



# City of Grand Island

Tuesday, September 14, 2004

Council Session

## Item G17

**#2004-226 - Approving Acquisition of Four (4) Utility Easements  
Located Along the North and South Sides of East Hwy. 30, West of  
Shady Bend Road ( Woodward Family Trust and Woodward  
Marital Trust)**

*This item relates to the aforementioned Public Hearing Item E-7.*

Staff Contact: Gary R. Mader

## RESOLUTION 2004-226

WHEREAS, public utility easements are required by the City of Grand Island, from the Woodward Family Trust and the Woodward Marital Trust, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on September 14, 2004, for the purpose of discussing the proposed acquisition of easements and rights-of-way as follows:

Tract No. 1:

A tract of land comprising a part of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., located in the city of Grand Island, Hall County, Nebraska; the centerline of the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Referring to the northwest corner of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West; thence easterly along the northerly line of the said Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4), a distance of Eighty Five (85.0) feet to the Actual Point of Beginning; thence deflecting right 42°34'18" and running southeasterly, a distance of Four Hundred Eighty Four and Twenty Eight Hundredths (484.28) feet to a point on the northerly right-of-way line of U.S. Highway 30. The side lines of the above-described tract shall be prolonged or shortened to terminate on the boundary of said Grantor's property.

The above-described easement and right-of-way containing 0.22 acres, more or less, as shown on the plat dated January 22, 2004, marked Exhibit "A1" attached hereto and incorporated herein by reference.

Tract No. 2:

A tract of land comprising a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., located in the city of Grand Island, Hall County, Nebraska; the centerline of the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Referring the southeast corner of the Southwest Quarter of the Northeast Quarter (SW1/4, NE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of the said Southwest Quarter of the Northeast Quarter (SW1/4, NE1/4), a distance of Eighty One and Four Tenths (81.4) feet to the Actual Point of Beginning; thence deflecting left 45°42'37" and running northwesterly, a distance of One Hundred Ninety Five (195.0) feet. The side lines of the above-described tract shall be prolonged or shortened as required to terminate on the boundary of said

Grantor's property.

The above-described easement and right-of-way containing 0.09 acres, more or less, as shown on the plat dated January 22, 2004, marked Exhibit "A2" attached hereto and incorporated herein by reference.

Tract No. 3A:

A tract of land comprising a part of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in the city of Grand Island, Hall County, Nebraska; the centerline of the ten (10.0) foot wide utility easements and rights-of-way being more particularly described as follows:

Referring to the northeast corner of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West; thence southerly along the easterly line of the said Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4), a distance of Eleven and Seventy Four Hundredths (11.74) feet; thence southwesterly along the southerly right-of-way line of U.S. Highway 30, a distance of Thirty Eight and Eleven Hundredths (38.11) feet; thence southerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Forty Five and Two Tenths (45.2) feet; thence westerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Thirty One (31.0) feet; thence southwesterly along the southerly right-of-way line of said U.S. Highway 30, a distance of Eighty Two and Twelve Hundredths (82.12) feet; thence southerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Ten and Sixty Nine Hundredths (10.69) feet; thence southwesterly along the southerly right-of-way line of said U.S. Highway 30, a distance of Six Hundred Eighty Six (686.0) feet to the Actual Point of Beginning of Tract #3A; thence deflecting left 106°32'04": and running in a southeasterly direction, a distance of Twenty (20.0) feet. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way is shown on the plat dated November 25, 2003, marked Exhibit "A3" attached hereto and incorporated herein by reference.

Tract No. 3B:

A tract of land comprising a part of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in the city of Grand Island, Hall County, Nebraska; the centerline of the ten (10.0) foot wide utility easements and rights-of-way being more particularly described as follows:

Referring to the northeast corner of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4), Section Eleven (11), Township Eleven (11) North, Range Nine (9) West;

thence southerly along the easterly line of the said Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4), a distance of Eleven and Seventy Four Hundredths (11.74) feet; thence southwesterly along the southerly right-of-way line of U.S. Highway 30, a distance of Thirty Eight and Eleven Hundredths (38.11) feet; thence southerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Forty Five and Two Tenths (45.2) feet; thence westerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Thirty One (31.0) feet; thence southwesterly along the southerly right-of-way line of said U.S. Highway 30, a distance of Eighty Two and Twelve Hundredths (82.12) feet; thence southerly along the southerly right-of-way line of said U.S. Highway 30, a distance of Ten and Sixty Nine Hundredths (10.69) feet; thence southwesterly along the southerly right-of-way line of said U.S. Highway 30, a distance of Eight Hundred Twenty Seven and Ninety Eight Hundredths (827.98) feet; thence continuing southwesterly along the southerly right-of-way line of said U.S. Highway 30, a distance of Three Hundred Sixty Three and Seven Hundredths (363.07) feet to the Actual Point of Beginning of Tract 3B; thence deflecting left 121°09'58" and running in a southeasterly direction, a distance of Twenty (20.0) feet. The side lines of the above-described tract shall be prolonged or shortened as required to terminate on the boundary of the Grantor's property.

The above-described easement and right-of-way is shown on the plat dated November 25, 2003, marked Exhibit "A3" attached hereto and incorporated herein by reference.

Tract No. 4:

A tract of land comprising a part of the West Half (W1/2) of Section Twelve (12), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., located in Hall County, Nebraska; the centerline of the ten (10.0) foot wide utility easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of the Southwest Quarter of the Northwest Quarter (SW1/4, NW1/4), Section Twelve (12), Township Eleven (11) North, Range Nine (9) West; thence easterly along the southerly line of said Southwest Quarter of the Northwest Quarter (SW1/4, NW1/4), Section Twelve (12), Township Eleven (11) North, Range Nine (9) West, a distance of Thirty Three and One Hundredths (33.01) feet; thence northerly along the easterly right-of-way line of Shady Bend Road, a distance of Nine and Twenty Seven Hundredths (9.27) feet; thence northeasterly along the southerly right-of-way line of U.S. Highway 30, a distance of One Hundred Nine and Thirteen Hundredths (109.13) feet; thence southeasterly along a right-of-way line of said U.S. Highway 30, a distance of Seventy Eight and Thirty Seven Hundredths (78.37) feet to the Actual Point of Beginning; thence deflecting right 90°00'00" and running southwesterly, a distance of Twenty (20.0) feet.

The above-described easement and right-of-way containing 200 square feet, more or less, as shown on the plat dated November 26, 2003, marked Exhibit "A4" 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 the Woodward Family Trust and Woodward Marital Trust, on the above-described tracts of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 14, 2004.

---

RaNae Edwards, City Clerk