



City of Grand Island

Tuesday, November 18, 2003

Council Session

Item G8

#2003-336 - Approving Acquisition of Utility Easement - 2903 East Highway 30 - Allen

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 James H. and Donna Jean Allen located at 2903 East Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Highway 30 east of Grand Island will be widened to five lanes during 2004-2005. The construction will necessitate the relocation of power lines in the area. This easement will be used to relocate an overhead primary line to feed both lots five and six.

Recommendation:

Approve the request to obtain the needed easement.

Fiscal Effects:

Six hundred ten dollars (\$610.00) for the easement will be paid to the grantor. This is the same amount per square foot as negotiated and paid for the property by Nebraska Department of Roads immediately adjacent to this easement.

Alternatives:

None.

Staff Contact: Gary R. Mader;

Water Main District 446T Boundary Description - Ordinance no. 8867

.... 6" water main and appurtenances located in part of Section Twenty-five (25), Township Eleven (11) North, Range Ten (10) West of the 6th PM, Grand Island, Hall County, Nebraska more particularly described as follows:

Beginning at the southeast corner of Lot Fourteen (14) Kentish Hills Subdivision in the City of Grand Island, Hall County, Nebraska; thence southerly along the easterly line of said Kentish Hills Subdivision, and the easterly line of Marylane Subdivision, a distance of four hundred eighty (480.0) feet; thence easterly and parallel with the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$) of Section Twenty-five (25), Township Eleven (11) North, Range Ten (10) West of the 6th PM, a distance of six hundred sixty (660.0+/-) feet more or less, to a point on the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$) of said Section Twenty-five (25); thence northerly along the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$) of said Section Twenty-five (25), to a point on the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$) of said Section Twenty-five (25); thence westerly along the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$) of said Section Twenty-five (25), a distance of two hundred fifty (250.0) feet; thence southerly and parallel with the easterly line of said Marylane Subdivision, a distance of two hundred twenty (220.0+/-) feet more or less, to a point on the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision; thence westerly along the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision, to a point thirty (30.0) feet easterly of the southeast corner thereof; thence northerly and parallel with the easterly line of said Kentish Hills Subdivision, and the easterly line of said Marylane Subdivision, a distance of four hundred fifty (450.0) feet, to a point on the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision; thence westerly along the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision, a distance of thirty (30.0) feet to the said point of beginning.

RESOLUTION 2003-336

WHEREAS, a public utility easement is required by the City of Grand Island, from James H. Allen and Donna Jean Allen, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on November 18, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through two tracts of land located in a part of Lot Five (5) Voss Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Tract No. 1:

Commencing at the northwest corner of Lot Five (5) Voss Subdivision; thence southerly along the westerly line of said Lot Five (5), a distance of two hundred twenty and fifty nine hundredths (220.59) feet to the ACTUAL Point of Beginning of Tract No. 1; thence continuing southerly along the westerly line of said Lot Five (5), a distance of fifty eight and ninety two hundredths (58.92) feet; thence deflecting left 19°50'32" and running southerly, a distance of forty four and ninety seven hundredths (44.97) feet; thence deflecting left 90°00'00" and running northeasterly, a distance of twenty (20.0) feet; thence deflecting left 90°00'00" and running northwesterly, a distance of one hundred and forty hundredths (100.40) feet to the said Point of Beginning.

Tract No. 2:

Commencing at the northwest corner of Lot Five (5) Voss Subdivision; thence southerly along the westerly line of said Lot Five (5), a distance of thirty six and twenty one hundredths (36.21) feet to a point on the southerly right-of-way line of U.S. Highway 30; thence deflecting left 115°35'35" and running northeasterly along the southerly right-of-way line of said U.S. Highway 30, a distance of one hundred eight and twenty one hundredths (108.21) feet; thence deflecting right 18°13'34" and running easterly along the southerly right-of-way line of said U.S. Highway 30, a distance of forty six and eighty three hundredths (46.83) feet to the ACTUAL Point of Beginning of Tract No. 2; thence continuing easterly along the southerly right-of-way line of said U.S. Highway 30, a distance of five and twenty eight hundredths (5.28) feet; thence deflecting right 71°16'30" and running southeasterly, a distance of twenty (20.0) feet; thence deflecting right 90°00'00" and running southwesterly, a distance of five (5.0) feet; thence deflecting right 90°00'00" and running northwesterly, a distance of twenty one and seven tenths (21.7) feet to the said Point of Beginning.

The above-described easement and right-of-way containing a combined total of 0.035 acres more or less, as shown on the plat dated November 4, 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 a public utility easement from James H. Allen and Donna Jean Allen, 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, November 18, 2003.

RaNae Edwards, City Clerk

