



# City of Grand Island

Tuesday, April 28, 2015

Council Session

## Item E-3

**Public Hearing on Acquisition of Utility Easement Located South of Faidley Avenue and West of the Surgery Center (T & E Cattle Co)**

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

# Council Agenda Memo

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** April 28, 2015

**Subject:** Public Hearing on Acquisition of Utility Easement in SW ¼ of Section 13, Township 11 North, Range 10 West (T & E Cattle Co)

**Item #'s:** E-3 & G-12

**Presenter(s):** John Collins PE, Public Works Director

## Background

On September 23, 2014, by Resolution No. 2014-297, City Council awarded the Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14 to The Diamond Engineering Company in the amount of \$925,292.70.

On February 24, 2015, by Resolution No. 2015-54, City Council approved Change Order No. 1 for such project in the amount of \$49,028.57. This change order allowed for grading to remedy poor drainage of Moores Creek from Old Potash Highway to the proposed Faidley Avenue, correction of a concrete outfall structure which drains into Moore's Creek that was not found during the survey for the project, modifications to storm sewer connections to existing structures and allow for a sleeve that is needed to account for misshaped pipe that was encountered during the water main lowering.

In order for this project to be completed the City needs to acquire a utility easement, as shown on the attached sketch.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

## Discussion

Engineering staff of the Public Works Department have negotiated with the property owner to acquire the necessary utility easement to install and maintain utilities for Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water

Improvements; Project No. 2014-W-14. This utility easement will allow for the improvements to the roadway and drainage along this portion of Faidley Avenue.

There will not be any compensation to the property owner for such utility easement.

### **Alternatives**

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

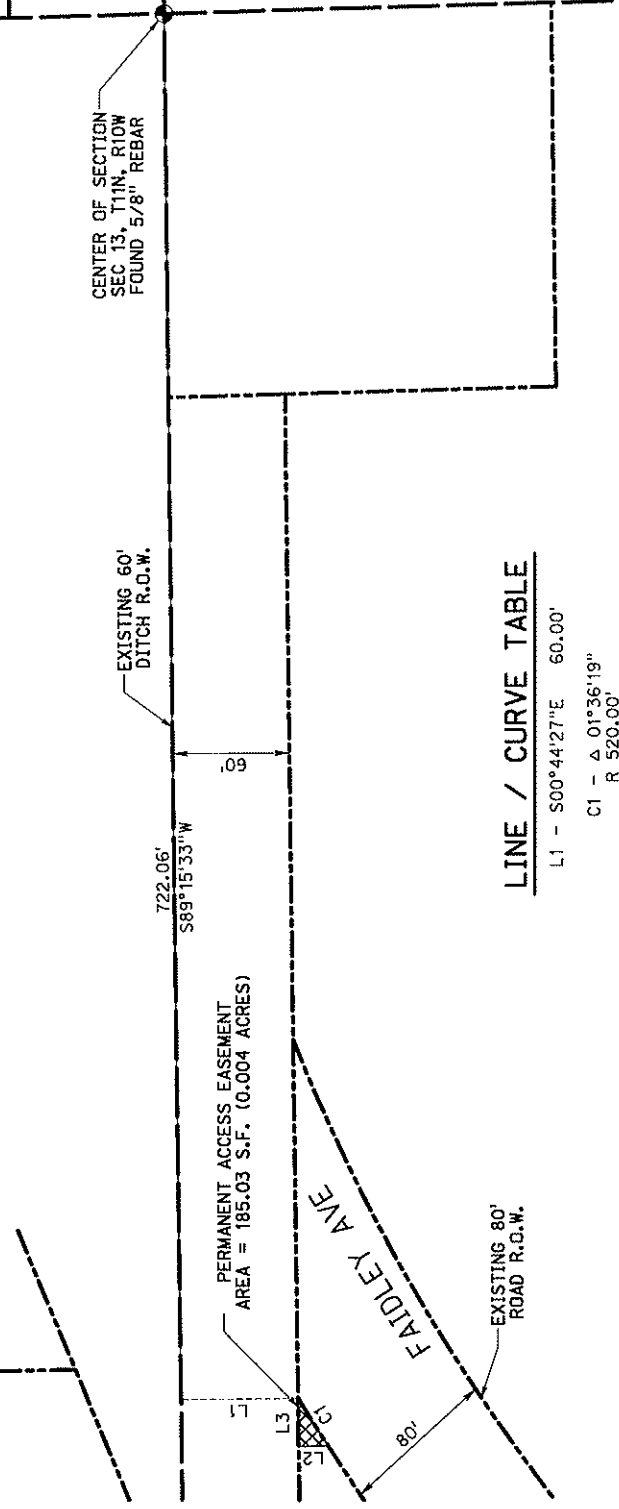
### **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the utility easement from T & E Cattle Co. for Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14.

### **Sample Motion**

Move to approve the resolution.

LARGE SUBDIVISION (NOT A PART) PERMANENT ACCESS EASEMENT  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



CENTER OF SECTION  
SEC. 13, T11N, R10W  
FOUND 5/8" REBAR

EXISTING 60'  
DITCH R.O.W.

722.06'  
S89°15'33"W

PERMANENT ACCESS EASEMENT  
AREA = 185.03 S.F. (0.004 ACRES)

FAIDLEY AVE

EXISTING 80'  
ROAD R.O.W.

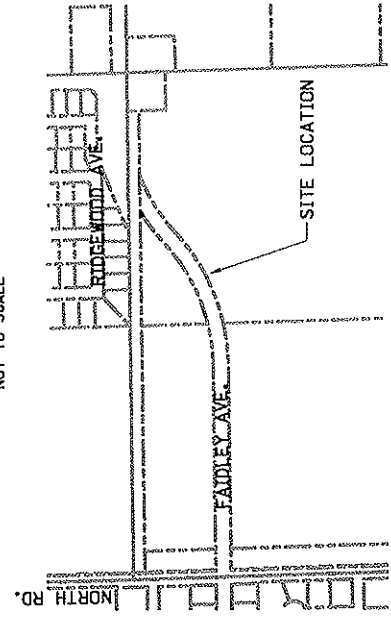
**LINE / CURVE TABLE**

L1 - S00°44'27"E	60.00'
C1 - Δ 01°36'19"	
R	520.00'
L	29.14'
C	29.13'
CB	S58°21'40"W
L2 - N00°44'27"W	14.96'
L3 - N89°15'33"E	25.00'

EAST HALF SOUTHWEST QTR.  
SEC. 13, T11N, R10W  
EXCEPT 3.91 ACRES CITY OWNED R.O.W.  
PARCEL NO. 400150212



LOCATION MAP  
NOT TO SCALE



**LEGEND**

- SECTION LINE
- PROPERTY LINE
- - - EXISTING EASEMENT LINE
- ▨ PERMANENT ACCESS EASEMENT AREA

**PERMANENT ACCESS EASEMENT DESCRIPTION**

A PERMANENT ACCESS EASEMENT LOCATED IN PART OF THE EAST HALF OF THE SOUTHWEST QTR. SEC. 13, T11N, R10W IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE CENTER OF SAID SECTION 13, THENCE S89°15'33"W, ALONG THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 722.06 FEET; THENCE S00°44'27"E, A DISTANCE OF 60.00 FEET TO A POINT AT THE INTERSECTION OF THE EXISTING NORTHERLY RIGHT OF WAY OF FAIDLEY AVENUE AND THE SOUTH EXISTING DITCH RIGHT OF WAY AND THE POINT OF BEGINNING AND THE POINT OF CURVATURE OF A 520.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT OF WAY AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°36'19", AN ARC DISTANCE OF 29.14 FEET; THE CHORD OF SAID CURVE BEARS S58°21'40"W, A DISTANCE OF 29.13 FEET; THENCE N00°44'27"W, A DISTANCE OF 14.96 FEET; THENCE N89°15'33"E, ALONG SAID SOUTH EXISTING DITCH RIGHT OF WAY, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 0.0042 ACRES, (185.03 SQUARE FEET).



EXHIBIT	PROJECT NO:	110918.00
1	DRAWN BY:	JRE
	DATE:	06/10/2015

FAIDLEY AVENUE PAVING IMPROVEMENTS NO. 2014-P-1  
GRAND ISLAND, NEBRASKA

