



City of Grand Island

Tuesday, July 8, 2014

Council Session

Item E-2

Public Hearing Approving Acquisition of Right-of-Way 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: Public Hearing Approving Acquisition of Right-of-Way for Capital Avenue Widening – Webb Road to Broadwell Avenue

Item #'s: E-2 & G-9

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.

Right-of-Way is necessary for this project to be completed, which must be approved by City Council.

Discussion

Right-of-Way is needed from 2 property owners and 1 tenant in this project area. All documents have been signed and returned by the property owners. Authorization of the documents is contingent upon City Council approval. Following is a summary of the payments, totaling \$22,320.00.

Tract No	Owner/Address	Legal	Right-of-Way Payment (minimum \$100.00)	Payment of Damages	Total
1L	Matthew "Matt" Panowicz, John Panowicz, Robert "Bob" Panowicz, and Michael "Mike" Panowicz (Lessee)	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.	\$100.00	NONE	\$100.00

5	Longleaf, L.L.C. c/o Andrew Marsh	<p>A TRACT OF LAND 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 AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°56'29"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 19.86 FEET; THENCE AROUND A CURVE IN A 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 S84°25'38"W FOR A DISTANCE OF 12.69 FEET; THENCE S87°34'02"W, A DISTANCE OF 139.79 FEET; THENCE S89°13'17"W, A DISTANCE OF 58.13 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°30'22"W ALONG SAID WEST LINE AND THE EAST LINE OF A UNPLATTED TRACT, A DISTANCE OF 25.65 FEET TO THE NW CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTH R.O.W. LINE OF CAPITAL AVENUE; THENCE N89°11'12"E ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 244.63 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 5,790.00 SQUARE FEET MORE OR LESS.</p>	5,790.00 SF @ \$1.45/SF	NONE	\$8,400.00
31	Debra J. Shafer and Michael A. Shafer	<p>A TRACT OF LAND 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, SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY (R.O.W.) LINE OF CAPTIAL AVENUE AND THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°47'43"E ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 127.77 FEET; THENCE S45°32'30"E ALONG SAID SOUTH R.O.W. LINE, A DISTANCE OF 35.56 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE WEST R.O.W. LINE OF BROADWELL AVENUE;; THENCE S00°52'42"E ALONG SAID WEST R.O.W. LINE, A DISTANCE OF 91.63 FEET TO THE SE CORNER OF SAID LOT 3; THENCE</p>	1,973.00 SF @ \$7.00/SF	NONE	\$13,820.00

		S89°01'20"W ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 1.43 FEET; THENCE N03°41'10"W A DISTANCE OF 79.91 FEET; THENCE N45°09'22"W, A DISTANCE OF 38.06 FEET; THENCE S89°50'38"W, A DISTANCE OF 120.82 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°00'46"W ALONG SAID WEST LINE A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1,973.00 SQUARE FEET MORE OR LESS.			
Grand Total					\$22,320.00

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 acquisition of Right-of-Way between the City of Grand Island, Public Works Department and the affected property owners in the Capital Avenue Widening – Webb Road to Broadwell Avenue Project.

Sample Motion

Move to approve the acquisition of Right-of-Way.