



City of Grand Island

Tuesday, March 11, 2014

Council Session

Item E-6

**Public Hearing on Acquisition of Utility Easement for Sanitary
Sewer Tap District No. 530T - Sanitary Sewer Extension to
Interstate 80 (Lawney L. Rathman)**

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: March 11, 2014

Subject: Public Hearing on Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Lawney L. Rathman)

Item #'s: E-6 & G-14

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

Background

A public utility easement is needed to accommodate the extension of sanitary sewer to Interstate 80. The public utility easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easement.

Such sanitary sewer district was created by City Council through Ordinance No. 9348 at the December 6, 2011 meeting.

Discussion

The purchase price of the necessary public utility easement is as follows, and has been agreed upon between the City and the property owner.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
Lawney L. Rathman Revocable Living Trust	<u>PERMANENT EASEMENT NO. 1</u> A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF	\$34,292.00

BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET OF THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35,367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

AND

PERMANENT EASEMENT NO. 2

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 395.58 FEET; THENCE N05°21'00"W A DISTANCE OF 239.93 FEET TO THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.

Alternatives

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

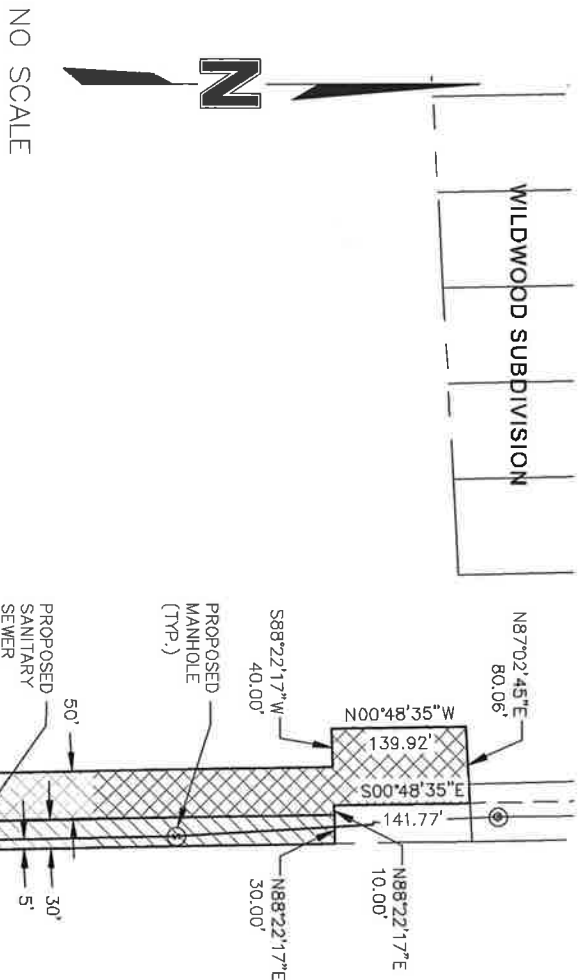
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve acquisition of the necessary Public Utility Easement.

Sample Motion

Move to approve the acquisition of the necessary Public Utility Easement.



NO SCALE

E 1/2 NE 1/4 SEC. 12, T10N R10W

U.S. HIGHWAY NO. 281



LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35,367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

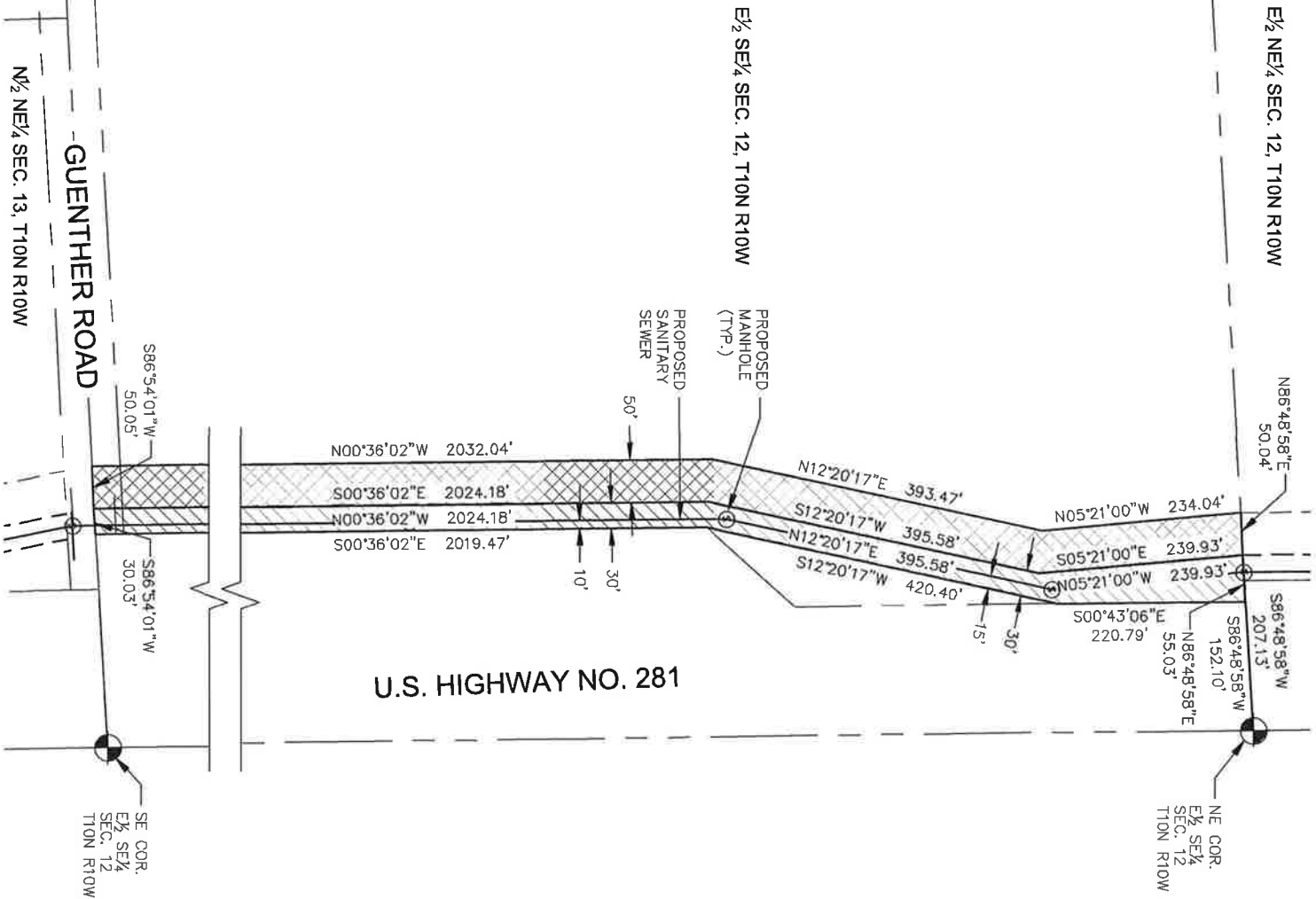
A TRACT OF LAND LOCATED IN THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70,261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

PROJECT NO:	012-1867	CITY OF GRAND ISLAND EASEMENT	 PERMANENT EASEMENT  TEMPORARY CONSTRUCTION EASEMENT	EXHIBIT
DRAWN BY:	LH			A
DATE:	11/20/2012		2727 W. 2ND STREET SUITE 105 HASTINGS, NE 68901 TEL 402.463.0240 FAX 402.463.0187	



NO SCALE



DWG: F:\Projects\012-1867\PBIN\Easements\0121867_EASE-RATHMAN 2.dwg
 DATE: Nov 26, 2012 1:28pm
 USER: cmedina
 XREFS: 121867_pbase 0120030_xbase

PROJECT NO: 012-1867
 DRAWN BY: LH
 DATE: 11/20/2012

CITY OF GRAND ISLAND
 EASEMENT

OLSSON ASSOCIATES
 2727 W. 2ND STREET
 SUITE 105
 HASTINGS, NE 68901
 TEL 402.483.0240
 FAX 402.483.0187

EXHIBIT
A

PERMANENT EASEMENT
 TEMPORARY CONSTRUCTION EASEMENT