

# **City of Grand Island**

## Tuesday, October 12, 2004 Council Session

## Item E4

Public Hearing on the Acquisition of a Public Utility Easement South of Capital Avenue and West of Diers Avenue (John R. Menard)

Staff Contact: Steven P. Riehle, P.E., Public Works Director

City of Grand Island City Council

## **Council Agenda Memo**

**From:** Steven P. Riehle, P.E., Director of Public Works

Meeting: October 12, 2004

**Subject:** Public Hearing and Approving Acquisition of a

Public Utility Easement South of Capital Avenue and West of Diers Avenue (John R.

Menard)

**Item #'s:** E-4 & G-17

**Presenter(s):** Steven P. Riehle, Director of Public Works

#### **Background**

Nebraska State Law states that acquisition of property must be approved by City Council. The Public Works Department needs to acquire a Public Utility Easement South of Capital Avenue and West of Diers Avenue.

#### **Discussion**

The Easement is needed in order to have access to install and maintain the necessary storm drainage. The property is owned by John R. Menard. The easement is needed for the storm sewer that the Wal Mart's contractor will build when paving Carlton Avenue.

#### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

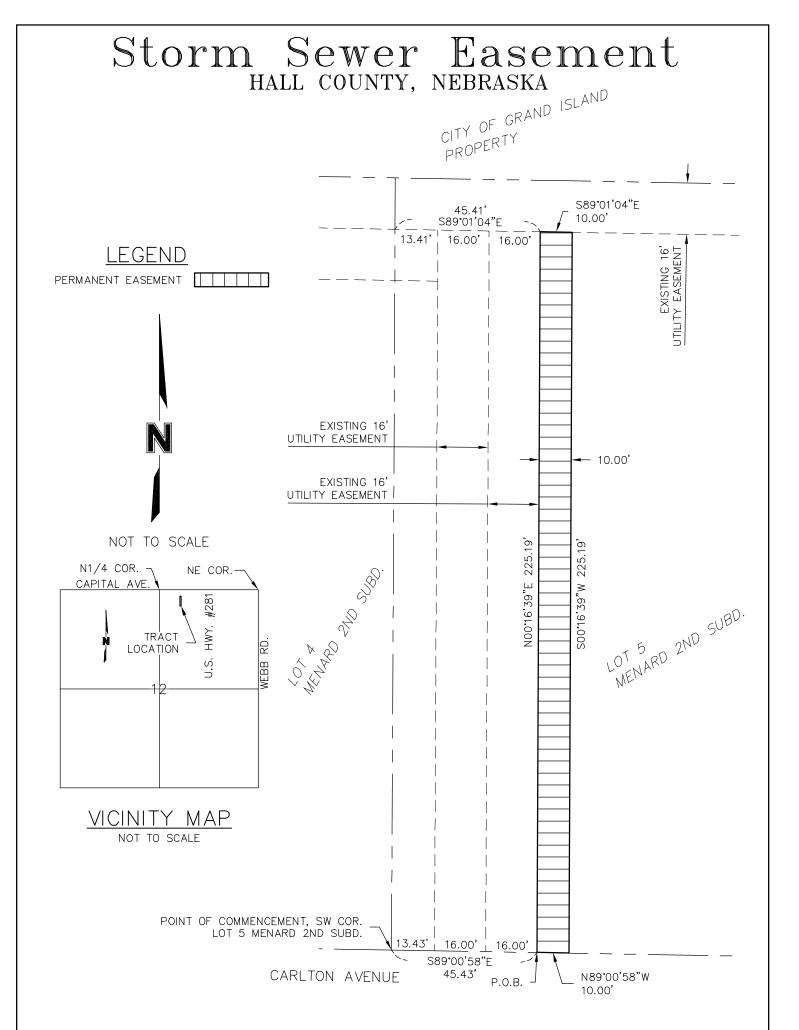
- 1. Approve the acquisition of the Easement.
- 2. Disapprove or/Deny the acquisition of the Easement.
- 3. Modify the request to meet the wishes of the Council.
- 4. Table the issue.

## Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Easement.

## **Sample Motion**

Move to approve the acquisition of the Easement.



## STORM SEWER EASEMENT DESCRIPTION

A STORM SEWER EASEMENT CONSISTING OF PART OF LOT 5 OF MENARD SECOND SUBDIVISION, LOCATED IN THE NORTHEAST QUATER (NE1/4) OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY (R.O.W.) COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CARLTON AVENUE; THENCE S89°00'58"E ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 45.43 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF A EXISTING 16 FOOT UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NO0°16'39"E ALONG SAID EAST LINE A DISTANCE OF 225.19 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF A EXISTING 16 FOOT UTILITY EASEMENT; THENCE S89°01'04"E ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE S00°16'39"W A DISTANCE OF 225.19 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 5; THENCE N89°00'58"W ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID STORM SEWER EASEMENT CONTAINS 2251.88 SQUARE FEET OR 0.052 ACRES MORE OR LESS.

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