



# City of Grand Island

Tuesday, January 27, 2015

Council Session

## Item G-7

**#2015-20 - Approving Acquisition of Public Utility Easement & Ingress/Egress Easement in Van Ohlen 3rd Subdivision (Shady Bend Villas, LLC)**

*This item relates to the aforementioned Public Hearing item E-3.*

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

## RESOLUTION 2015-20

WHEREAS, public utility easements and an ingress/egress easement are required by the City of Grand Island, from Shady Bend Villas, LLC, in the Van Ohlen 3<sup>rd</sup> Subdivision, Hall County, Nebraska and more particularly described as follows:

### Utility Easements

A 7' WIDE EASEMENT LOCATED IN PART OF THE LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S01°01'31"E, ALONG AND UPON THE WEST RIGHT OF WAY LINE OF SHADY BEND ROAD, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET; THENCE S89°38'26"W, PARALLEL WITH THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 165.21 FEET; THENCE N00°57'16"W A DISTANCE OF 7.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF SHADY BEND CIRCLE, THENCE N89°38'26"E, ALONG SAID NORTH LINE, A DISTANCE OF 165.20 FEET TO A POINT OF BEGINNING. SAID EASEMENT CONTAINS A CALCULATED AREA OF 1,156.42 SQUARE FEET OR 0.027 ACRES MORE OR LESS.

AND

A 7' WIDE EASEMENT LOCATED IN PART OF THE LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S01°01'31"E, ALONG THE WEST RIGHT OF WAY LINE OF SHADY BEND ROAD, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 222.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S01°01'31"E, ALONG SAID WEST RIGHT OF WAY LINE OF SHADY BEND ROAD AND SAID EAST LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET; THENCE S89°24'18"W A DISTANCE OF 150.48 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 55°37'49", A RADIUS OF 15.43 FEET, A CHORD BEARING OF N61°31'11"W AND A CHORD DISTANCE OF 14.40 FEET; THENCE N89°24'18"E A DISTANCE OF 163.02 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINS A CALCULATED AREA OF 1,114.59 SQUARE FEET OR 0.026 ACRES MORE OR LESS.

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### Ingress/Egress Easement

A 50' WIDE EASEMENT BEING 25' ON BOTH SIDES OF SAID DESCRIBED CENTERLINE EASEMENT LOCATED IN PART OF THE LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, VAN OHLEN 3<sup>RD</sup> SUBDIVISION ; THENCE ON AN ASSUMED BEARING OF N01°01'31"W, ALONG THE WEST RIGHT OF WAY LINE OF SHADY BEND ROAD, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 107.00 FEET TO A POINT BEING THE CENTERLINE OF A 50' PROPOSED INGRESS/EGRESS AND UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°24'18"W, ALONG SAID CENTERLINE OF EASEMENT, A DISTANCE 150.88 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 87°59'01", A RADIUS OF 40.43 FEET, A CHORD BEARING OF N45°49'29"W AND A CHORD DISTANCE OF 56.17

Approved as to Form	□
January 23, 2015	□ City Attorney

FEET; THENCE N00°57'16"W, ALONG SAID CENTERLINE OF EASEMENT, A DISTANCE OF 201.60 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SHADY BEND CIRCLE, POINT ALSO BEING THE POINT OF TERMINATION. SAID EASEMENT CONTAINS A CALCULATED AREA OF 20,846.56 SQUARE FEET OR 0.479 ACRES MORE OR LESS.

WHEREAS, agreements for the public utility easements and the ingress/egress easement have been reviewed and approved by the City Legal Department.

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 enter into the agreements for the public utility easements and ingress/egress easement on the above described tracts of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreements on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2015.

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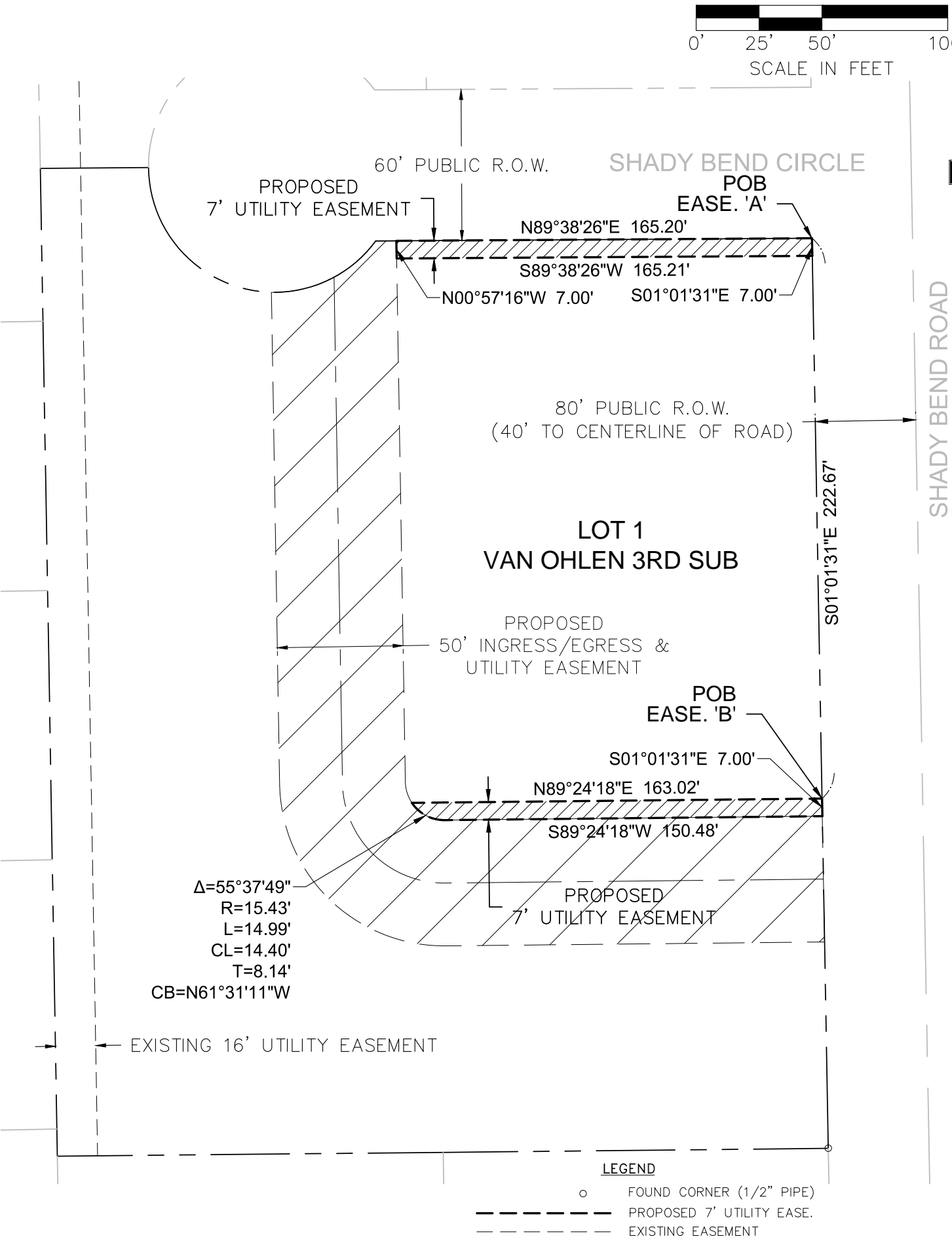
Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

DWG: F:\projects\013-1862\1862-Prop\10131862-Ingress-Egress-Ease.dwg  
DATE: Jan 03, 2015 11:09am XREFS: 0131862-ABASE  
USER: jromirez



**EASEMENT 'A' DESCRIPTION**

A 7' WIDE EASEMENT LOCATED IN PART OF THE LOT 1, VAN OHLEN 3RD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, VAN OHLEN 3RD SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S01°01'31"E, ALONG AND UPON THE WEST RIGHT OF WAY LINE OF SHADY BEND ROAD, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET; THENCE S89°38'26"W, PARALLEL WITH THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 165.21 FEET; THENCE N00°57'16"W A DISTANCE OF 7.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF SHADY BEND CIRCLE; THENCE N89°38'26"E, ALONG SAID NORTH LINE, A DISTANCE OF 165.20 FEET TO A POINT OF BEGINNING. SAID EASEMENT CONTAINS A CALCULATED AREA OF 1,156.42 SQUARE FEET OR 0.027 ACRES MORE OR LESS.

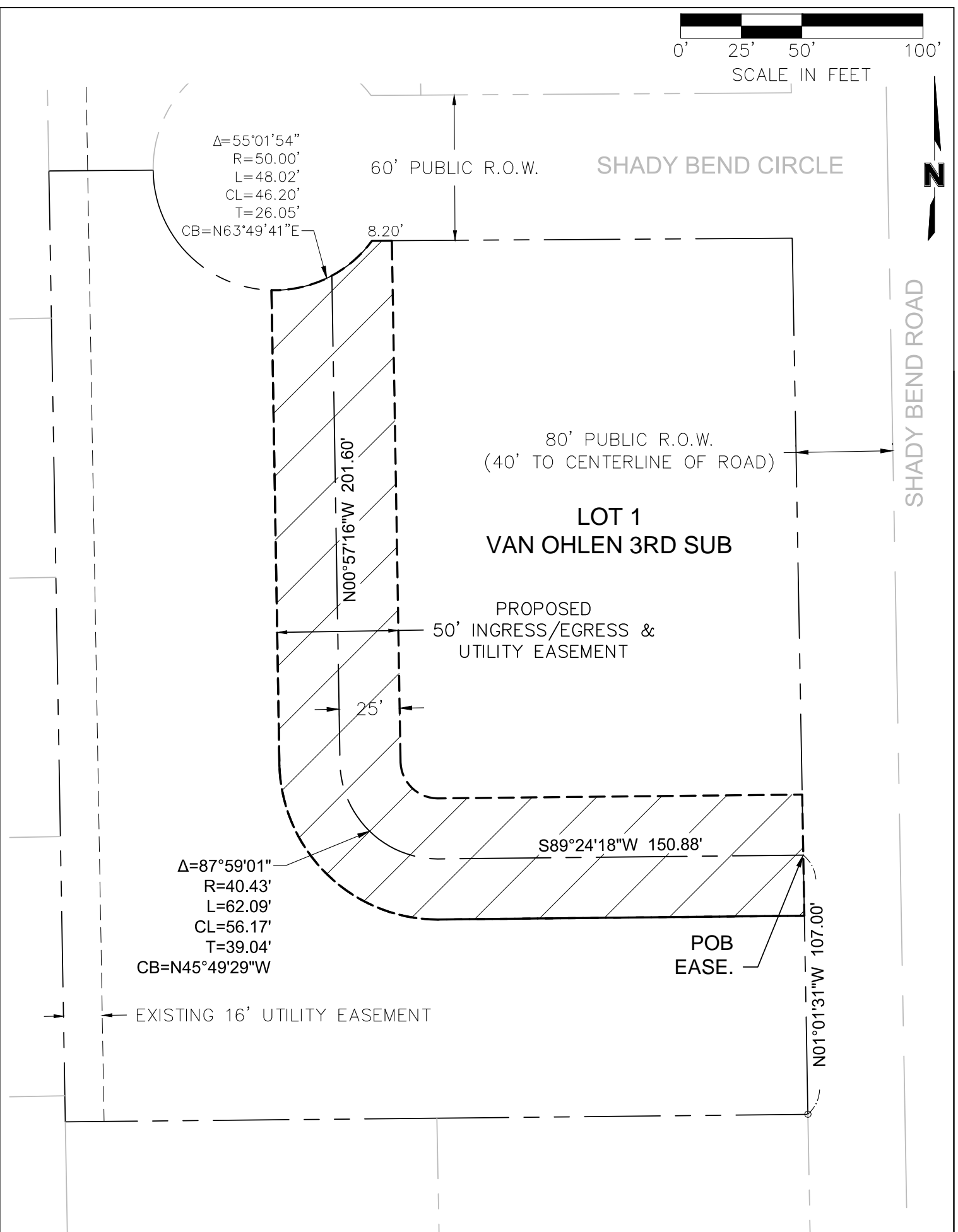
**EASEMENT 'B' DESCRIPTION**

A 7' WIDE EASEMENT LOCATED IN PART OF THE LOT 1, VAN OHLEN 3RD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, VAN OHLEN 3RD SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S01°01'31"E, ALONG THE WEST RIGHT OF WAY LINE OF SHADY BEND ROAD, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 222.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S01°01'31"E, ALONG SAID WEST RIGHT OF WAY LINE OF SHADY BEND ROAD AND SAID EAST LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET; THENCE S89°24'18"W A DISTANCE OF 150.48 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 55°37'49", A RADIUS OF 15.43 FEET, A CHORD BEARING OF N61°31'11"W AND A CHORD DISTANCE OF 14.40 FEET; THENCE N89°24'18"E A DISTANCE OF 163.02 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINS A CALCULATED AREA OF 1,114.59 SQUARE FEET OR 0.026 ACRES MORE OR LESS.

PROJECT NO: 2013-1862	PROPOSED 7' WIDE UTILITY EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752
DATE: 12.22.2014			
EXHIBIT 'B'			

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DATE: Jan 03, 2015 11:07am XREFS: 0131862\_ABASE  
USER: jromirez



PROJECT NO: 2013-1862	PROPOSED 50' WIDE INGRESS/EGRESS AND UTILITY EASEMENT		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752
DATE: 12.22.2014			
EXHIBIT 'A'			