



# City of Grand Island

Tuesday, July 28, 2015

Council Session

## Item E-5

**Public Hearing on Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC)**

*Council action will take place under Consent Agenda item G-11.*

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

# **Council Agenda Memo**

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

**Meeting:** July 28, 2015

**Subject:** Public Hearing on Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC)

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

## **Background**

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. Additional public utility easements are needed within the Sterling Estates Subdivision area. These easements will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easements.

## **Discussion**

To allow for further development of the Sterling Estates Subdivision area the developer has requested easements, in addition to those originally dedicated. Three (3) of the six (6) requested easements are on property owned by the City of Grand Island. The new easements are detailed on the attached exhibits.

## **Alternatives**

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

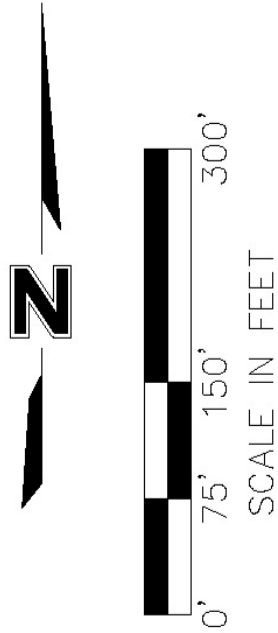
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

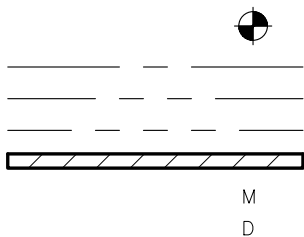
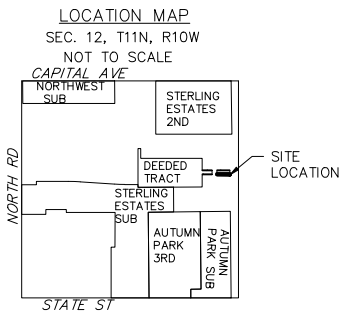
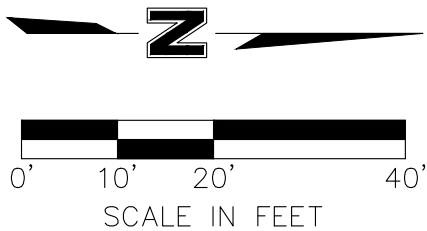
## **Recommendation**

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

## **Sample Motion**

Move to approve the acquisition of the utility easements.





TRACT A  
1584 SQ.FT.  
0.04 ACRES

LEGEND

- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE

N0°52'40"E 10.00'  
N0°52'40"E 50.00'D

DEEDED CITY OF GRAND  
ISLAND TRACT OF LAND  
(INSTRUMENT NO.  
0200905078  
DATED 6/24/2009)

N89°07'20"W 158.48'M&D

S89°07'20"E 158.38'

S89°07'20"E 157.95'D

SOUTH LINE  
DEEDED TRACT

NORTH LINE  
DEEDED TRACT

SW COR.  
E 1/2 NW 1/4  
SEC. 12-T11N-R10W

N89°07'58"W 1322.95'

N89°07'58"W 90.03'

N0°15'38"E 1504.28'D

WEST LINE 90'  
DRAINAGE R.O.W.

P.O.B.

S0°15'38"W 50.00'D  
S0°15'38"W 10.00'

LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 158.48 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 158.38 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1584 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

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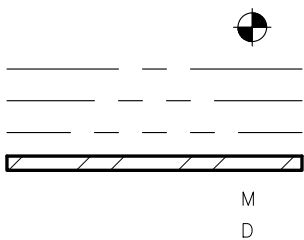
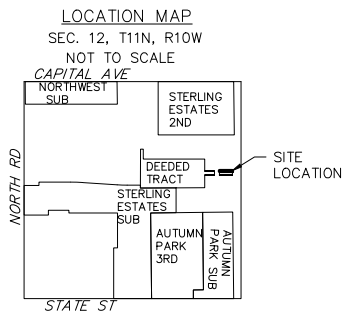
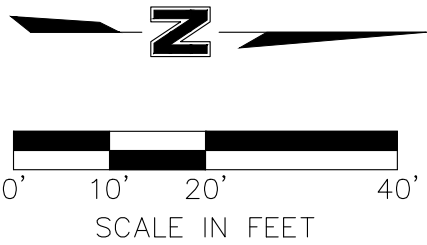
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DRAWN BY:	LJW
DATE:	07/09/13

STERLING ESTATES  
FOURTH SUBDIVISION



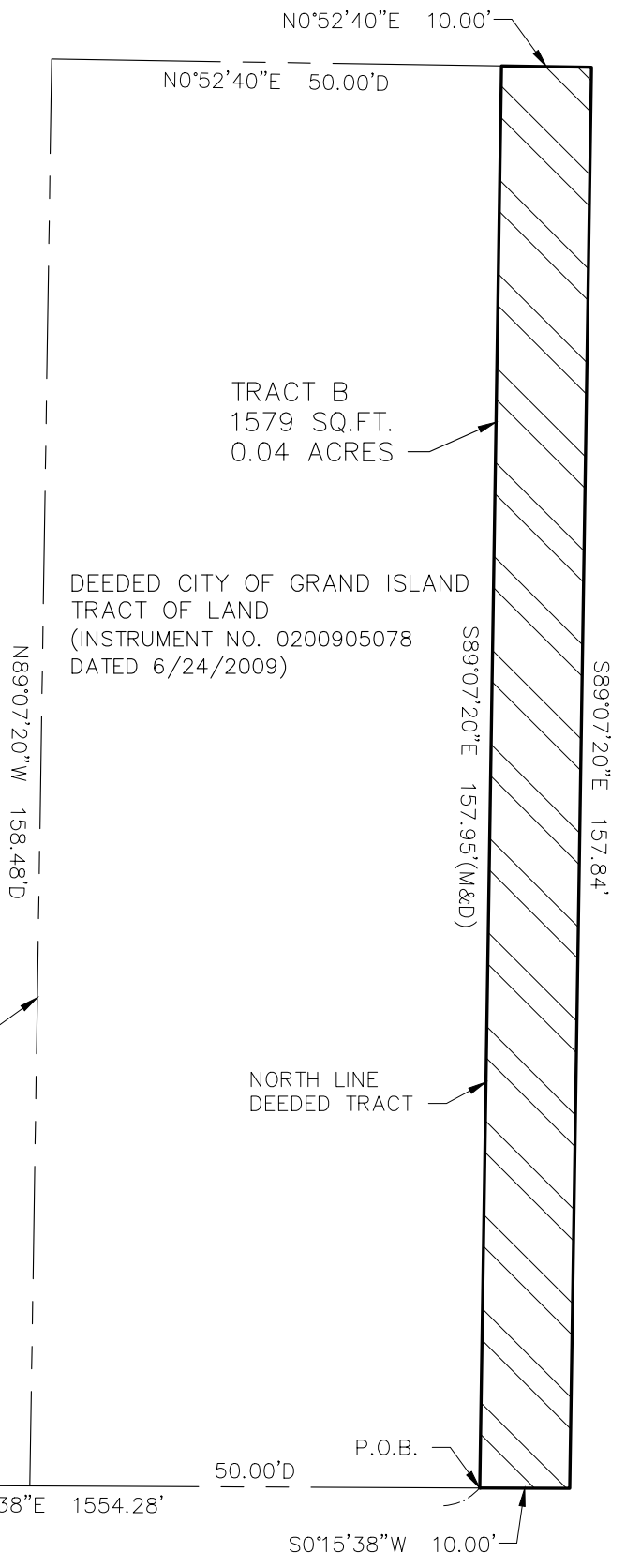
201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.384.8752

EXHIBIT
A



LEGEND

- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE



SOUTH LINE  
DEEDED TRACT

NORTH LINE  
DEEDED TRACT

SW COR.  
E 1/2 NW 1/4  
SEC. 12-T11N-R10W

P.O.B.

WEST LINE 90'  
DRAINAGE R.O.W.

LEGAL DESCRIPTION

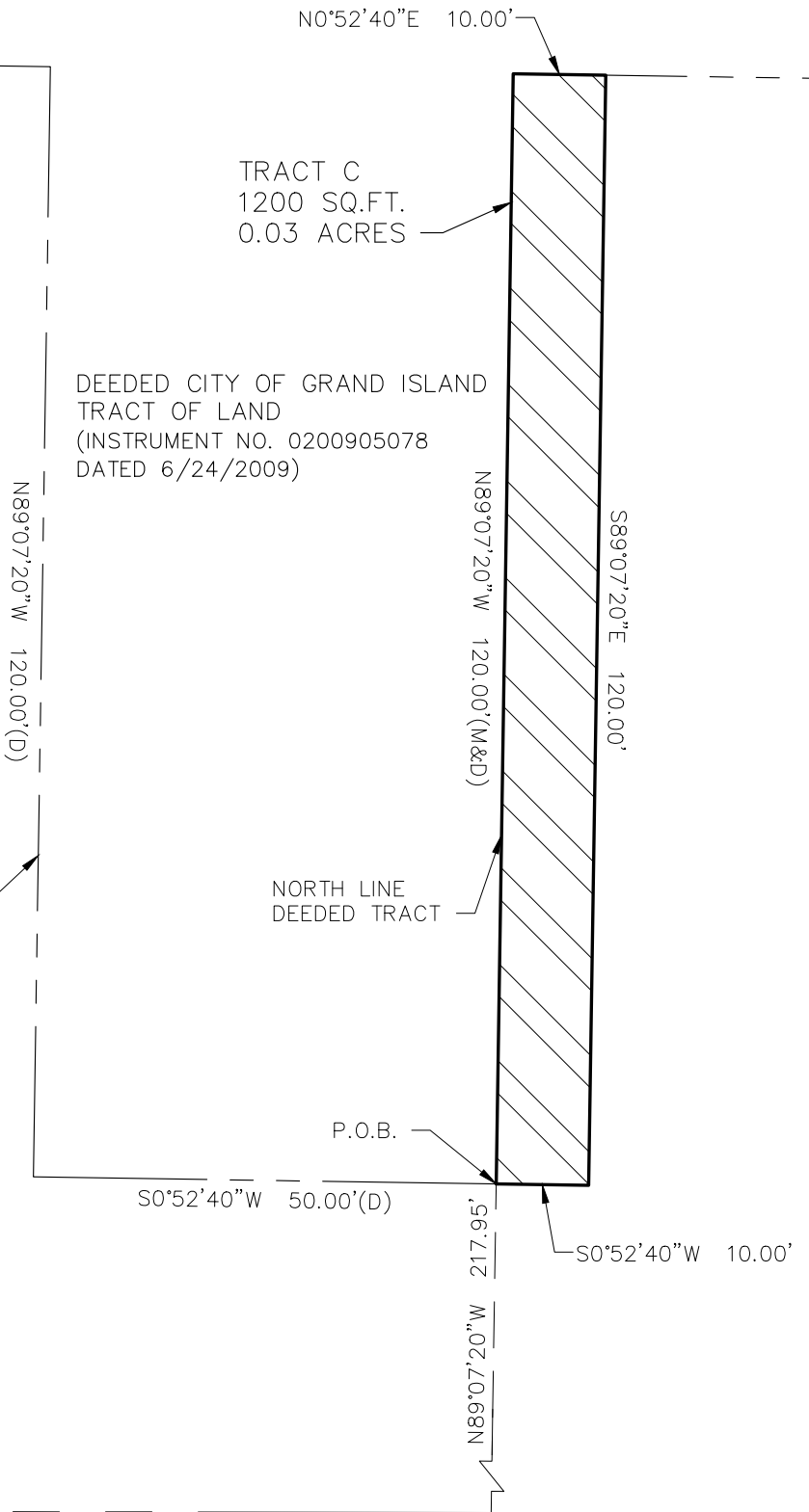
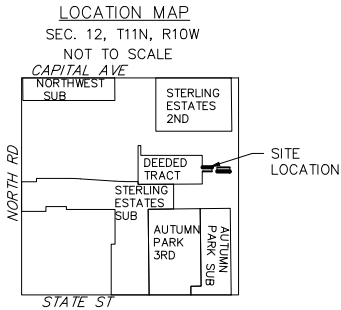
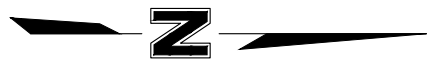
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DATE: Mar 16, 2015 4:16pm  
XREFS: MASTERXREF\_ROW

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: LJW				B
DATE: 07/09/13				

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SW COR.  
E 1/2 NW 1/4  
SEC. 12-T11N-R10W

WEST LINE 90'  
DRAINAGE R.O.W.

SE COR. NW 1/4  
SEC. 12-T11N-R10W

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LEGEND

- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE

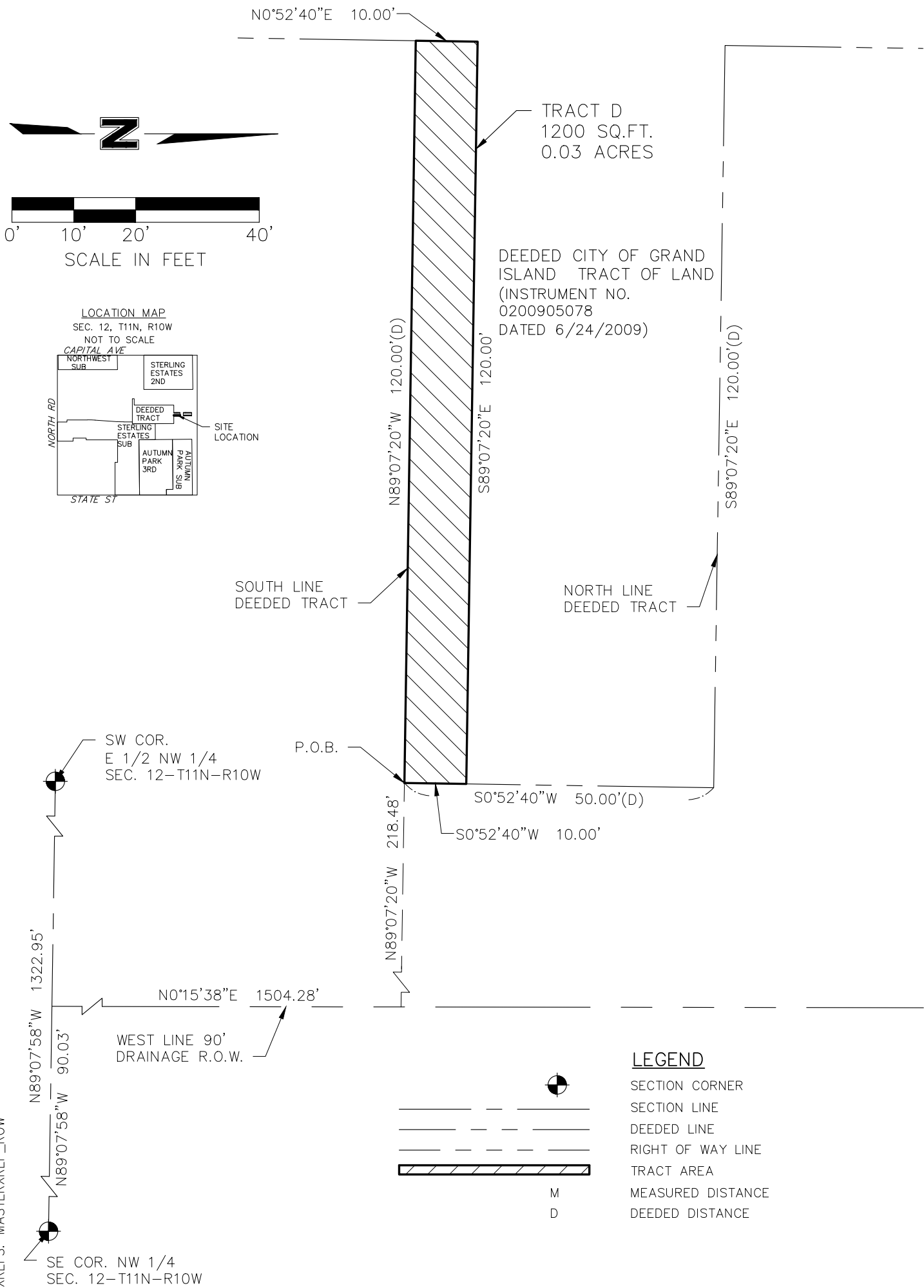
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STERLING ESTATES  
FOURTH SUBDIVISION

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EXHIBIT
C

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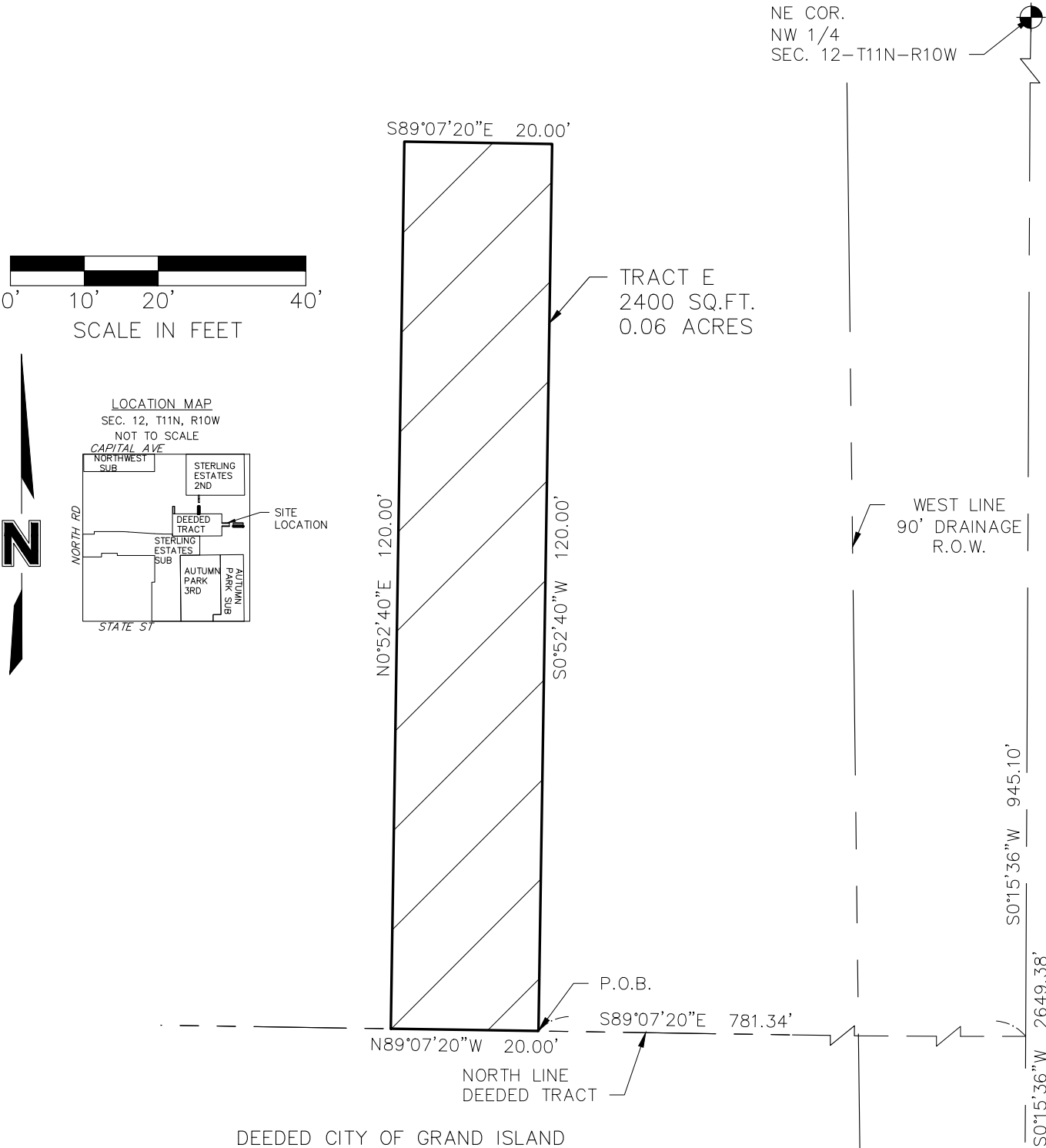
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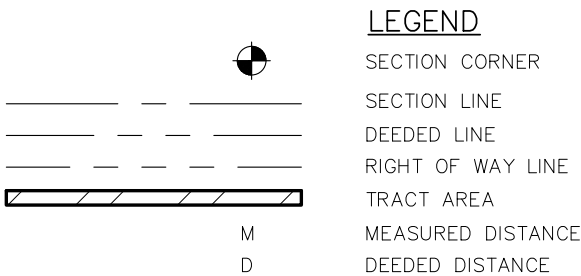
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DATE: 07/09/13				



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DEEDED CITY OF GRAND ISLAND  
TRACT OF LAND  
(INSTRUMENT NO. 0200905078  
DATED 6/24/2009)



LEGAL DESCRIPTION

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COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°15'36"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 945.10 FEET; THENCE N89°07'20"W A DISTANCE OF 781.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°07'20"W FOR A DISTANCE OF 20.00 FEET; THENCE N00°52'40"E A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 20.00 FEET; THENCE S00°52'40"W A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 2400 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

PROJECT NO: 2014-1966	STERLING ESTATES FOURTH SUBDIVISION		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: LJW				E
DATE: 03/02/2015				

