



# City of Grand Island

Tuesday, July 8, 2014

Council Session

## Item G-7

**#2014-186 - Approving Agreement for Temporary Construction Easement & Leasehold Agreements for Capital Avenue Widening – Webb Road to Broadwell Avenue**

Staff Contact: John Collins PE - Public Works Director

# Council Agenda Memo

**From:** Scott Griepenstroh, PW Project Manager

**Meeting:** July 8, 2014

**Subject:** Approving Agreement for Temporary Construction Easement & Leasehold Agreements for Capital Avenue Widening – Webb Road to Broadwell Avenue

**Item #'s:** G-7

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

## Background

The City and the Nebraska Department of Roads (NDOR) entered into an agreement, which was executed by the City on May 24, 2011 by Resolution No. 2011-124, which specified various duties and funding responsibilities for the Capital Avenue – Webb Road to Broadwell Avenue project. The agreement required that NDOR Standards and Specifications are to be used for design, construction inspection and quality control.

This project will consist of removal of the existing 24' wide asphalt roadway and construction of new concrete pavement on Capital Avenue from Webb Road through Broadwell Avenue. The new roadway will consist of five lane curbed concrete pavement. Other improvements include construction of sidewalks and a concrete hike/bike trail, updated street lighting, and construction of new storm sewer. A pedestrian signal will be constructed approximately 1000' east of Webb Road to provide for safe crossing for users of the hike/bike trail.

This project will be coordinated with the North Interceptor Sanitary Sewer project.

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

## Discussion

A temporary construction easement will be needed from 3 property owners and leasehold agreements are needed from 3 tenants in this project area. All documents have been signed and returned by the property owners and tenants. Authorization of the documents is contingent upon City Council approval. Following is a summary of the payments, totaling \$29,991.00.

Tract No	Owner/Address	Legal	Payment (minimum \$100.00)	Payment of Damages	Total
1L	Matthew "Matt" Panowicz, John Panowicz, Robert "Bob" Panowicz, Michael "Mike" Panowicz (L)	<p><u>TEMPORARY EASEMENT #1</u>  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</p>	\$0.00 (Paid \$100.00 on ROW agreement council item—combined in one agreement)	None	\$0.00

		<p>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 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.</p> <p><u>TEMPORARY EASEMENT #2</u></p> <p>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:</p> <p>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</p>			
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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.

TEMPORARY EASEMENT #3

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.			
5	Longleaf, L.L.C. c/o Andrew Marsh 2306 Apache Road Grand Island, Nebraska 68801	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1, BLOCK 8 REPLAT, CONTINENTAL GARDENS AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NE CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ON AN ASSUMED BEARING OF S00°56'29"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 19.86 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE PROPOSED SOUTH R.O.W. LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING S00°56'29"E ALONG SAID EAST LINE, A DISTANCE OF 10.09 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06°03'11", A RADIUS OF 118.00 FEET, AN ARC LENGTH OF 12.47 FEET AND A CHORD BEARING S84°46'05"E FOR A DISTANCE OF 12.46 FEET; THENCE S87°47'40"W, A DISTANCE OF 33.85 FEET; THENCE S87°34'02"W, A DISTANCE OF 53.26 FEET; THENCE S77°56'29"W, A DISTANCE OF 19.70</p>	2,933.00 SF @ \$1.45/SF x 10% x 2 Years	<p>Landscaping \$2,044.00</p> <p>2 Trees \$1,177.00</p> <p>Sign Reloc \$3,040.00</p> <p>Sprinkler System \$1,800.00</p> <p>Reloc Light Pole \$2,460.00</p> <p>Loss of 6 parking stalls \$10,725.00</p>	\$22,126.00 (payment is based on appraised value)

	<p>FEET; THENCE S59°52'52"W, A DISTANCE OF 34.02 FEET; THENCE N35°27'13"W, A DISTANCE OF 22.78 FEET; THENCE S87°34'02"W, A DISTANCE OF 24.69 FEET; THENCE S89°13'17"W, A DISTANCE OF 58.14 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°30'22"W ALONG SAID WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE PROPOSED SOUTH R.O.W. LINE OF CAPITAL AVENUE; THENCE N89°13'17"E, A DISTANCE OF 58.13 FEET; THENCE N87°34'02"E, A DISTANCE OF 139.79 FEET; THENCE N87°47'40"E, A DISTANCE OF 33.87 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06°44'05", A RADIUS OF 108.00 FEET, AN ARC LENGTH OF 12.69 FEET AND A CHORD BEARING N84°25'38"E FOR A DISTANCE OF 12.69 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 2,933.00 SQUARE FEET MORE OR LESS.</p>			
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31	<p>Debra J. Shafer and Michael A. Shafer</p> <p>Patrick Snell (L)</p>	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF A TRACT DESCRIBED AS LOTS 1 AND 3, BLOCK 1 OF COLLEGE ADDITION TO WEST LAWN IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NW CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF S01°00'46"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 9.84 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE PROPOSED SOUTH R.O.W. LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°50'38"E ALONG SAID PROPOSED SOUTH R.O.W. LINE, A DISTANCE OF 120.82 FEET; THENCE S45°09'22"E ALONG SAID PROPOSED SOUTH R.O.W. LINE, A DISTANCE OF 38.06 FEET TO THE POINT OF INTERSECTION OF SAID PROPOSED SOUTH R.O.W. LINE AND THE PROPOSED WEST R.O.W. LINE OF BROADWELL AVENUE; THENCE S03°41'10"E ALONG SAID PROPOSED WEST R.O.W. LINE, A DISTANCE OF 79.91 FEET TO THE POINT OF INTERSECTION OF SAID PROPOSED WEST R.O.W. LINE AND THE SOUTH LINE OF SAID LOT 3; THENCE S89°01'20"W ALONG SAID SOUTH LINE, A DISTANCE OF 12.01 FEET; THENCE N03°41'10"W, A DISTANCE OF 74.80 FEET; THENCE N45°09'22"W, A DISTANCE OF 28.55 FEET; THENCE S89°50'38"W, A DISTANCE OF 97.67 FEET; THENCE S01°00'46"E, A DISTANCE OF 8.00 FEET; THENCE S89°50'38"W, A DISTANCE OF 18.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°00'46"W ALONG SAID WEST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 2,891.00 SQUARE FEET MORE OR LESS.</p>	<p>2,891.00 SF @ \$7.00/SF x 10% x 2 Years</p>	<p>ASPHALT \$1,980.00</p> <p>ADMIN SETTLEMENT \$1,000.00</p>	<p>\$7,030.00</p> <p>\$100.00</p>
<b>Grand Total</b>					<b>\$29,991.00</b>

## **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 Agreements for Temporary Construction Easements and Leasehold Agreements between the City of Grand Island, Public Works Department and the affected property owners and tenants in the Capital Avenue Widening – Webb Road to Broadwell Avenue project.

## **Sample Motion**

Move to approve the Temporary Construction Easement Agreements and Leasehold Agreements.

RESOLUTION 2014-186

WHEREAS, temporary construction easement and leasehold agreements are required by the City of Grand Island, from the affected property owners/lessees in the Capital Avenue Widening – Webb Road to Broadwell Avenue Project area, as follows:

Tract No	Owner/Address	Legal	Payment (minimum \$100.00)	Payment of Damages	Total
1L	Matthew "Matt" Panowicz, John Panowicz, Robert "Bob" Panowicz, Michael "Mike" Panowicz	<p><u>TEMPORARY EASEMENT #1</u>                      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</p>	\$0.00 (Paid \$100.00 on ROW agreement council item-combined in one agreement)	None	\$0.00

Approved as to Form <input type="checkbox"/> _____ July 3, 2014 <span style="float: right;">City Attorney</span>
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		<p>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 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.</p> <p><u>TEMPORARY EASEMENT #2</u></p> <p>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:</p> <p>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</p>			
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	<p>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.</p> <p><u>TEMPORARY EASEMENT #3</u>  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</p>			
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		<p>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.</p>			
5	<p>Longleaf, L.L.C. c/o Andrew Marsh 2306 Apache Road Grand Island, Nebraska 68801</p>	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF LOT 1, BLOCK 8 REPLAT, CONTINENTAL GARDENS AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT 'THE NE CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE ON AN ASSUMED BEARING OF S00°56'29"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 19.86 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE PROPOSED SOUTH R.O.W. LINE OF CAPITAL AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING S00°56'29"E ALONG SAID EAST LINE, A DISTANCE OF 10.09 FEET; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06°03'11", A RADIUS OF 118.00 FEET, AN ARC LENGTH OF 12.47 FEET AND A CHORD BEARING S84°46'05"E FOR A DISTANCE OF 12.46 FEET; THENCE S87°47'40"W, A DISTANCE OF 33.85 FEET; THENCE S87°34'02"W, A DISTANCE OF 53.26 FEET; THENCE S77°56'29"W, A DISTANCE OF 19.70</p>	<p>2,933.00 SF @ \$1.45/SF x 10% x 2 Years</p>	<p>Landscaping \$2,044.00</p> <p>2 Trees \$1,177.00</p> <p>Sign Reloc \$3,040.00</p> <p>Sprinkler System \$1,800.00</p> <p>Reloc Light Pole \$2,460.00</p> <p>Loss of 6 parking stalls \$10,725.00</p>	<p>\$22,126.00 (payment is based on appraised value)</p>

		FEET; THENCE S59°52'52"W, A DISTANCE OF 34.02 FEET; THENCE N35°27'13"W, A DISTANCE OF 22.78 FEET; THENCE S87°34'02"W, A DISTANCE OF 24.69 FEET; THENCE S89°13'17"W, A DISTANCE OF 58.14 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°30'22"W ALONG SAID WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE AND THE PROPOSED SOUTH R.O.W. LINE OF CAPITAL AVENUE; THENCE N89°13'17"E, A DISTANCE OF 58.13 FEET; THENCE N87°34'02"E, A DISTANCE OF 139.79 FEET; THENCE N87°47'40"E, A DISTANCE OF 33.87 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06°44'05", A RADIUS OF 108.00 FEET, AN ARC LENGTH OF 12.69 FEET AND A CHORD BEARING N84°25'38"E FOR A DISTANCE OF 12.69 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 2,933.00 SQUARE FEET MORE OR LESS.			
22	Cristobal Herrera	<p>A TEMPORARY EASEMENT CONSISTING OF PART OF A TRACT DESCRIBED AS THE NORTH 47.80 FEET OF LOT 2, BLOCK 5 OF COLLEGE ADDITION TO WEST LAWN IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NW CORNER OF SAID NORTH 47.80 FEET OF LOT 2, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF EAST RIGHT OF WAY (R.O.W.) LINE OF KRUSE AVENUE AND THE SOUTH R.O.W. LINE OF CAPITAL AVENUE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°50'38"E ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 132.36 FEET TO THE POINT OF INTERSECTION OF THE SOUTH R.O.W. LINE OF CAPITAL AVENUE AND THE EAST LINE OF SAID LOT 2; THENCE S00°42'53"E ALONG SAID EAST, A DISTANCE OF 6.00 FEET; THENCE S89°50'38"W, A DISTANCE</p>	<p>910.00 SF @ \$1.70/SF x 10% x 2 Years</p>	<p>LANDSCAPING \$25.00</p> <p>ADMIN SETTLEMENT \$300.00</p>	\$635.00





