



# City of Grand Island

Tuesday, March 18, 2003

## Council Session

### Item G9

#### **#2003-68 - Approving Acquisition of Utility Easement - Hwy 281 and Wildwood - Dwaine R. and Evelyn I. Lewis**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Dwaine R. and Evelyn I. Lewis, located at Hwy. 281 and Wildwood Drive, in order to have access to install, upgrade and maintain water lines.*

*A new water main will be constructed on the south side of Wildwood from Juergen Road, across Hwy. 281 and to Wildwood Subdivision west of Hwy. 281. This easement will be used to locate the new line and give the contractor area to place the equipment to bore underground across Hwy. 281.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

*Five hundred dollars (\$500.00) for the easement will be paid to the grantor.*

***Alternatives:***

*As suggested by City Council. See attached RESOLUTION.*

**Staff Contact: Robert H. Smith**

## RESOLUTION 2003-68

WHEREAS, public utility easements are required by the City of Grand Island, from Dwaine R. Lewis and Evelyn I. Lewis, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 18, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of a tract located in part of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in the City of Grand Island, Hall County, Nebraska, the utility easements and rights-of-way being more particularly described as follows:

### Tract No. 1:

Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6<sup>th</sup> P.M., Grand Island, Hall County, Nebraska; thence easterly along the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Fifty Seven and Thirty One Hundredths (57.31) feet; thence deflecting right 84°59'00" and running southerly, a distance of Thirty Three and Thirteen Hundredths (33.13) feet to the Actual Point of Beginning being a point on the Easterly right of way line of U.S. Highway 281/34; thence continuing southerly along said right-of-way line, a distance of Two Hundred Ninety Five and Two Hundredths (295.02) feet; thence northerly perpendicular to the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Two Hundred Seventy Three and Eighty Nine Hundredths (273.89) feet; thence easterly, parallel with the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of One Hundred Forty Five and Forty Nine Hundredths (145.94) feet to the westerly line of Greenscape Inc. Subdivision; thence northerly along the westerly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet; thence westerly along the southerly right-of-way line of Wildwood Drive, a distance of One Hundred Seventy and Eighty Five Hundredths (170.85) feet to the said Point of Beginning.

### Tract No. 2:

Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6<sup>th</sup> P.M., Grand Island, Hall County, Nebraska; thence easterly along the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Five Hundred Ninety Five and Forty Five Hundredths (595.45) feet to the easterly line of Greenscape Inc. Subdivision; thence southerly along the easterly line of Greenscape Inc. Subdivision, a distance of Thirty Three (33.0) feet to the Actual Point of Beginning being a point on the southerly right-of-way line of Wildwood Drive; thence continuing southerly on the easterly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet; thence easterly parallel with the northerly line of said Northwest Quarter of the Northwest

Quarter (NW1/4, NW1/4), a distance of Fifty (50.0) feet; thence northerly parallel with the easterly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet to the southerly right-of-way line of said Wildwood Drive; thence westerly along the southerly right-of-way line of said Wildwood Drive, a distance of Fifty (50.0) feet to the said Point of Beginning.

The above-described easements and rights-of-way containing a total of 0.175 acres, more or less, as shown on the plat dated February 13, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

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 acquire public utility easements from Dwaine R. Lewis and Evelyn I. Lewis, husband and wife, on the above-described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.

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RaNae Edwards, City Clerk

NW CORNER NW 1/4, NW 1/4  
SEC. 8, T-10-N, R-9-W

POINT OF BEGINNING  
TRACT 2

POINT OF BEGINNING  
TRACT 1

**WILDWOOD DRIVE**

N. LINE OF NW 1/4, NW 1/4

595.45'

365.1'

560.59'

*Lot 1*

**GREENSCAPE INC.  
SUBDIVISION**

**PART OF  
NW. 1/4, NW. 1/4  
SEC. 8, T-10-N, R-9-W**

**LEGEND**



INDICATES UTILITY EASEMENT

CITY OF <b>GRAND ISLAND</b>	
UTILITIES DEPARTMENT	
<b>EXHIBIT "A"</b>	
DRAWN BY: TDZ	SCALE: 1"=100'
DATE: 2/13/2003	FILE: SEC 8.10.9



**U.S. HWY. 281 / 34**

W. LINE OF NW 1/4, NW 1/4

1321.7'

993.9'

78.30'

295.02'

273.89'

57.31'  
33.13'

84°59'  
170.85'

33'  
40'

20.0'

374.0'

334.0'

91°16'0"

365.1'

88°44'0"

334.0'

374.0'

91°16'0"

20.0'

50.0'  
40'

33'