



City of Grand Island

Tuesday, December 9, 2014

Council Session

Item E-2

**Public Hearing on Acquisition of Public Utility Easement for Hall
County Sanitary Sewer District 2 (SID 2) [Dale L. Bockmann]**

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: December 9, 2014

Subject: Public Hearing on Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Dale L. Bockmann]

Item #'s: E-2 & G-5

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

Background

At the January 4, 2011 Study Session the City Council was informed of an interest by businesses along US Highway 281 near the Interstate 80 interchange about extending City sanitary sewer to serve their property.

On January 11, 2011 City Council approved Mayor Vavricek to sign a “Letter of Intent” to the Nebraska Department of Environmental Quality declaring the City’s willingness to negotiate a public/private project with these businesses to extend City sanitary sewer south along US Highway 281.

The May 17, 2011 Study Session provided an update to the City Council regarding several meetings that were conducted between the City and the interested parties.

On September 27, 2011 City Council approved Sanitary Sewer District No. 528 in the Wildwood Subdivision. This district provided support for the sanitary sewer extension south along US Highway 281 to Interstate 80.

The City was granted \$350,000 from a September 2011 settlement between JBS and NDEQ, which must be applied to this sanitary sewer extension and will further support such sanitary sewer extension.

The sanitary sewer extension south along US Highway 281 to Interstate 80 will help to foster growth of the City towards the interstate and provide for future development.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing and approval by the City Council. A public utility easement is needed in the SID 2 project are to accommodate public utilities. The easement will allow for construction,

operation, maintenance, extension, repair, replacement and removal of public utilities within the easement.

This project is funded by the State Revolving Funds (SRF) Project # is C317867.

Discussion

One (1) permanent easement is needed from one (1) property owner in this project area. All documents have been signed and returned by the property owner. Authorization of the document is contingent upon City Council approval. Following is a summary of the payment, totaling \$450.00, for the property.

Tract No	Owner	Legal	Total
4	Dale L. Bockmann	<p>A UTILITY EASEMENT LOCATED IN PART OF THE NORTHEAST QUARTER (NE ¼) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°47'14"E ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 950.00 FEET; THENCE S87°53'14"W A DISTANCE OF 105.84 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE SOUTHEAST CORNER OF TRACT THREE RECORDED IN INSTRUMENT NO. 96-109957, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 TO THE SOUTH LINE OF GOVERNMENT LOT 8 AS DECRIBED IN INSTRUMENT NO. 84-00121, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE ALONG SAID SOUTH LINE OF SAID GOVERNMENT LOT 8 TO THE INSTERSECTION OF SAID SOUTH LINE AND A LINE PARALLEL TO AND 25.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281; THENCE ALONG SAID LINE PARALLEL TO AND 25.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 TO THE SOUTH LINE OF TRACT THREE, INSTRUMENT NO. 96-109957; THENCE ALONG SAID SOUTH LINE OF TRACT THREE TO THE POINT OF BEGINNING. SAID UTLITY EASEMENT CONTAINS AN APPROXIMATE AREA OF 20,515 SUARE FEET OR 0.47 ACRES MORE OR LESS.</p>	\$450.00
TOTAL			\$450.00

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 conduct a Public Hearing and approve acquisition of the Permanent Easements in the amount of \$450.00.

Sample Motion

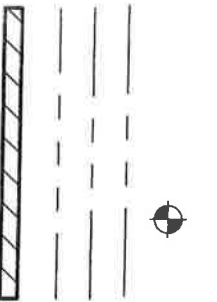
Move to approve the acquisition of the easement.

UTILITY EASEMENT

HALL COUNTY, NEBRASKA

NE COR.
SEC. 24-T10N-R10W

TRACT 3
INSTRUMENT NO.
96-109957



LEGEND

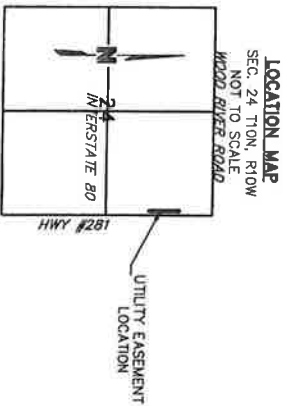
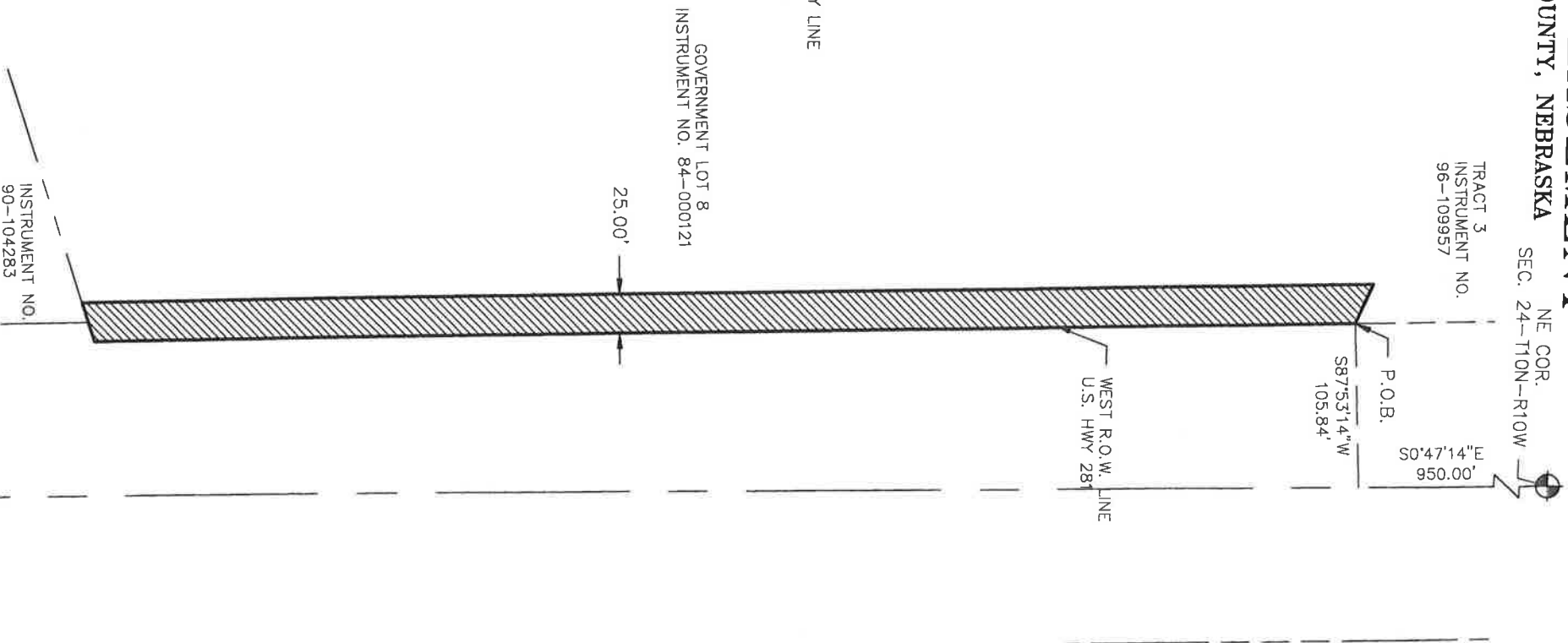
SECTION CORNER

SECTION LINE

PROPERTY LINE

HIGHWAY RIGHT-OF-WAY LINE

UTILITY EASEMENT AREA



UTILITY EASEMENT DESCRIPTION

A UTILITY EASEMENT LOCATED IN PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 950.00 FEET; THENCE S87°53'14"W A DISTANCE OF 105.84 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE SOUTHEAST CORNER OF TRACT THREE RECORDED IN INSTRUMENT NO. 96-109957, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 TO THE SOUTH LINE OF GOVERNMENT LOT 8 AS DESCRIBED IN INSTRUMENT NO. 84-00121, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE ALONG SAID SOUTH LINE OF SAID GOVERNMENT LOT 8 TO THE INTERSECTION OF SAID SOUTH LINE AND A LINE PARALLEL TO AND 25.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281; THENCE ALONG SAID LINE PARALLEL TO AND 25.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281; THENCE ALONG SAID LINE PARALLEL TO AND 25.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF TRACT THREE TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS AN APPROXIMATE AREA OF 20.515 SQUARE FEET OR 0.47 ACRES MORE OR LESS.

PROJECT NO: 2012-1864
DRAWN BY: LW
DATE: 07/08/2014

U.S. HIGHWAY 281
UTILITY EASEMENTS

OLSSON
ASSOCIATES

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EXHIBIT
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