EASEMENTS AREA (202,133 square feet or 4.64 acres more or less)

TEMPORARY EASEMENT #1

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE

SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159. PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N00°49'18"W ALONG SAID WEST LINE A DISTANCE OF 62.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND A NORTH LINE OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG SAID NORTH LINE A DISTANCE OF 137.14 FEET TO A **NORTHERLY** CORNER OF SAID **PROPOSED EASEMENT**; **PERMANENT THENCE** N00°09'22"W ALONG Α **EAST** LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT **EASEMENT**; **THENCE** S89°50'38"W ALONG A NORTH LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 10.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED **PERMANENT** EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT **EASEMENT:** THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 352.21 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W EAST LINE OF ALONG Α SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N89°50'38"E A DISTANCE OF 77.21 FEET; THENCE N00°09'22"W A DISTANCE OF 40.00 FEET; THENCE N89°50'38"E A DISTANCE OF 305.00 FEET; THENCE S00°09'22"E A DISTANCE OF 40.00 FEET; THENCE N89°50'38"E A DISTANCE OF 116.91 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159. PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 21,985 SQUARE FEET OR 0.50 ACRES MORE OR LESS.

TEMPORARY EASEMENT #2

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID

SECTION 5: THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133: THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50'38"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 510.07 FEET; THENCE N00°09'22"W A DISTANCE OF 62.00 FEET TO NORTHERLY CORNER OF A **PROPOSED** PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 366.32 FEET TO A NORTHERLY CORNER OF SAID PROPOSED N00°09'22"W PERMANENT EASEMENT; THENCE ALONG A EAST LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 366.32 FEET TO NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT: THENCE S00°09'22"E ALONG A WEST LINE OF SAID **PROPOSED** PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION **EASEMENT CONTAINS** 7,327 SQUARE FEET OR 0.17 ACRES MORE OR LESS.

TEMPORARY EASEMENT #3

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TEMPORARY EASEMENT #4

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TEMPORARY EASEMENT #5

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP

11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159. PAGE 133: THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE: THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE S89°12'48"W A DISTANCE OF 2268.98 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47'12"W A DISTANCE OF 62.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°47'12"W A DISTANCE OF 60.00 FEET; THENCE N89°12'48"E A DISTANCE OF 1779.47 FEET; THENCE N00°47'12"W A DISTANCE OF 100.00 FEET; THENCE N89°12'48"E A DISTANCE OF 250.00 FEET; THENCE S00°47'12"E A DISTANCE OF 100.00 FEET; THENCE N89°12'48"E A DISTANCE OF 278.08 FEET: THENCE S01°14'48"E A DISTANC E OF 60.43 FEET: THENCE S89°50'38"W A DISTANCE OF 38.72 FEET: THENCE S89°12'48"W A DISTANCE OF 168.13 FEET: THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 375.85 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 384.03 FEET: THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET: THENCE S89°12'48"W A DISTANCE OF 432.92 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; **THENCE** S89°12'48"W A DISTANCE OF 511.69 FEET TO THE OF POINT BEGINNING. SAID TEMPORARY CONSTRUCTION **EASEMENT CONTAINS** 162,326 SQUARE FEET OR 3.73 ACRES MORE OR LESS.

Total \$100.00

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 Leasehold Agreement between the City of Grand Island and the affected property lessee, in the total amount of \$100.00.

Sample Motion

Move to approve the Leasehold Agreements.

STATE OF NEBRASKA

LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT

THIS CONTRACT, made and entered into this day of , 20 by and between, Gary Houdek, Donald Houdek and Leroy Houdek, Address: 1055 4th Road, Chapman, NE 68827, hereinafter called the LESSEE, and The City of Grand Island, hereinafter called the BUYER.

LEASEHOLD INTEREST

WITNESSETH: In consideration of the payment or payments as specified below, the LESSEE hereby relinquishes to the BUYER, all leasehold interest to certain lands and any improvements thereon owned by State of Nebraska.

The property to which the LESSEE hereby **permanently** relinquishes interest is described below and shown in attached Exhibit A.

RIGHT OF WAY AREA (177,302 square feet or 4.07 acres more or less)

A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50′38″W A DISTANCE OF 1848.78 FEET; THENCE S89°12′48″W A DISTANCE OF 2268.98 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47′12″W A DISTANCE OF 44.00 FEET; THENCE N89°12′48″E A DISTANCE OF 2087.48 FEET; THENCE N89°50′38″E A DISTANCE OF 2030.26 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49′18″E ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 177,302 SQUARE FEET OR 4.07 ACRES MORE OR LESS.

PERMANENT EASEMENT AREA (81,825 square feet or 1.88 acres more or less)

PERMANENT EASEMENT #1

A PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N00°49′18″W ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING; THENCE S89°50′38″W A DISTANCE OF 2030.26 FEET;

THENCE S89°12'48"W A DISTANCE OF 2087.48 FEET; THENCE N00°47'12"W A DISTANCE OF 18.00 FEET; THENCE N89°12'48"E A DISTANCE OF 511.69 FEET: THENCE N00°47'12"W A DISTANCE OF 23.00 FEET: THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 432.92 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 384.03 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 375.85 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 168.13 FEET; THENCE N89°50'38"E A DISTANCE OF 605.51 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 347.22 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 366.32 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 352.21 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 137.14 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID PERMANENT EASEMENT CONTAINS 79,948 SQUARE FEET OR 1.84 ACRES MORE OR LESS.

PERMANENT EASEMENT #2

A PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50′38″W A DISTANCE OF 1848.78 FEET; THENCE S89°12′48″W A DISTANCE OF 2268.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°12′48″W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 199.21 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N65°49′16″E A DISTANCE OF 25.19 FEET; THENCE N89°12′48″E ALONG A LINE BEING 10.00 FEET NORTH OF AND PARALLEL TO SAID NORTH R.O.W. LINE A DISTANCE OF 176.09 FEET; THENCE S00°47′12″E A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,877 SQAURE FEET OR 0.04 ACRES MORE OR LESS.

The property to which the LESSEE hereby **temporarily** relinquishes interest is described below and shown in attached Exhibit A.

TEMPORARY EASEMENTS AREA (202,133 square feet or 4.64 acres more or less)

TEMPORARY EASEMENT #1

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N00°49'18"W ALONG SAID WEST LINE A DISTANCE OF 62.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND A NORTH LINE OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING: THENCE S89°50'38"W ALONG SAID NORTH LINE A DISTANCE OF 137.14 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT: THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 10.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 352.21 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N89°50'38"E A DISTANCE OF 77.21 FEET; THENCE N00°09'22"W A DISTANCE OF 40.00 FEET; THENCE N89°50'38"E A DISTANCE OF 305.00 FEET; THENCE S00°09'22"E A DISTANCE OF 40.00 FEET; THENCE N89°50'38"E A DISTANCE OF 116.91 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 21,985 SQUARE FEET OR 0.50 ACRES MORE OR LESS.

TEMPORARY EASEMENT #2

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-

WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50′38″W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 510.07 FEET; THENCE N00°09′22″W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50′38″W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 366.32 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09′22″W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 366.32 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09′22″E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09′22″E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 7,327 SQUARE FEET OR 0.17 ACRES MORE OR LESS.

TEMPORARY EASEMENT #3

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50'38"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 886.39 FEET; THENCE N00°09'22"W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 347.22 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N89°50'38"E A DISTANCE OF 347.22 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 6,945 SQUARE FEET OR 0.16 ACRES MORE OR LESS.

TEMPORARY EASEMENT #4

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6^{TH} P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50′38″W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 1243.61 FEET; THENCE N00°09′22″W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE

S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 177.48 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 177.48 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 3,550 SQUARE FEET OR 0.08 ACRES MORE OR LESS.

TEMPORARY EASEMENT #5

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159. PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE S89°12'48"W A DISTANCE OF 2268.98 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47'12"W A DISTANCE OF 62.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°47'12"W A DISTANCE OF 60.00 FEET; THENCE N89°12'48"E A DISTANCE OF 1779.47 FEET; THENCE N00°47'12"W A DISTANCE OF 100.00 FEET; THENCE N89°12'48"E A DISTANCE OF 250.00 FEET; THENCE S00°47'12"E A DISTANCE OF 100.00 FEET; THENCE N89°12'48"E A DISTANCE OF 278.08 FEET; THENCE S01°14'48"E A DISTANC E OF 60.43 FEET; THENCE S89°50'38"W A DISTANCE OF 38.72 FEET; THENCE S89°12'48"W A DISTANCE OF 168.13 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 375.85 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 384.03 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 432.92 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 10.00 FEET; THENCE S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 511.69 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 162,326 SQUARE FEET OR 3.73 ACRES MORE OR LESS.

It is hereby agreed that possession of the above described premises is the essence of this contract and the BUYER may take immediate possession of the premises upon signing of this contract.

It is further agreed that relinquishment of LESSEE interest to areas conveyed temporarily shall be during the period of construction and shall cease upon acceptance of the project by the BUYER.

Moving and replacing approximately <u>NA</u> rods of fence at \$ <u>NA</u> per rod Relinquishment of leasehold interest to approximately <u>461,260</u> square feet	\$ <u>NA</u> \$ <u>100.00</u>
Other Damages: None	\$ <u>NA</u>
TOTAL	\$100.00

It is agreed and understood that the BUYER is hereby granted an immediate right of entry upon the premises described above.

The above payments shall cover all damages caused by the establishment and construction of the above project except for LESSEE'S share of CROP DAMAGE, if any, which will be paid for in an amount based on the yield from the balance of the field less expenses of marketing and harvesting.

CROP DAMAGE shall mean damage to such crops as are required to be planted annually and which were planted at the time of the signing of this contract and which are actually damaged due to construction of this project, but in no case shall damages be paid for more than one year's crop. The LESSEE agrees to make a reasonable attempt to harvest any crop so as to mitigate the crop damage.

This contract shall be binding on both parties from its inception, but, should none of the above real estate be required, this contract shall terminate.

This contract may be executed in more than one copy, each copy of which, however, shall serve as an original for all purposes, but all copies shall constitute but one and the same contract.

REMARKS

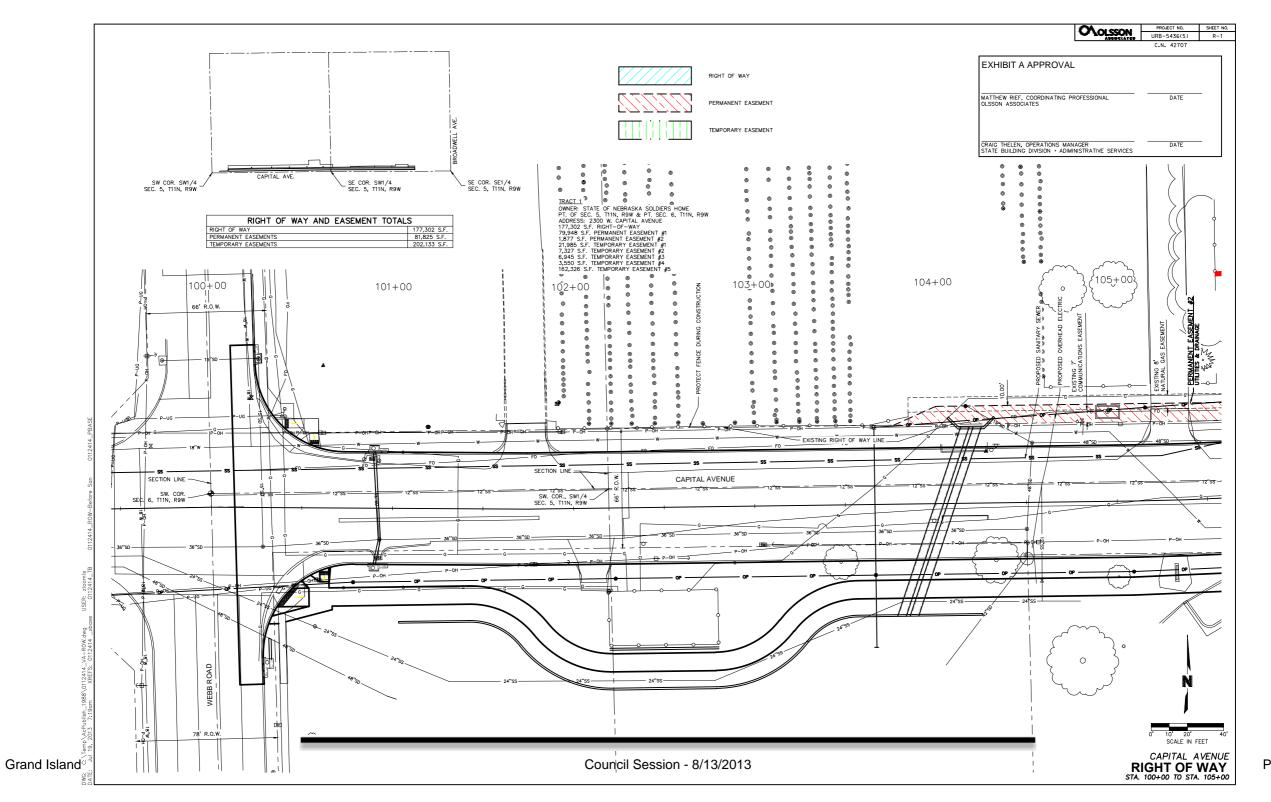
Attached is Exhibit A Right of Way Plans which show the edge of tillable acres in the temporary easement. There will be 2.7 tillable acres impacted by the temporary easement #5.

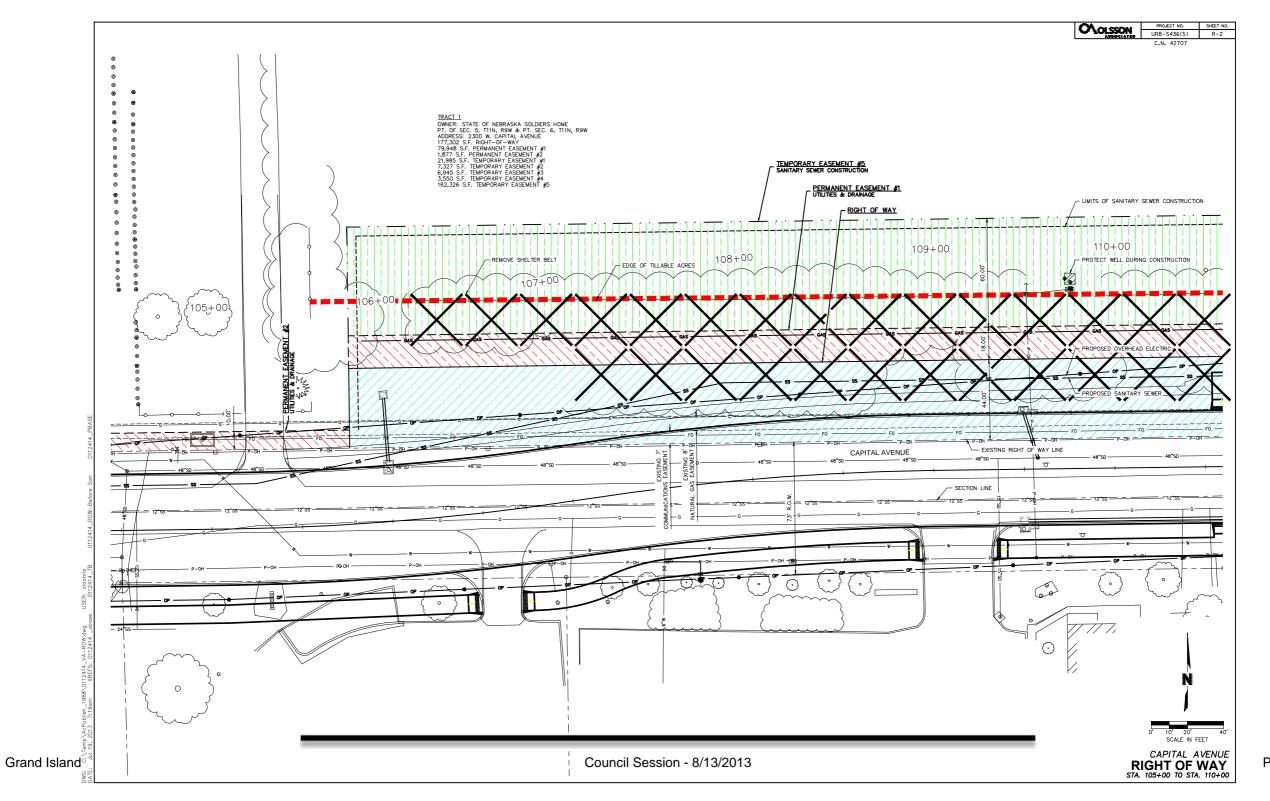
Construction is anticipated to start in April, 2014. It is our understanding the current lease expires in December, 2013. There will be no crop damages occurring in 2013.

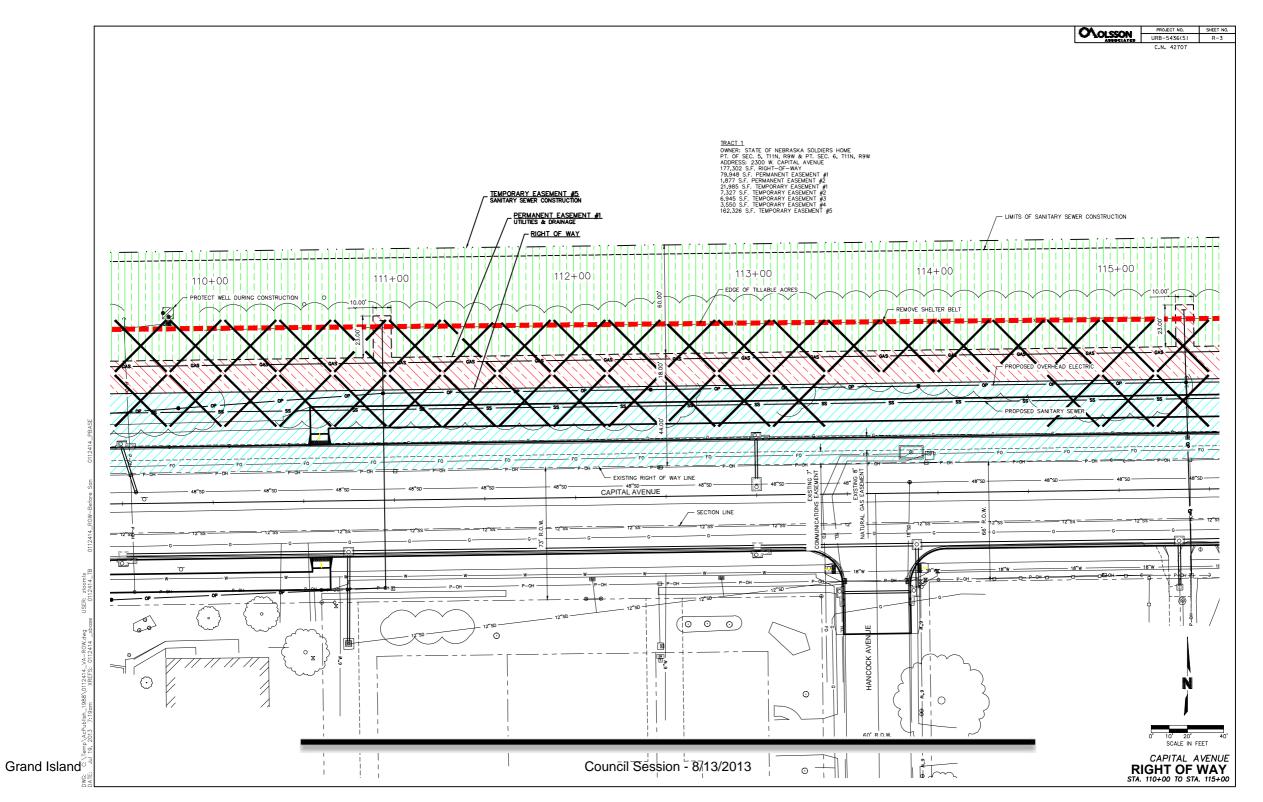
THIS IS A LEGAL AND BINDING CONTRACT - READ IT.

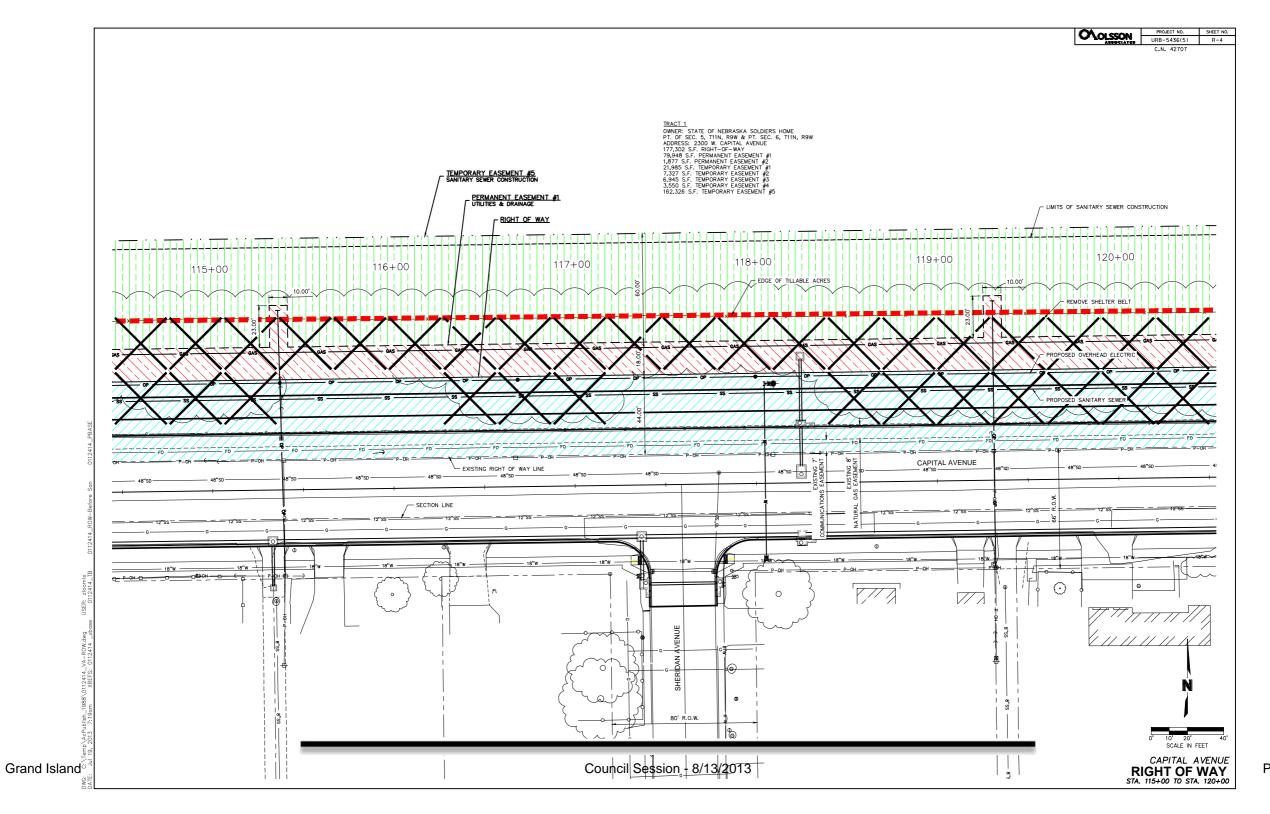
The representative of the BUYER, in presenting this contract has given me a copy and explained all its provisions. A complete understanding and explanation has been given of the terminology, phrases, and statements contained in this contract. It is understood that no promises, verbal agreements or understanding, except as set forth in this contract, will be honored by the BUYER.

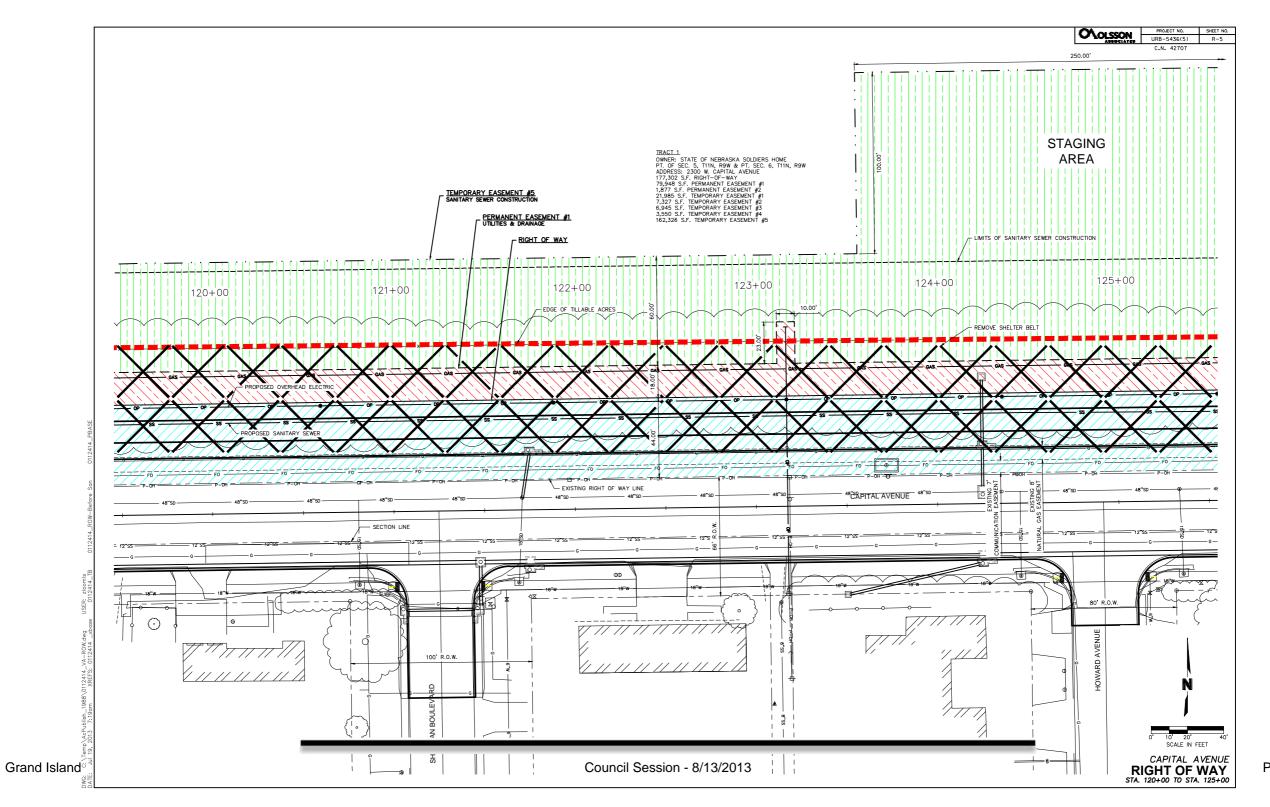
BUYER	LESSEE	
Ву		
Date		
Dated this , 20	Dated this day of , 20	
On the above date, before me a General Notary Public duly commissioned and qualified, personally came	On the above date, before me a General Notary Public duly commissioned and qualified, personally came	
to me known to be the identical person whose name affixed to the foregoing instrument as grantor and acknowledged the same to be a voluntary act and deed.	to me known to be the identical person whose name affixed to the foregoing instrument as grantor and acknowledged the same to be a voluntary act and deed.	
WITNESS my hand and Notarial Seal the day and year above written.	WITNESS my hand and Notarial Seal the day and year above written.	
Notary	Notary	
STATE OF	STATE OF	
SS.	ss.	
County	County	

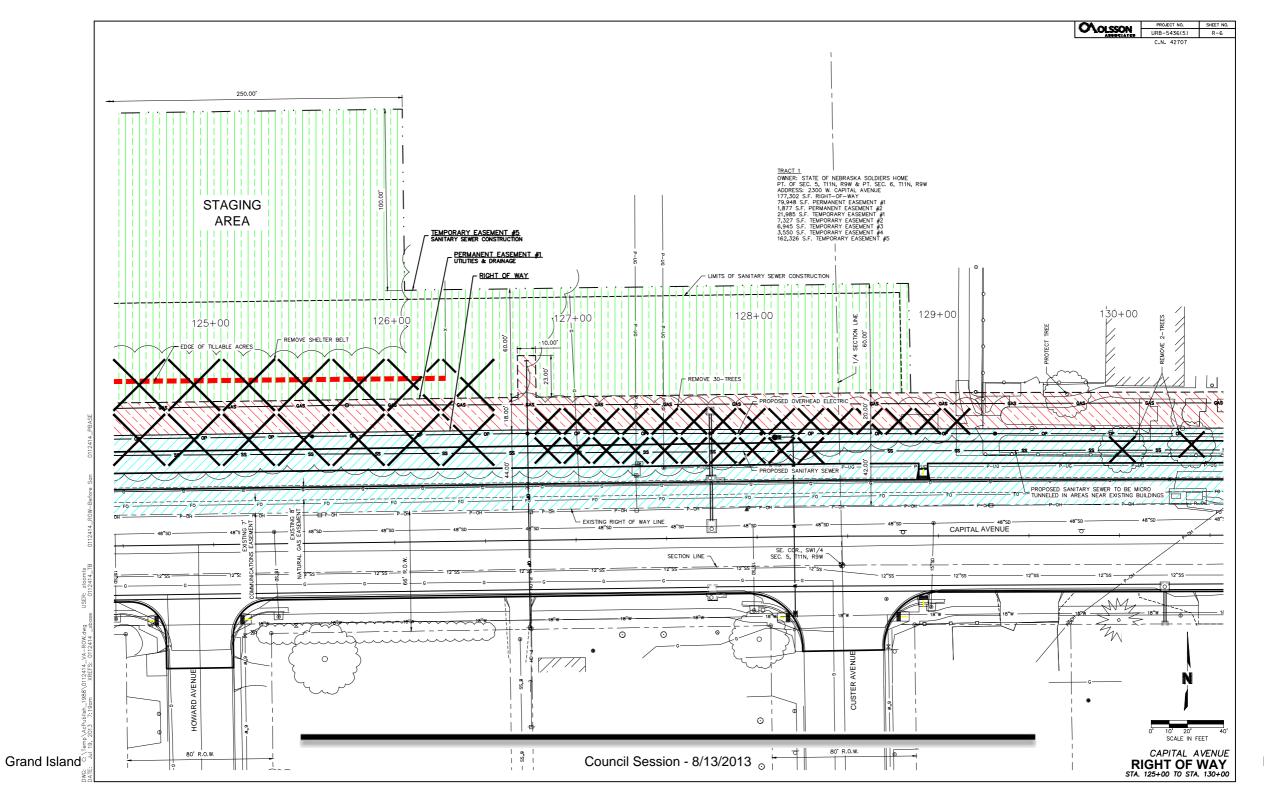


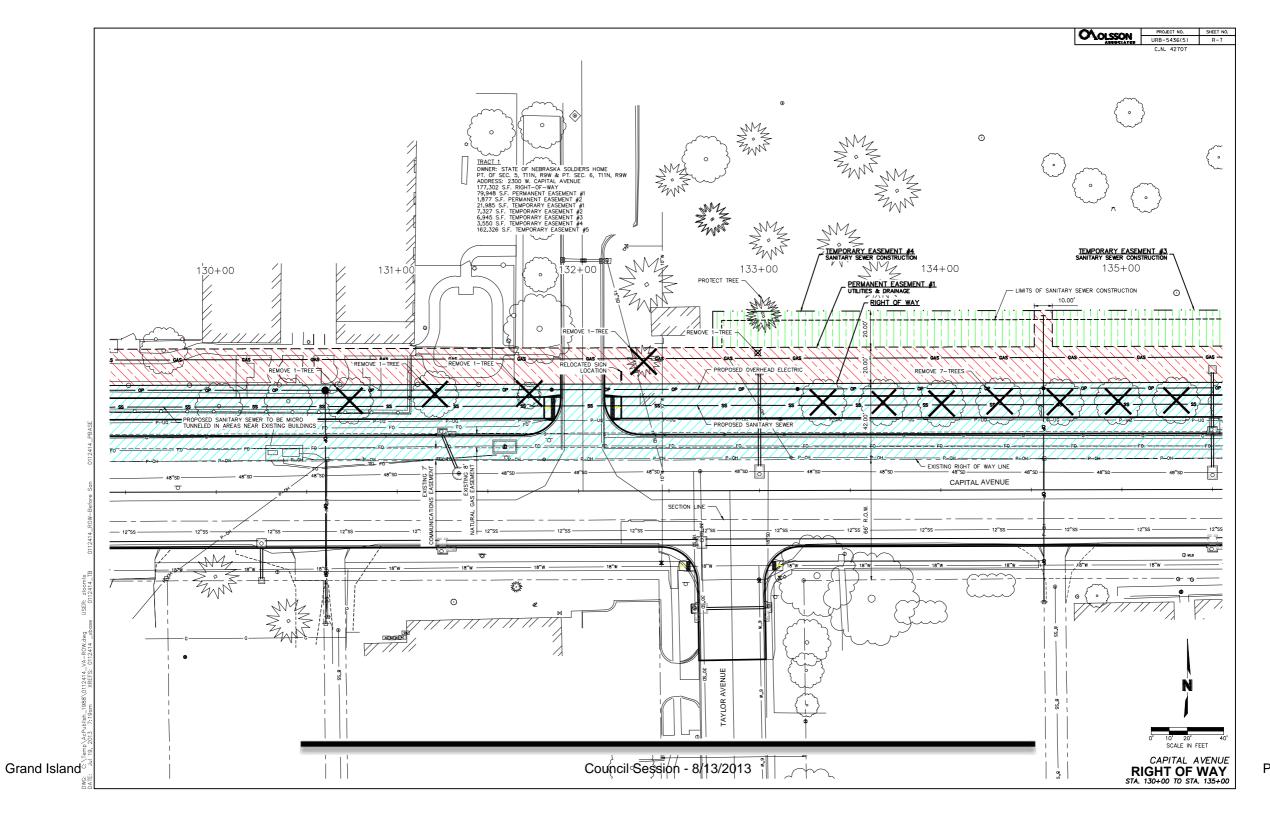


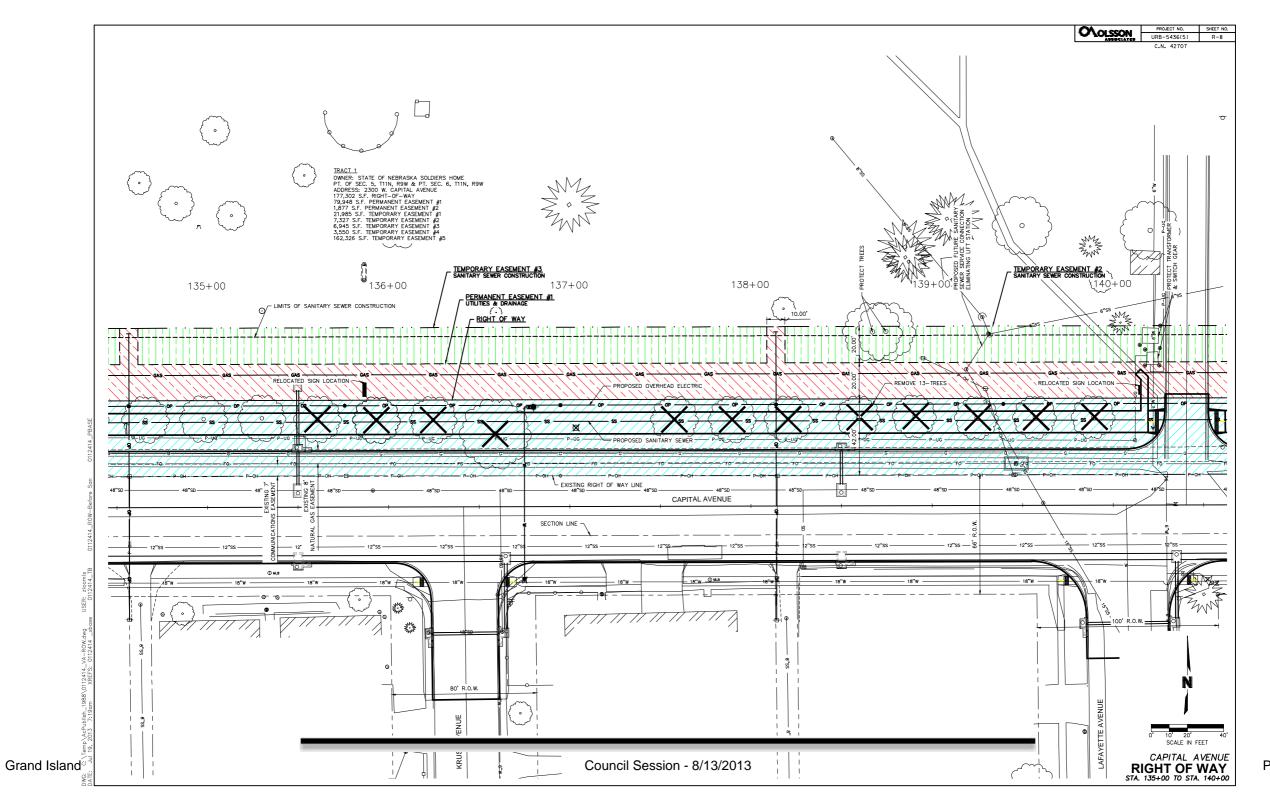


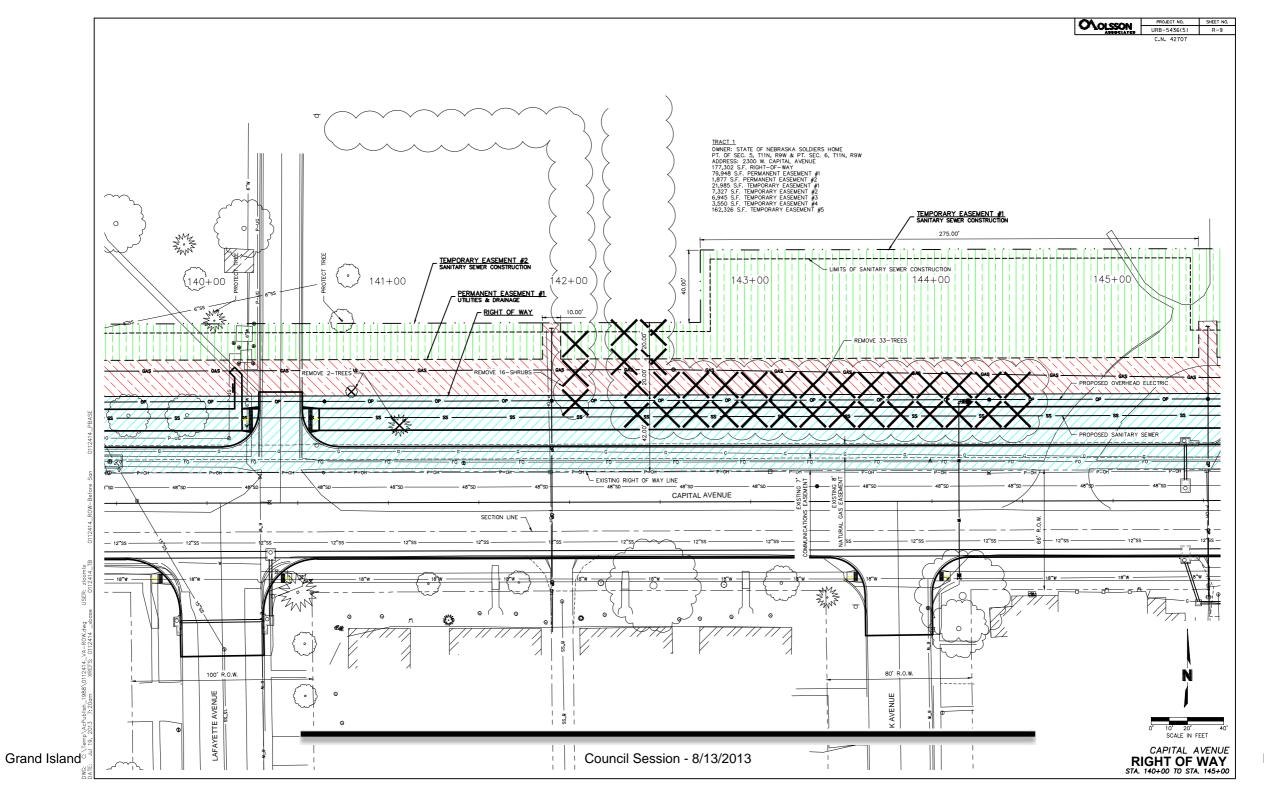


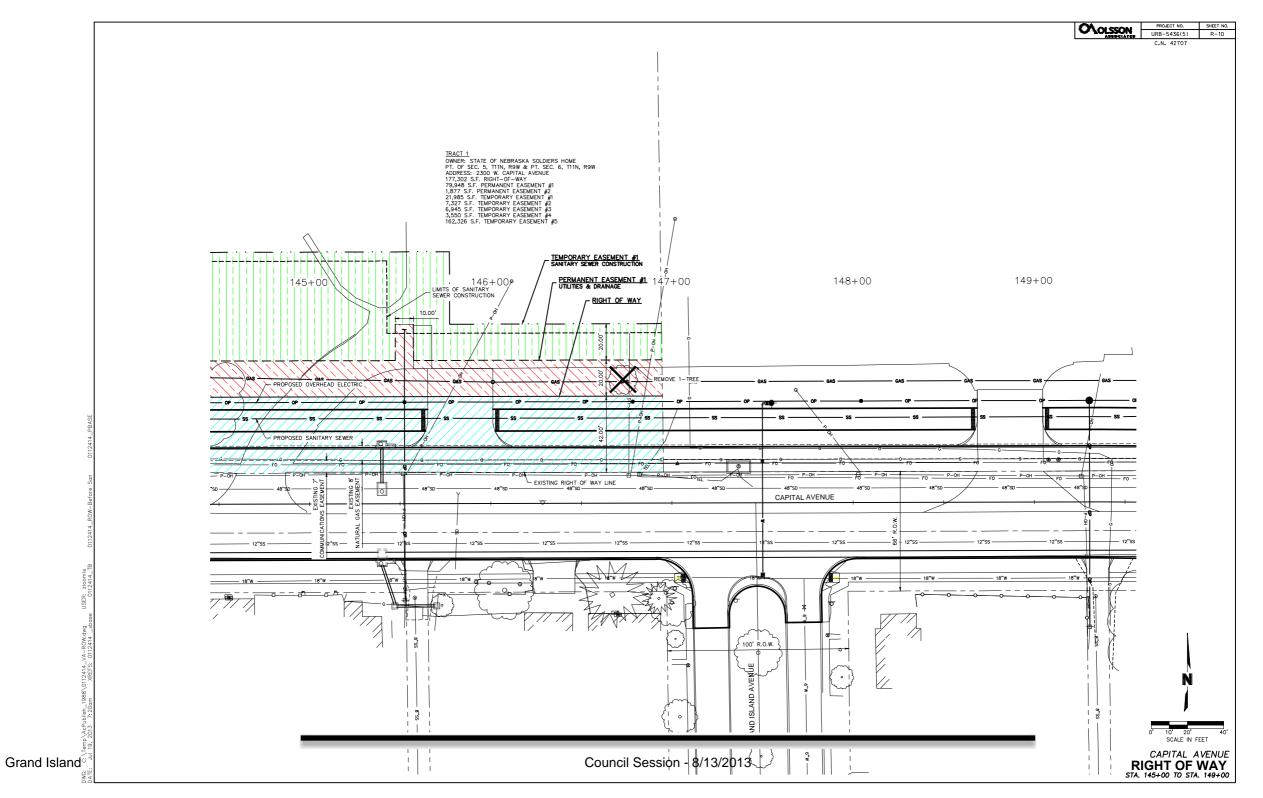












RESOLUTION 2013-265

WHEREAS, a leasehold agreement is required by the City of Grand Island, from the affected lessee in the North Interceptor Phase II, Part B; Sanitary Sewer Project No. 2013-S-4 area, as follows:

Area Payment No. **Tenant** Legal Description Total (minimum \$100.00) RIGHT OF WAY AREA (177,302 square feet or 4.07 acres more or less) A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE R.O.W. LINE AND UPON SAID ALONG NORTH S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE S89°12'48"W A DISTANCE OF 2268.98 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47'12"W A 3L Houdek 461,260 s.f. \$100.00 DISTANCE OF 44.00 FEET; THENCE N89°12'48"E A DISTANCE OF 2087.48 FEET; THENCE N89°50′38″E A DISTANCE OF 2030.26 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 177,302 SOUARE FEET OR 4.07 ACRES MORE OR LESS. PERMANENT EASEMENT AREA (81,825 square feet or 1.88 acres more or less) PERMANENT EASEMENT #1 A PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF

Approved as to Form
August 9, 2013

City Attorney

S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE

N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE 33.00 POINT OF FEET TO THE INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N00°49'18"W ALONG SAID WEST LINE A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING; THENCE S89°50'38"W A DISTANCE OF 2030.26 FEET; THENCE S89°12'48"W A DISTANCE OF 2087.48 FEET; THENCE N00°47'12"W A DISTANCE OF 18.00 FEET; THENCE N89°12'48"E A DISTANCE OF 511.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12′48″E A DISTANCE OF 10.00 FEET; THENCE S00°47′12″E A DISTANCE OF 23.00 FEET; THENCE N89°12'48"E A DISTANCE OF 432.92 FEET; THENCE N00°47′12″W A DISTANCE OF 23.00 N89°12'48"E A DISTANCE OF THENCE 10.00 FEET; S00°47′12″E A DISTANCE OF 23.00 THENCE FEET; THENCE N89°12′48″E A DISTANCE OF 384.03 FEET: THENCE N00°47′12″W A DISTANCE OF 23.00 FEET: THENCE N89°12′48″E A DISTANCE OF 10.00 FEET; THENCE S00°47′12″E Α DISTANCE OF 23.00 FEET; THENCE N89°12′48″E A DISTANCE OF 375.85 FEET; THENCE N00°47′12″W A DISTANCE OF 23.00 FEET; THENCE N89°12′48″E A DISTANCE OF 10.00 FEET: THENCE S00°47′12″E Α DISTANCE OF 23.00 FEET: THENCE N89°12'48"E A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE N89°12′48″E A DISTANCE OF 10.00 THENCE S00°47′12″E Α DISTANCE OF 23.00 FEET; N89°12′48″E A THENCE DISTANCE OF 168.13 FEET; THENCE N89°50'38"E A DISTANCE OF 605.51 FEET: THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 10.00 FEET; THENCE S00°09′22″E Α DISTANCE OF 20.00 FEET: THENCE N89°50'38"E A DISTANCE OF 347.22 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 366.32 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 THENCE N89°50'38"E A DISTANCE OF 10.00 FEET: THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 352.21 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50′38″E A DISTANCE OF 10.00 FEET; THENCE S00°09'22"E A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 137.14 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID PERMANENT EASEMENT CONTAINS 79,948 SQUARE FEET OR 1.84 ACRES MORE OR LESS.

PERMANENT EASEMENT #2

A PERMANENT EASEMENT CONSISTING OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50'38"W A DISTANCE OF 1848.78 FEET; THENCE S89°12'48"W A DISTANCE OF 2268.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°12'48"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 199.21 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N65°49'16"E A DISTANCE OF 25.19 FEET; THENCE N89°12'48"E ALONG A LINE BEING 10.00 FEET NORTH OF AND PARALLEL TO SAID NORTH R.O.W. LINE A DISTANCE OF 176.09 FEET; THENCE S00°47'12"E A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,877 SQAURE FEET OR 0.04 ACRES MORE OR LESS.

The property to which the LESSEE hereby temporarily relinquishes interest is described below and shown in attached Exhibit A.

TEMPORARY EASEMENTS AREA (202,133 square feet or 4.64 acres more or less) TEMPORARY EASEMENT #1

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE;

THENCE CONTINUING N00°49'18"W ALONG SAID WEST LINE A DISTANCE OF 62.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND A NORTH LINE OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG SAID NORTH LINE A DISTANCE OF 137.14 FEET TO A NORTHERLY CORNER OF SAID **PROPOSED PERMANENT EASEMENT:** THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT: THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 10.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 352.21 FEET TO A NORTHERLY CORNER OF SAID **PROPOSED PERMANENT** EASEMENT; N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N89°50'38"E A DISTANCE OF 77.21 FEET; THENCE N00°09'22"W A DISTANCE OF 40.00 FEET; THENCE N89°50'38"E A DISTANCE OF 305.00 FEET; THENCE S00°09'22"E A DISTANCE OF 40.00 FEET: THENCE N89°50'38"E A DISTANCE OF 116.91 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED BOOK 159, PAGE 133; THENCE S00°49'18"E ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNNING. SAID **TEMPORARY** CONSTRUCTION EASEMENT CONTAINS 21,985 SOUARE FEET OR 0.50 ACRES MORE OR LESS.

TEMPORARY EASEMENT #2

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE;

THENCE S89°50'38"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 510.07 FEET; THENCE N00°09'22"W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 366.32 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 366.32 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 7,327 SQUARE FEET OR 0.17 ACRES MORE OR LESS.

TEMPORARY EASEMENT #3

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50'38"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 886.39 FEET; THENCE N00°09'22"W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 347.22 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EAST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE N89°50'38"E A DISTANCE OF 347.22 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO BEGINNING. SAID THE POINT OF **TEMPORARY** CONSTRUCTION EASEMENT CONTAINS 6,945 SQUARE FEET OR 0.16 ACRES MORE OR LESS.

TEMPORARY FASEMENT #4

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50'38"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49'18"W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE S89°50'38"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 1243.61 FEET; THENCE N00°09'22"W A DISTANCE OF 62.00 FEET TO A NORTHERLY CORNER OF A PROPOSED PERMANENT EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING: THENCE S89°50'38"W ALONG A NORTH LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 177.48 FEET; THENCE N00°09'22"W A DISTANCE OF 20.00 FEET; THENCE N89°50'38"E A DISTANCE OF 177.48 FEET TO A NORTHERLY CORNER OF SAID PROPOSED PERMANENT EASEMENT: THENCE S00°09'22"E ALONG A WEST LINE OF SAID PROPOSED PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 3,550 SQUARE FEET OR 0.08 ACRES MORE OR LESS.

TEMPORARY EASEMENT #5

A TEMPORARY CONSTRUCTION EASEMENT CONSISTING OF PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°50′38″W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 796.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND RECORDED IN DEED BOOK 159, PAGE 133; THENCE N00°49′18″W ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN DEED BOOK 159, PAGE 133 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ALONG AND UPON SAID NORTH R.O.W. LINE S89°50′38″W A DISTANCE OF 1848.78 FEET; THENCE

S89°12'48"W A DISTANCE OF 2268.98 FEET; THENCE DEPARTING SAID NORTH R.O.W. LINE N00°47'12"W A DISTANCE OF 62.00 FEET TO THE POINT OF BEGINNING: THENCE CONTINUING N00°47'12"W A DISTANCE OF 60.00 FEET; THENCE N89°12'48"E A DISTANCE OF 1779.47 FEET; THENCE N00°47'12"W A DISTANCE OF 100.00 FEET: THENCE N89°12'48"E A DISTANCE OF 250.00 FEET: THENCE S00°47'12"E A DISTANCE OF 100.00 FEET; THENCE N89°12'48"E A DISTANCE OF 278.08 FEET; THENCE S01°14'48"E A DISTANC E OF 60.43 FEET; THENCE S89°50'38"W A DISTANCE OF 38.72 FEET; THENCE S89°12'48"W A DISTANCE OF 168.13 FEET; THENCE N00°47′12″W A DISTANCE OF 23.00 FEET: THENCE S89°12′48″W A DISTANCE OF 10.00 FEET; THENCE S00°47′12″E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 346.69 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12′48″W A DISTANCE OF 10.00 FEET; THENCE S00°47′12″E A DISTANCE OF 23.00 FEET: THENCE S89°12'48"W A DISTANCE OF 375.85 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET; THENCE S89°12′48″W A OF 10.00 FEET; DISTANCE THENCE S00°47′12″E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 384.03 FEET; THENCE N00°47′12″W A DISTANCE OF 23.00 FEET; THENCE S89°12′48″W A DISTANCE OF 10.00 FEET; THENCE S00°47′12″E A DISTANCE OF 23.00 FEET; THENCE S89°12'48"W A DISTANCE OF 432.92 FEET; THENCE N00°47'12"W A DISTANCE OF 23.00 FEET: THENCE S89°12′48″W A DISTANCE OF 10.00 FEET; S00°47'12"E A DISTANCE OF 23.00 FEET; THENCE THENCE S89°12'48"W A DISTANCE OF 511.69 FEET TO **TEMPORARY** THE POINT OF BEGINNING. SAID CONSTRUCTION EASEMENT CONTAINS 162,326 SOUARE FEET OR 3.73 ACRES MORE OR LESS.

Total \$100.00

WHEREAS, the Leasehold Agreement 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 Leasehold Agreement on the above described tract of land, in the total amount of \$100.00.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, August 13, 2013.				
	Jay Vavricek, Mayor			
Attest:				
RaNae Edwards, City Clerk				