



# City of Grand Island

Tuesday, June 10, 2014

Council Session

## Item G-9

**#2014-145 - Approving Acquisition of Public Right-of-Way and Temporary Easements for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project (State of Nebraska Department of Administrative Services)**

*This item is related to the aforementioned Public Hearing item E-6.*

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

## RESOLUTION 2014-145

WHEREAS, public right-of-way and temporary easements are required by the City of Grand Island, from the State of Nebraska, for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project, more particularly described as follows:

### **RIGHT OF WAY AREA (637 square feet more or less)**

A TRACT OF LAND CONSISTING OF PART ON AN UNPLATTED TRACT LOCATED IN THE SOUTH HALF (S1/2) OF FRACTIONAL SECTION 6, TOWNSHIP 11 NORTH, RANGE 9 WEST, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 6; THENCE ON AN ASSUMED BEARING OF N01°33'03"W ALONG THE WEST LINE OF SAID SECTION 6 A DISTANCE OF 33.00 FEET; THENCE N89°19'05"E A DISTANCE OF 33.00 FEET TO THE SOUTHWEST CORNER OF AN UNPLATTED TRACT OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 84-004813, HALL COUNTY REGISTER OF DEEDS; THENCE N01°33'03"W ALONG THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 25.00 FEET TO A WESTERLY CORNER OF SAID UNPLATTED TRACT, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE AND THE EAST R.O.W. LINE OF WEBB ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING N01°33'03"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 12.36 FEET; THENCE S53°27'14"E A DISTANCE OF 61.75 FEET TO A POINT ON THE NORTH R.O.W. LINE OF CAPITAL AVENUE; THENCE S89°19'05"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 29.60 FEET TO THE SOUTHEAST CORNER OF SAID UNPLATTED TRACT DESCRIBED IN INSTRUMENT NUMBER 84-004813; THENCE N38°28'00"W ALONG THE EASTERLY LINE OF SAID UNPLATTED TRACT DESCRIBED IN INSTRUMENT NUMBER 84-004813, SAID EASTERLY LINE ALSO BEING THE NORTH R.O.W. LINE OF CAPITAL AVENUE, A DISTANCE OF 8.86 FEET; THENCE N00°32'14"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 9.00 FEET; THENCE S89°19'05"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 7.00 FEET; THENCE N38°28'00"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 11.38 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS **637 SQUARE FEET MORE OR LESS.**

### **TEMPORARY EASEMENT AREA #1 (2,430 square feet more or less)**

A TEMPORARY EASEMENT CONSISTING OF PART OF THE SOUTH HALF OF FRACTIONAL SECTION 6, 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 SOUTHWEST CORNER OF SAID SECTION 6; THENCE ON AN ASSUMED BEARING OF N01°33'03"W ALONG THE WEST LINE OF SECTION 6 A DISTANCE OF 33.00 FEET; THENCE N89°19'05"E A DISTANCE OF 33.00 FEET TO THE SOUTHWEST CORNER OF AN UNPLATTED TRACT OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 84-004813, HALL COUNTY REGISTER OF DEEDS; THENCE N01°33'03"W ALONG THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 25.00 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE AND THE EAST R.O.W. LINE OF WEBB ROAD; THENCE CONTINUING N01°33'03"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 12.36 FEET TO THE POINT OF INTERSECTION OF SAID EAST R.O.W. LINE AND THE PROPOSED NORTH R.O.W. LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N01°33'03"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 21.56 FEET; THENCE N88°22'24"E A DISTANCE OF 21.84 FEET; THENCE S01°37'36"E A DISTANCE OF 18.39 FEET; THENCE S53°27'14"E A DISTANCE OF 39.87 FEET; THENCE S81°24'27"E A DISTANCE OF 49.82 FEET; THENCE N89°13'17"E A DISTANCE OF 56.21 FEET; THENCE S31°53'49"E A DISTANCE OF 10.32 FEET TO A POINT ON THE NORTH R.O.W. LINE OF CAPITAL AVENUE; THENCE S89°19'05"W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 115.11 FEET TO THE POINT OF INTERSECTION OF SAID NORTH R.O.W. LINE AND THE PROPOSED NORTH R.O.W. LINE OF CAPITAL AVENUE; THENCE N53°27'14"W ALONG SAID

Approved as to Form	<input type="checkbox"/>
June 6, 2014	<input type="checkbox"/> City Attorney

PROPOSED NORTH R.O.W. LINE A DISTANCE OF 61.75 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS **2,430 SQUARE FEET MORE OR LESS.**

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**TEMPORARY EASEMENT AREA #2 (432 square feet more or less)**

A TEMPORARY EASEMENT CONSISTING OF PART OF THE SOUTH HALF 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 SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF S89°12'48"W ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 2268.79 FEET; THENCE N00°47'12"W A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY (R.O.W. LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AN EXISTING PERMANENT EASEMENT DESCRIBED IN INSTRUMENT NUMBER 201306652, HALL COUNTY REGISTER OF DEEDS; THENCE CONTINUING N00°47'12"W ALONG THE EAST LINE OF SAID PERMANENT EASEMENT A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°12'48"W ALONG THE NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 129.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°12'48"W ALONG SAID NORTH LINE A DISTANCE OF 46.80 FEET TO THE NORTHWEST CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S65°49'16"W ALONG THE WEST LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 6.76 FEET; THENCE N00°46'43"W A DISTANCE OF 10.68 FEET; THENCE N89°12'48"E A DISTANCE OF 53.00 FEET; THENCE S00°46'43"E A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS **432 SQUARE FEET MORE OR LESS.**

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**TEMPORARY EASEMENT AREA #3 (24,138 square feet more or less)**

A TEMPORARY EASEMENT CONSISTING OF PART OF THE SOUTH HALF 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 SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF N01°14'48"W ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 5 A DISTANCE OF 75.01 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER SECTION LINE AND THE NORTH R.O.W. LINE OF CAPITAL AVENUE; THENCE CONTINUING N01°14'48"W ALONG SAID QUARTER LINE A DISTANCE OF 19.99 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER LINE AND A NORTH LINE OF AN EXISTING PERMANENT EASEMENT DESCRIBED IN INSTRUMENT NUMBER 201306652, HALL COUNTY REGISTER OF DEEDS, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°12'48"W ALONG SAID NORTH LINE A DISTANCE OF 2129.27 FEET; THENCE N00°47'12"W A DISTANCE OF 11.00 FEET; THENCE N89°12'48"E A DISTANCE OF 2129.18 FEET TO A POINT ON SAID QUARTER SECTION LINE; THENCE CONTINUING N89°12'48"E A DISTANCE OF 1.43 FEET; THENCE N89°50'38"E A DISTANCE OF 63.68 FEET; THENCE S00°09'22"E A DISTANCE OF 11.00 FEET TO A POINT ON A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°50'38"W ALONG SAID NORTH LINE A DISTANCE OF 63.62 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°12'48"W ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 1.29 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS **24,138 SQUARE FEET MORE OR LESS OF WHICH 550 SQUARE FEET MORE OR LESS ARE EXISTING PERMANENT EASEMENT.**

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**TEMPORARY EASEMENT AREA #4 (3,569 square feet more or less)**

A TEMPORARY EASEMENT CONSISTING OF PART OF THE SOUTH HALF 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:

- 2 -

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF N01°14'48"W ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 5 A DISTANCE OF 75.01 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER SECTION LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N01°14'48"W ALONG SAID QUARTER SECTION LINE A DISTANCE OF 19.99 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER SECTION LINE AND A NORTH LINE OF AN EXISTING PERMANENT EASEMENT DESCRIBED IN INSTRUMENT NUMBER 201306652, HALL COUNTY REGISTER OF DEEDS; THENCE N89°12'48"E ALONG SAID NORTH LINE A DISTANCE OF 1.29 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE N89°50'38"E ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 368.05 FEET TO THE POINT OF BEGINNING; THENCE N00°09'22"W A DISTANCE OF 6.00 FEET; THENCE N89°50'38"E A DISTANCE OF 594.67 FEET TO A POINT ON A WESTERLY LINE OF SAID EXISTING PERMANENT EASEMENT; THENCE S00°09'22"E ALONG SAID WESTERLY LINE A DISTANCE OF 6.00 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 594.67 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS **3,569 SQUARE FEET MORE OR LESS OF WHICH 60 SQUARE FEET MORE OR LESS ARE EXISTING PERMANENT EASEMENT.**

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**TEMPORARY EASEMENT AREA #5 (2,619 square feet more or less)**

A TEMPORARY EASEMENT CONSISTING OF PART OF THE SOUTH HALF 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 SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE ON AN ASSUMED BEARING OF N01°14'48"W ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 5 A DISTANCE OF 75.01 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE CONTINUING N01°14'48"W ALONG SAID QUARTER SECTION LINE A DISTANCE OF 19.99 FEET TO THE POINT OF INTERSECTION OF SAID QUARTER LINE AND A NORTH LINE OF AN EXISTING PERMANENT EASEMENT DESCRIBED IN INSTRUMENT NUMBER 201306652, HALL COUNTY REGISTER OF DEEDS; THENCE N89°12'48"E ALONG SAID NORTH LINE A DISTANCE OF 1.29 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE N89°50'38"E ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 1635.43 FEET TO THE POINT OF BEGINNING; THENCE N52°52'12"E A DISTANCE OF 76.48 FEET; THENCE N89°50'38"E A DISTANCE OF 30.72 FEET; THENCE S00°09'22"E A DISTANCE OF 46.00 FEET TO A POINT ON A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°50'38"W ALONG SAID NORTH LINE A DISTANCE OF 16.00 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE N00°09'22"W ALONG A EASTERLY LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 10.00 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S00°09'22"E ALONG A WESTERLY LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 20.00 FEET TO A NORTHERLY CORNER OF SAID EXISTING PERMANENT EASEMENT; THENCE S89°50'38"W ALONG A NORTH LINE OF SAID EXISTING PERMANENT EASEMENT A DISTANCE OF 65.82 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS **2,619 SQUARE FEET MORE OR LESS.**

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WHEREAS, an Agreement for the public right-of-way and temporary 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 Agreement for the acquisition of public right-of-way and temporary easements on the above described tracts.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, June 10, 2014.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

- 4 -

EXHIBIT A APPROVAL

SCOTT GRIEPENSTROH, RESPONSIBLE IN CHARGE  
CITY OF GRAND ISLAND

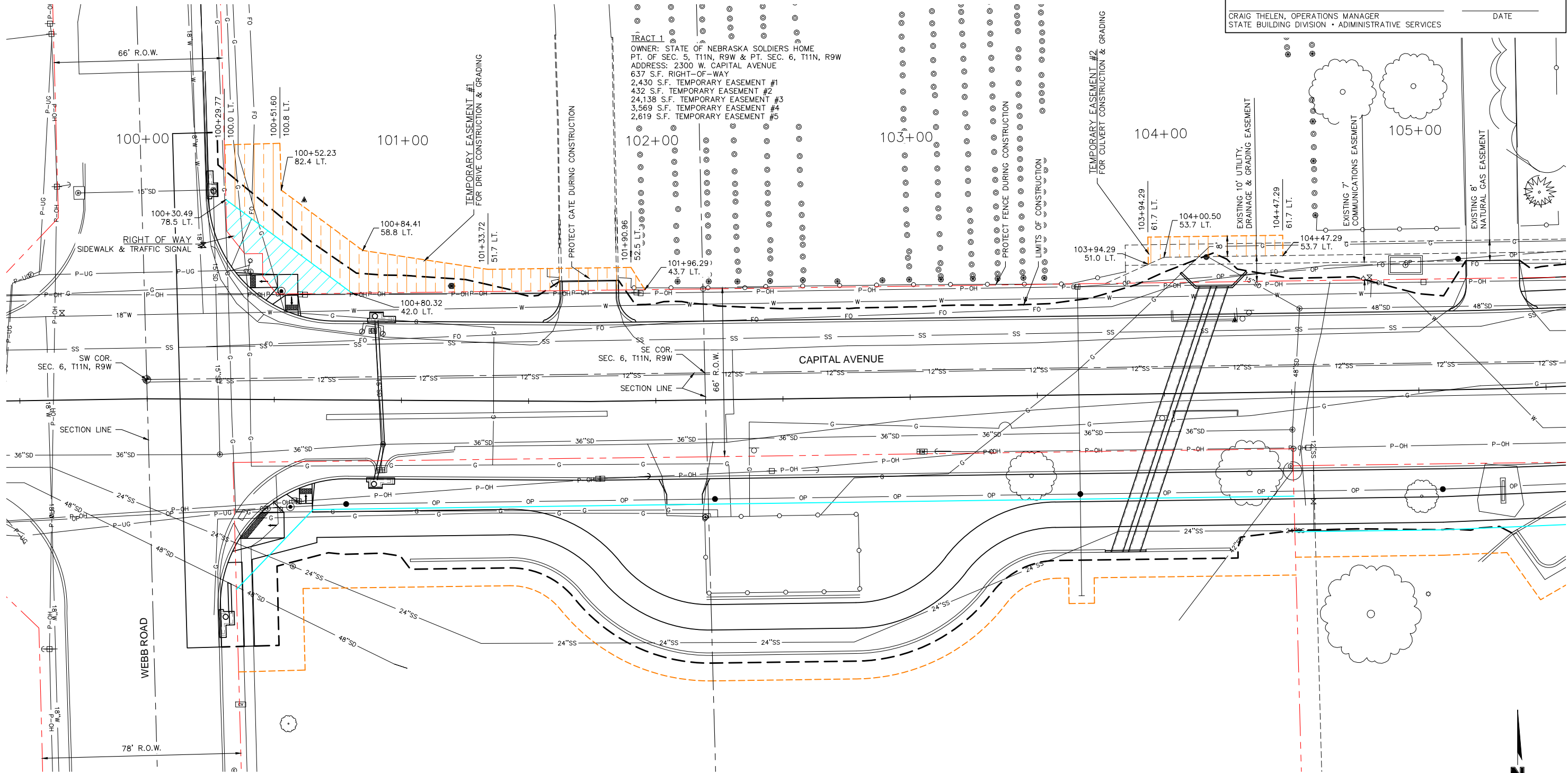
DATE

CRAIG THELEN, OPERATIONS MANAGER  
STATE BUILDING DIVISION • ADMINISTRATIVE SERVICES

DATE

RIGHT OF WAY AND EASEMENT TOTALS	
RIGHT OF WAY	637 S.F.
TEMPORARY EASEMENTS	33,188 S.F.

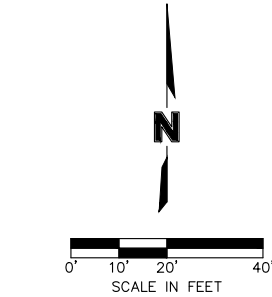
TRACT 1  
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PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
ADDRESS: 2300 W. CAPITAL AVENUE  
637 S.F. RIGHT-OF-WAY  
2,430 S.F. TEMPORARY EASEMENT #1  
432 S.F. TEMPORARY EASEMENT #2  
24,138 S.F. TEMPORARY EASEMENT #3  
3,569 S.F. TEMPORARY EASEMENT #4  
2,619 S.F. TEMPORARY EASEMENT #5



LEGEND

PROPOSED RIGHT-OF-WAY

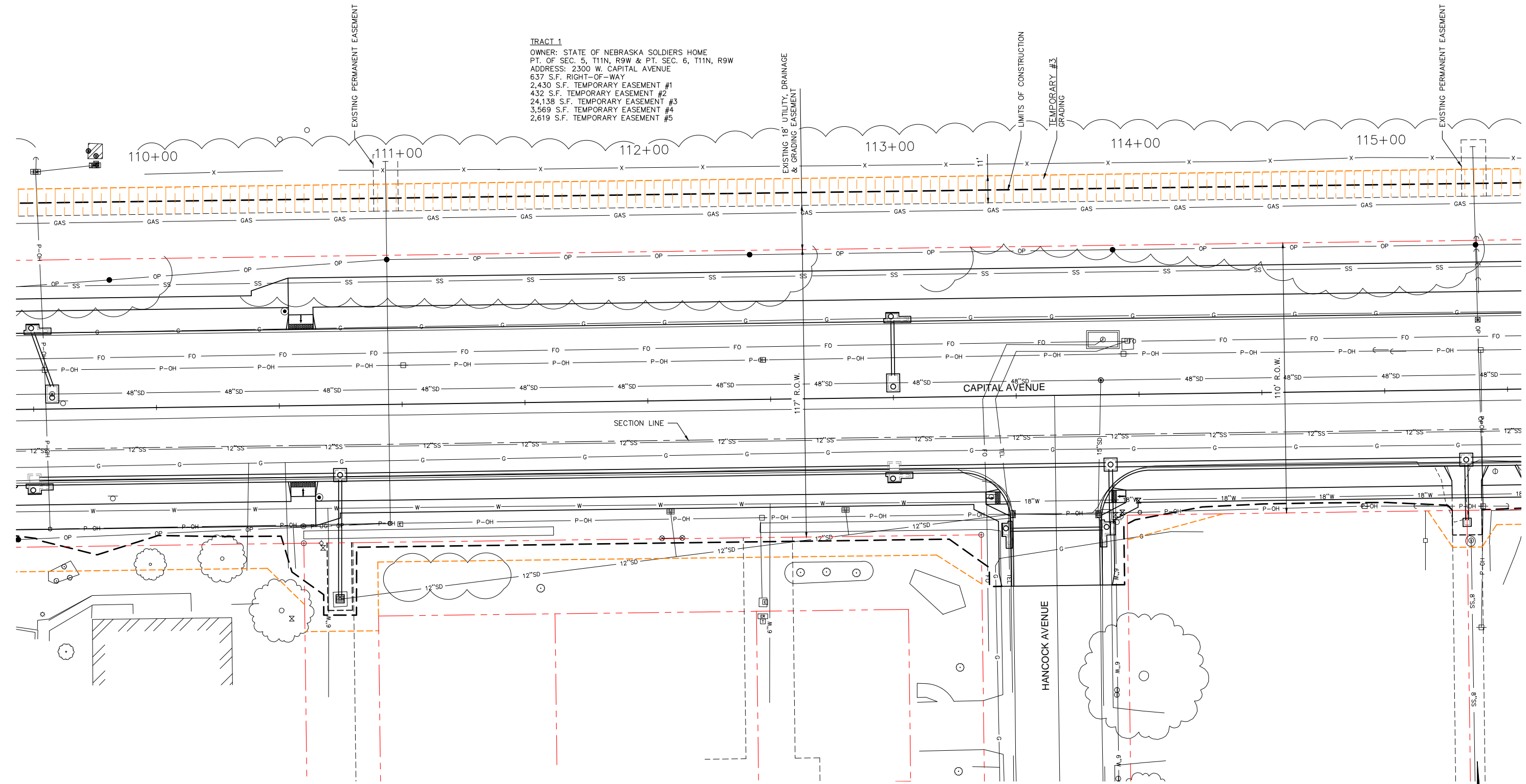
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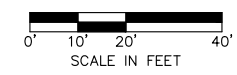
CAPITAL AVENUE  
**RIGHT OF WAY**  
STA. 100+00 TO STA. 105+00

Page 7 / 15

**TRACT 1**  
 OWNER: STATE OF NEBRASKA SOLDIERS HOME  
 PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
 ADDRESS: 2300 W. CAPITAL AVENUE  
 637 S.F. RIGHT-OF-WAY  
 2,430 S.F. TEMPORARY EASEMENT #1  
 432 S.F. TEMPORARY EASEMENT #2  
 24,138 S.F. TEMPORARY EASEMENT #3  
 3,569 S.F. TEMPORARY EASEMENT #4  
 2,619 S.F. TEMPORARY EASEMENT #5



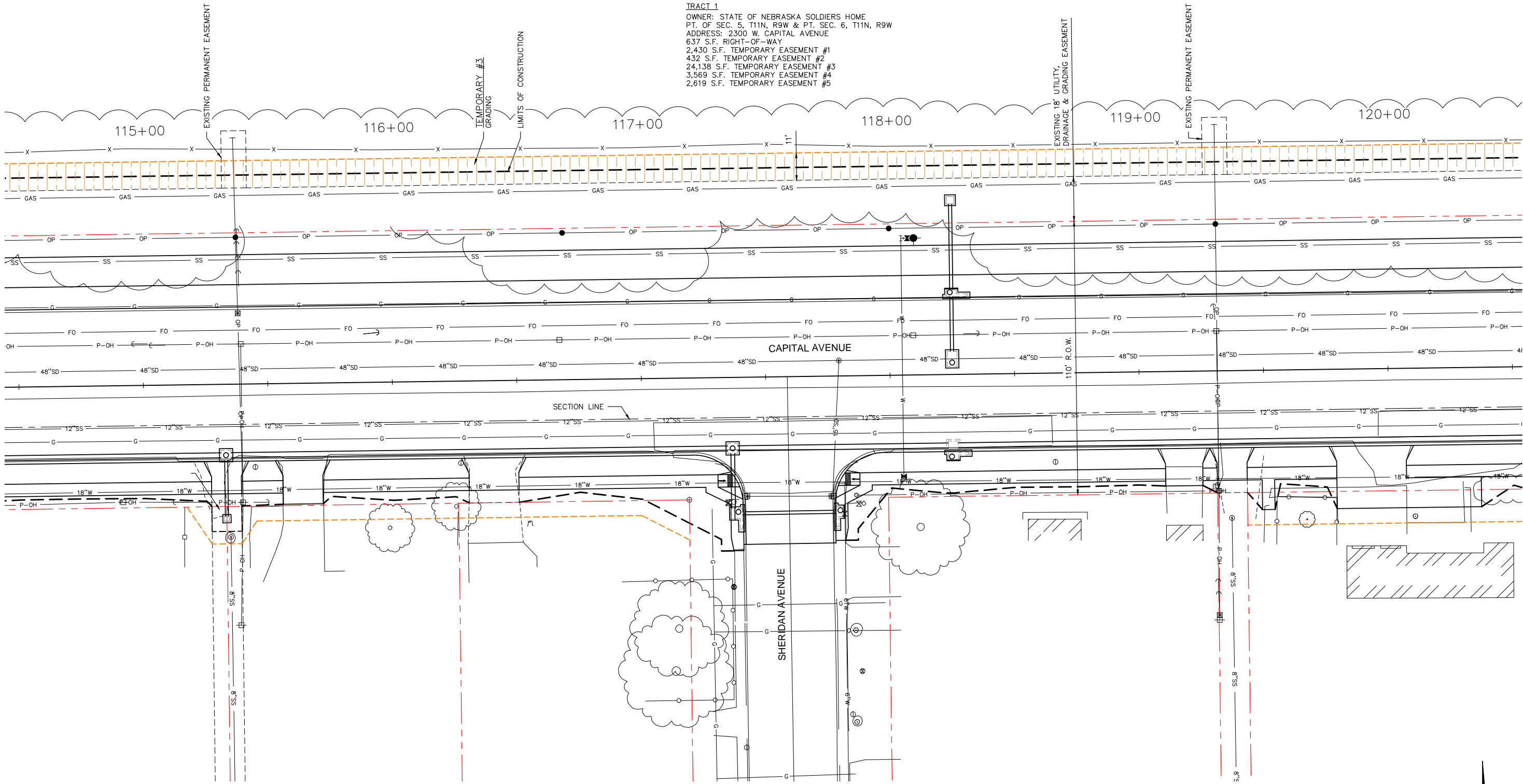
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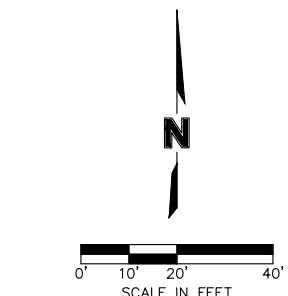
**CAPITAL AVENUE  
 RIGHT OF WAY**  
 STA. 110+00 TO STA. 115+00

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TRACT 1  
OWNER: STATE OF NEBRASKA SOLDIERS HOME  
PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
ADDRESS: 2300 W. CAPITAL AVENUE  
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24,138 S.F. TEMPORARY EASEMENT #3  
3,569 S.F. TEMPORARY EASEMENT #4  
2,619 S.F. TEMPORARY EASEMENT #5



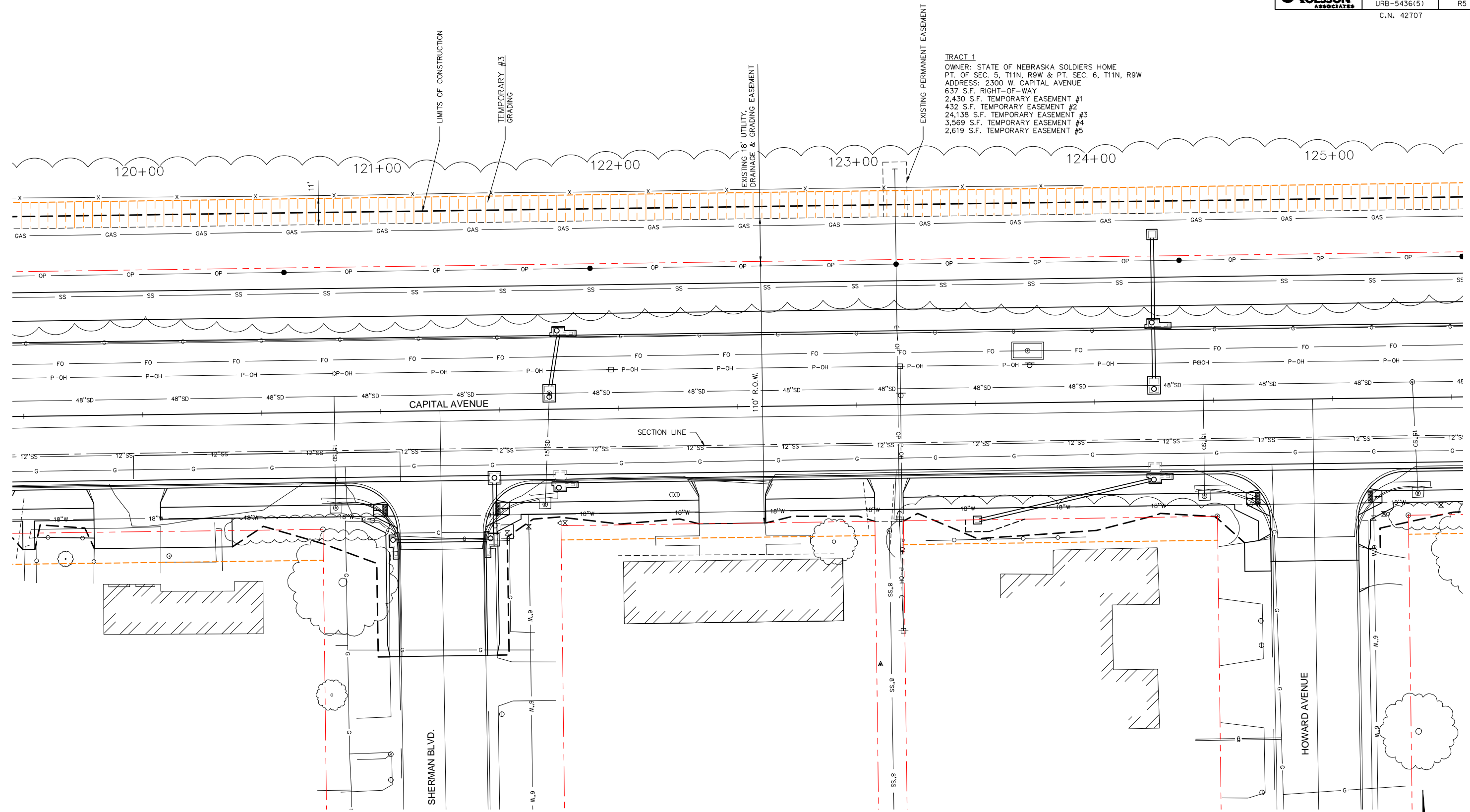
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CAPITAL AVENUE  
RIGHT OF WAY  
STA. 115+00 TO STA. 120+00

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TRACT 1  
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PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
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24,138 S.F. TEMPORARY EASEMENT #3  
3,569 S.F. TEMPORARY EASEMENT #4  
2,619 S.F. TEMPORARY EASEMENT #5



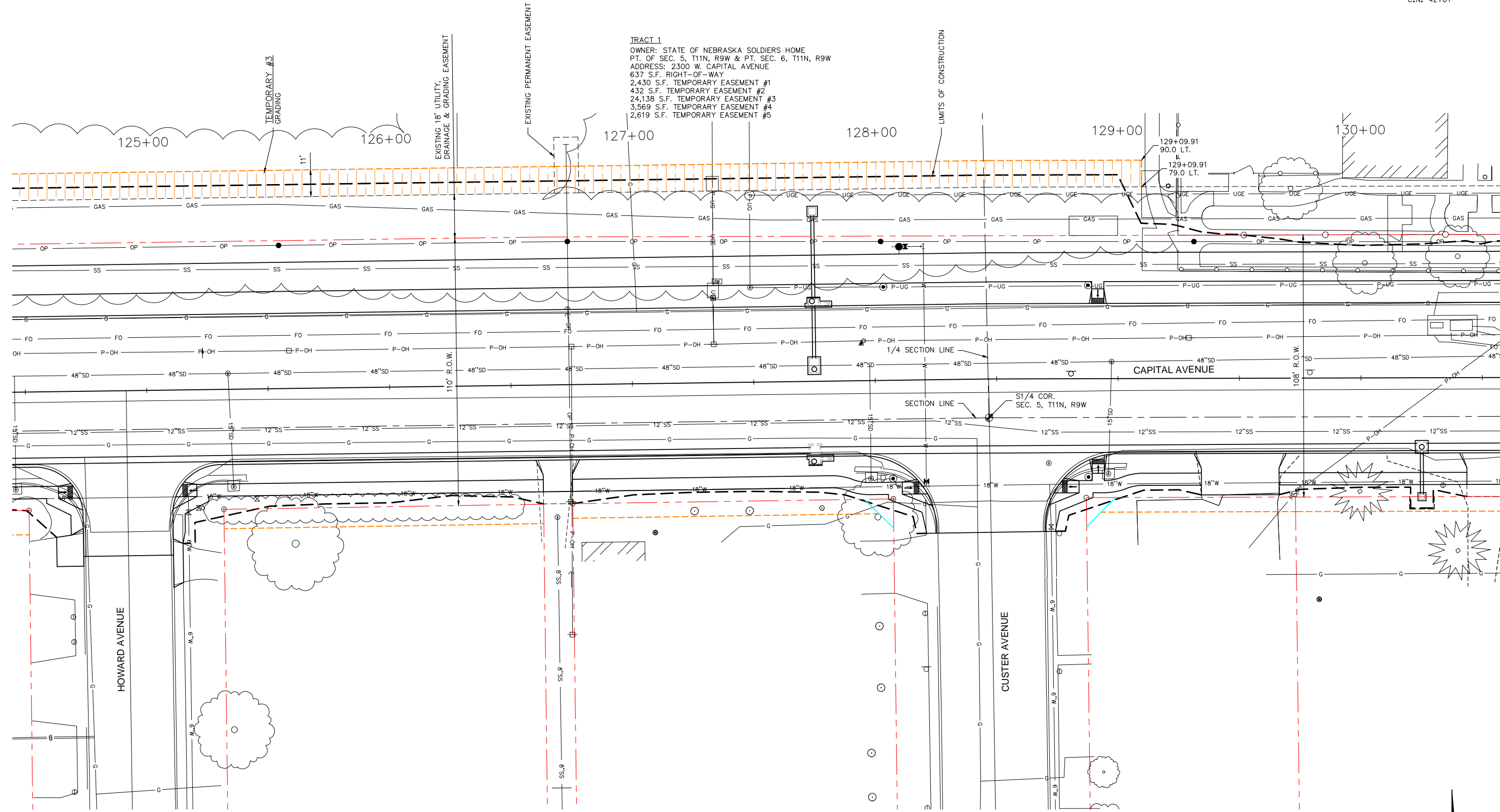
LEGEND

PROPOSED TEMPORARY EASEMENT

CAPITAL AVENUE  
**RIGHT OF WAY**  
STA. 120+00 TO STA. 125+00

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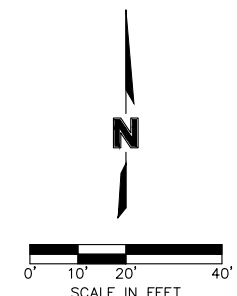




TRACT 1  
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3,569 S.F. TEMPORARY EASEMENT #4  
2,619 S.F. TEMPORARY EASEMENT #5

LEGEND

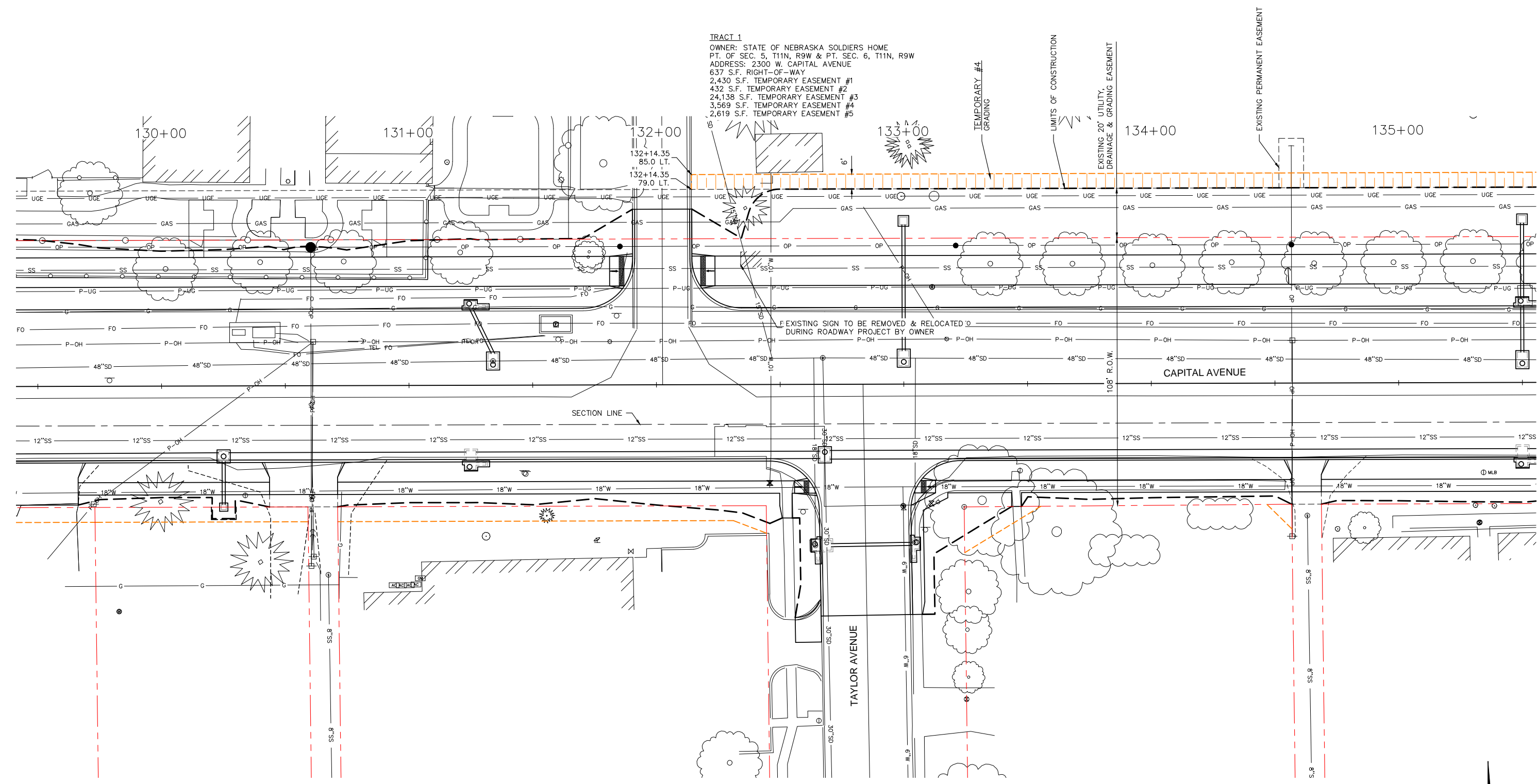
 PROPOSED TEMPORARY EASEMENT



CAPITAL AVENUE  
**RIGHT OF WAY**  
STA. 125+00 TO STA. 130+00

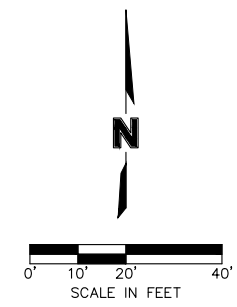
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**TRACT 1**  
 OWNER: STATE OF NEBRASKA SOLDIERS HOME  
 PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
 ADDRESS: 2300 W. CAPITAL AVENUE  
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 24,138 S.F. TEMPORARY EASEMENT #3  
 3,569 S.F. TEMPORARY EASEMENT #4  
 2,619 S.F. TEMPORARY EASEMENT #5



**LEGEND**

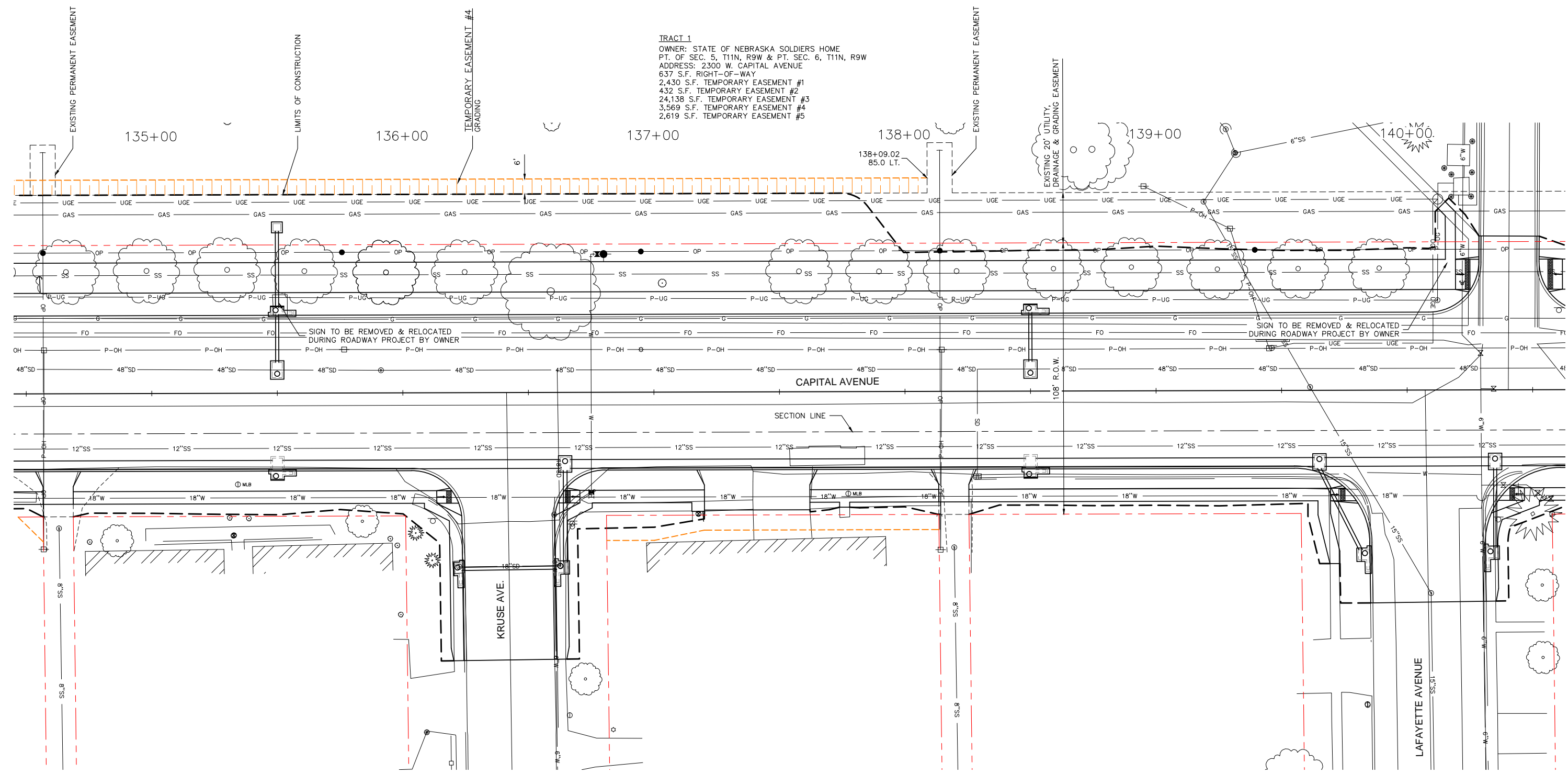
PROPOSED TEMPORARY EASEMENT



**CAPITAL AVENUE  
 RIGHT OF WAY**  
 STA. 130+00 TO STA. 135+00

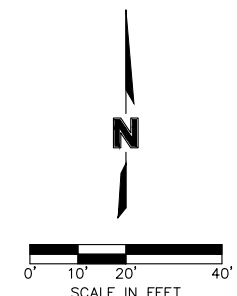
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**TRACT 1**  
 OWNER: STATE OF NEBRASKA SOLDIERS HOME  
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 ADDRESS: 2300 W. CAPITAL AVENUE  
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 2,619 S.F. TEMPORARY EASEMENT #5

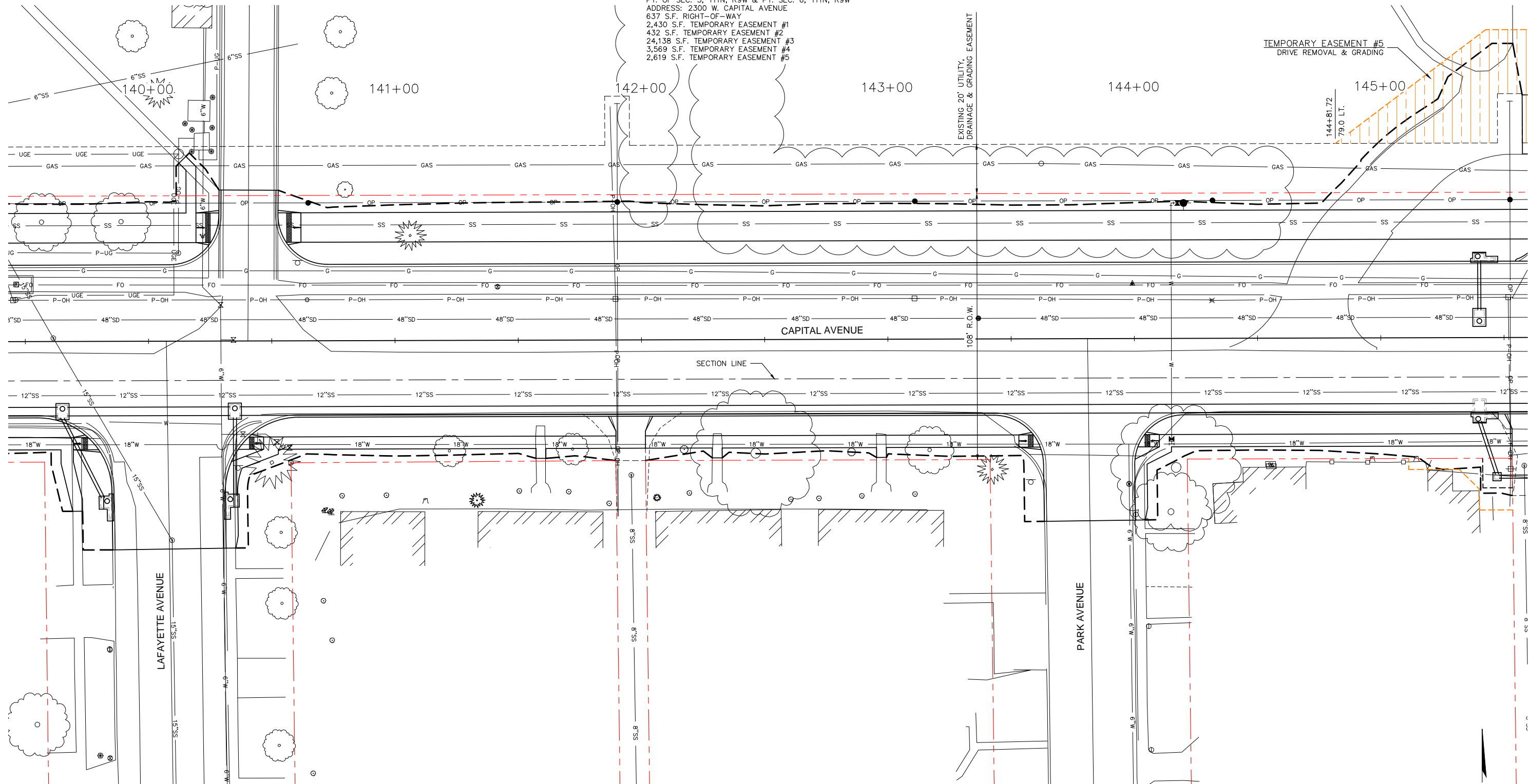
**LEGEND**  
 PROPOSED TEMPORARY EASEMENT



**CAPITAL AVENUE  
 RIGHT OF WAY**  
 STA. 135+00 TO STA. 140+00

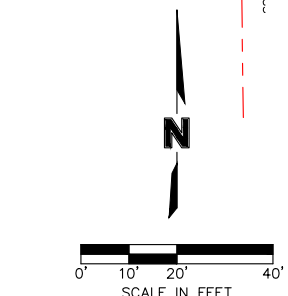
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 3,569 S.F. TEMPORARY EASEMENT #4  
 2,619 S.F. TEMPORARY EASEMENT #5



TEMPORARY EASEMENT #5  
 DRIVE REMOVAL & GRADING

LEGEND  
 PROPOSED TEMPORARY EASEMENT



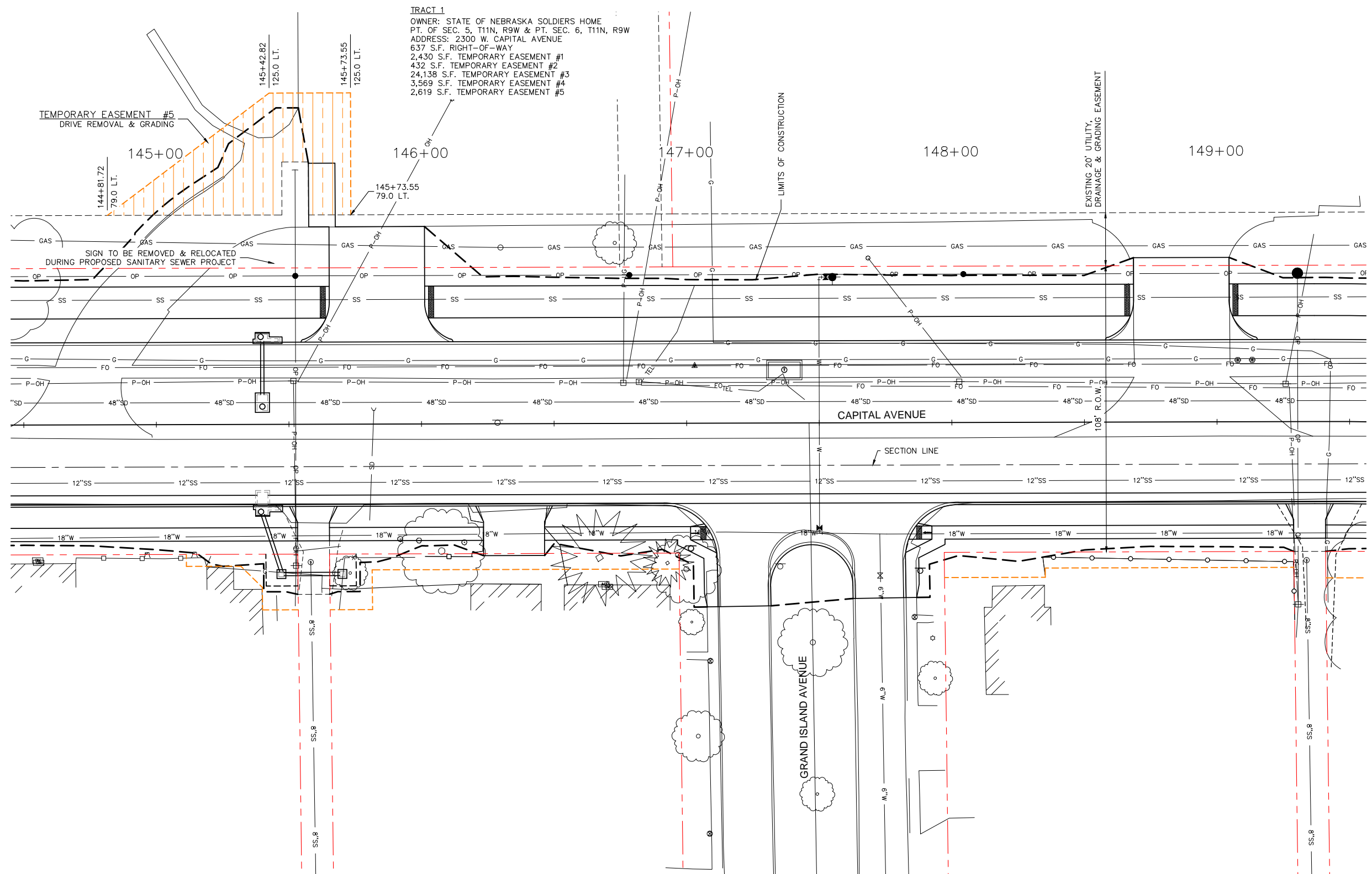
CAPITAL AVENUE  
**RIGHT OF WAY**  
 STA. 140+00 TO STA. 145+00

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PROJECT NO.

R10

PROJECT NO.



TEMPORARY EASEMENT #5  
DRIVE REMOVAL & GRADING

SIGN TO BE REMOVED & RELOCATED  
DURING PROPOSED SANITARY SEWER PROJECT

TRACT 1  
OWNER: STATE OF NEBRASKA SOLDIERS HOME  
PT. OF SEC. 5, T11N, R9W & PT. SEC. 6, T11N, R9W  
ADDRESS: 2300 W. CAPITAL AVENUE  
637 S.F. RIGHT-OF-WAY  
2,430 S.F. TEMPORARY EASEMENT #1  
432 S.F. TEMPORARY EASEMENT #2  
24,138 S.F. TEMPORARY EASEMENT #3  
3,569 S.F. TEMPORARY EASEMENT #4  
2,619 S.F. TEMPORARY EASEMENT #5

LIMITS OF CONSTRUCTION

EXISTING 20' UTILITY,  
DRAINAGE & GRADING EASEMENT

CAPITAL AVENUE

SECTION LINE

GRAND ISLAND AVENUE

LEGEND

PROPOSED TEMPORARY EASEMENT

CAPITAL AVENUE  
**RIGHT OF WAY**  
STA. 145+00 TO STA. 149+00

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DATE:	Nov 08, 2013	XREFS:	0112414_PBASE 0112414_xbase 0112414_IB 0112414_ROW