



City of Grand Island

Tuesday, December 22, 2015

Council Session

Item G-9

#2015-342 - Approving Corrected Compensation Amount for Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Bosselman Oil, Inc.]

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: December 22, 2015

Subject: Approving Corrected Compensation Amount for Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Bosselman Oil, Inc.]

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

Background

On April 14, 2015, by Resolution No. 2015-89, City Council approved temporary construction easements from Bosselman Oil, Inc. in the amount of \$2,550.00 to allow for construction of the Hall County Sanitary Sewer District 2 (SID 2).

This sanitary sewer extension is along US Highway 281 to Interstate 80 and will help foster growth of the City towards the interstate and provide for future development.

Discussion

The amount of \$2,550.00 approved for the temporary easement obtained from Bosselman Oil, Inc. accounted for Easement No. 1 and 2, however mistakenly didn't account for Easement No. 3 in the amount of \$3,060.00. All three (3) easements were approved by City Council on April 14, 2015 through Resolution No. 2015-89. At this time it is requested City Council approve the amount of \$3,060.00 to complete the temporary construction easement from Bosselman Oil, Inc. A sketch of each temporary construction easement area is attached for reference.

This project is funded by the State Revolving Funds (SRF) Project # is C317867.

Owner	Legal	Total
Bosselman Oil, Inc.	TEMPORARY ACCESS EASEMENT NO. 1- LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6 TH P.M., AND A PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 1765.77 FEET; THENCE S88°27'18"W A DISTANCE OF 112.23 FEET TO A POINT ON THE WEST	\$2,550.00 \$5,610.00

RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE NORTHEAST CORNER OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE S71°34'44"W, ALONG THE NORTH LINE OF SAID TRACT THREE (3), A DISTANCE OF 26.18 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 408.54 FEET; THENCE S88°50'28"W A DISTANCE OF 10.00 FEET; THENCE S01°09'32"E A DISTANCE OF 34.63 FEET; THENCE S88°50'28"W A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 52.01 FEET; THENCE N88°50'28"E A DISTANCE OF 15.00 FEET; THENCE N01°09'32"W A DISTANCE OF 386.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT THREE (3); THENCE N71°34'44"E, ALONG SAID NORTH LINE OF TRACT THREE (3), A DISTANCE OF 15.71 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 7,046 SQUARE FEET OR 0.16 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TEMPORARY ACCESS EASEMENT NO. 2-

LOCATED IN PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N01°09'32"W, ALONG THE EAST LINE OF SAID NEBMO SUBDIVISION, A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PLATTE STREET AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 281; THENCE S88°46'46"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S88°46'46"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 30.23 FEET; THENCE N88°50'28"E A DISTANCE OF 20.00 FEET; THENCE S01°09'32"E A DISTANCE OF 30.21 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 604 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

TEMPORARY ACCESS EASEMENT NO. 3-

LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46"E, ALONG THE SOUTH LINE OF NEBMO SUBDIVISION, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 192.13 FEET; THENCE S20°05'30"W A DISTANCE OF 280.15 FEET; THENCE S40°01'38"W A DISTANCE OF 167.74 FEET; THENCE S50°17'14"W A DISTANCE OF 177.79 FEET TO A POINT ON THE WEST LINE OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE N01°13'16"W, ON SAID WEST LINE OF SAID TRACT THREE (3), A DISTANCE OF 19.16 FEET; THENCE N50°17'14"E A DISTANCE OF 164.52 FEET; THENCE N40°01'38"E A DISTANCE OF 163.76 FEET; THENCE N20°05'30"E A DISTANCE OF 302.29 FEET; THENCE N01°09'32"W A DISTANCE OF 163.59 FEET TO A POINT ON THE SOUTH LINE OF NEBMO SUBDIVISION; THENCE S88°46'46"W, ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 10,311 SQUARE FEET OR 0.24 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 6A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

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 approve the corrected total payment of \$5,610.00 for the Temporary Construction Easement Agreement between the City of Grand Island, Public Works Department and the affected property owner for Hall County Sanitary Sewer Improvement District 2 (SID 2).

Sample Motion

Move to approve the corrected total payment of \$5,610.00 for temporary construction easement.

RESOLUTION 2015-342

WHEREAS, temporary construction easements are required by the City of Grand Island, from Bosselman Oil, Inc., in the Hall County Sanitary Sewer District 2 (SID 2) project area:

Owner	Legal	Total
Bosselman Oil, Inc.	<p><u>TEMPORARY ACCESS EASEMENT NO. 1-</u> LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., AND A PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 1765.77 FEET; THENCE S88°27'18"W A DISTANCE OF 112.23 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE NORTHEAST CORNER OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE S71°34'44"W, ALONG THE NORTH LINE OF SAID TRACT THREE (3), A DISTANCE OF 26.18 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 408.54 FEET; THENCE S88°50'28"W A DISTANCE OF 10.00 FEET; THENCE S01°09'32"E A DISTANCE OF 34.63 FEET; THENCE S88°50'28"W A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 52.01 FEET; THENCE N88°50'28"E A DISTANCE OF 15.00 FEET; THENCE N01°09'32"W A DISTANCE OF 386.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT THREE (3); THENCE N71°34'44"E, ALONG SAID NORTH LINE OF TRACT THREE (3), A DISTANCE OF 15.71 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 7,046 SQUARE FEET OR 0.16 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$2,550.00
	<p><u>TEMPORARY ACCESS EASEMENT NO. 2-</u> LOCATED IN PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N01°09'32"W, ALONG THE EAST LINE OF SAID NEBMO SUBDIVISION, A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PLATTE STREET AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 281; THENCE S88°46'46"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S88°46'46"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 30.23 FEET; THENCE N88°50'28"E A DISTANCE OF 20.00 FEET; THENCE S01°09'32"E A DISTANCE OF 30.21 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 604 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$5,610.00
	<p><u>TEMPORARY ACCESS EASEMENT NO. 3-</u> LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46"E, ALONG THE SOUTH LINE NEBMO SUBDIVISION, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 192.13 FEET;</p>	

Approved as to Form _____
 December 18, 2015 City Attorney

	<p>THENCE S20°05'30"W A DISTANCE OF 280.15 FEET; THENCE S40°01'38"W A DISTANCE OF 167.74 FEET; THENCE S50°17'14"W A DISTANCE OF 177.79 FEET TO A POINT ON THE WEST LINE OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE N01°13'16"W, ON SAID WEST LINE OF SAID TRACT THREE (3), A DISTANCE OF 19.16 FEET; THENCE N50°17'14"E A DISTANCE OF 164.52 FEET; THENCE N40°01'38"E A DISTANCE OF 163.76 FEET; THENCE N20°05'30"E A DISTANCE OF 302.29 FEET; THENCE N01°09'32"W A DISTANCE OF 163.59 FEET TO A POINT ON THE SOUTH LINE OF NEBMO SUBDIVISION; THENCE S88°46'46"W, ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 10,311 SQUARE FEET OR 0.24 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 6A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	
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TOTAL = \$5,610.00

WHEREAS, on April 14, 2015, by Resolution No. 2015-89, City Council approved temporary construction easements from Bosselman Oil, Inc. in the amount of \$2,550.00 for such sanitary sewer district; and

WHEREAS, the amount of \$2,550.00 approved for the temporary easement obtained from Bosselman Oil, Inc. accounted for Easement No. 1 and 2, however mistakenly didn't account for Easement No. 3 in the amount of \$3,060.00; and

WHEREAS, at this time it is requested City Council approve the amount of \$3,060.00 to complete the temporary construction easement from Bosselman Oil, Inc; and

WHEREAS, an Agreement for the Temporary Construction easements has 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 Agreement for the Temporary Construction easements 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, December 22, 2015.

Jeremy L. Jensen, Mayor

Attest:

Nicki Stoltenberg
Assistant to the City Administrator

- 2 -

TEMPORARY UTILITY EASEMENT

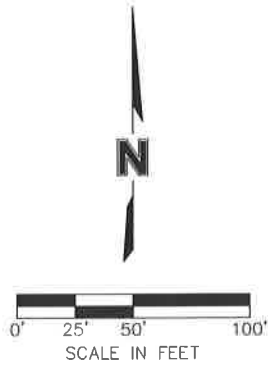
HALL COUNTY, NEBRASKA

NE COR.
SEC. 24-T10N-R10W

TEMPORARY UTILITY EASEMENT DESCRIPTION

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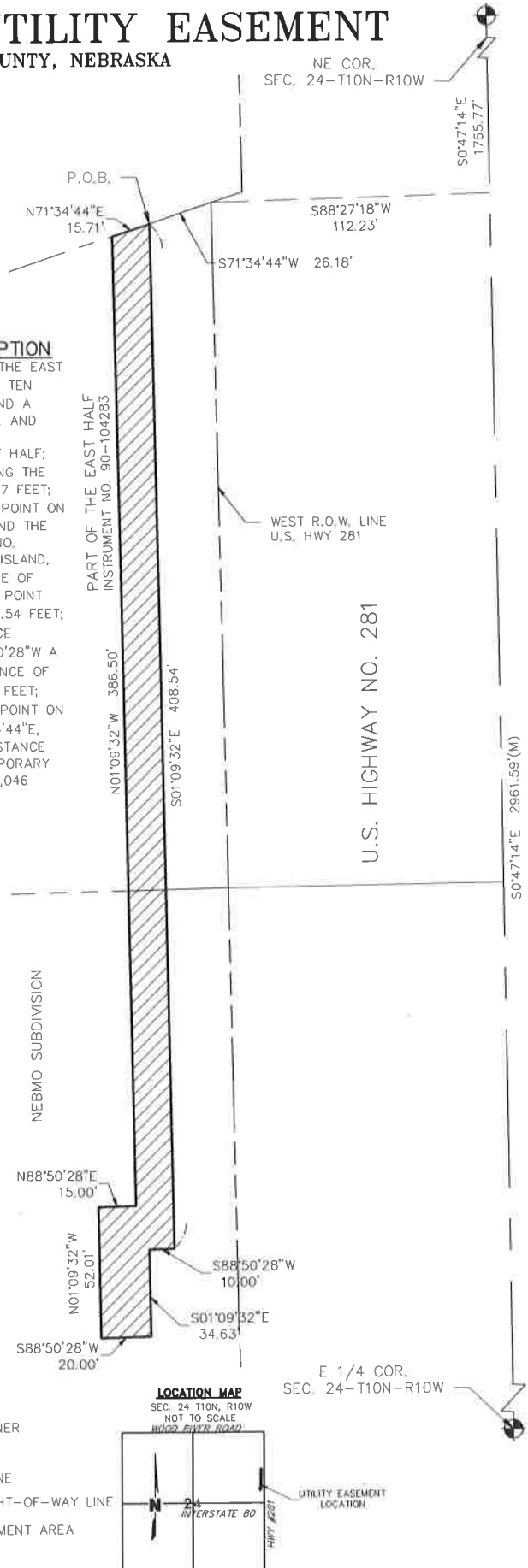
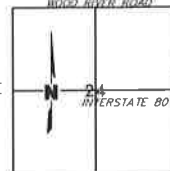


LEGEND

- SECTION CORNER
- SECTION LINE
- PROPERTY LINE
- HIGHWAY RIGHT-OF-WAY LINE
- UTILITY EASEMENT AREA

LOCATION MAP

SEC. 24 T10N, R10W
NOT TO SCALE
HWY 281 (R240)



PROJECT NO: 2012-1867
 DRAWN BY: LJW
 DATE: 07/08/2014

**U.S. HIGHWAY 281
 UTILITY EASEMENTS**

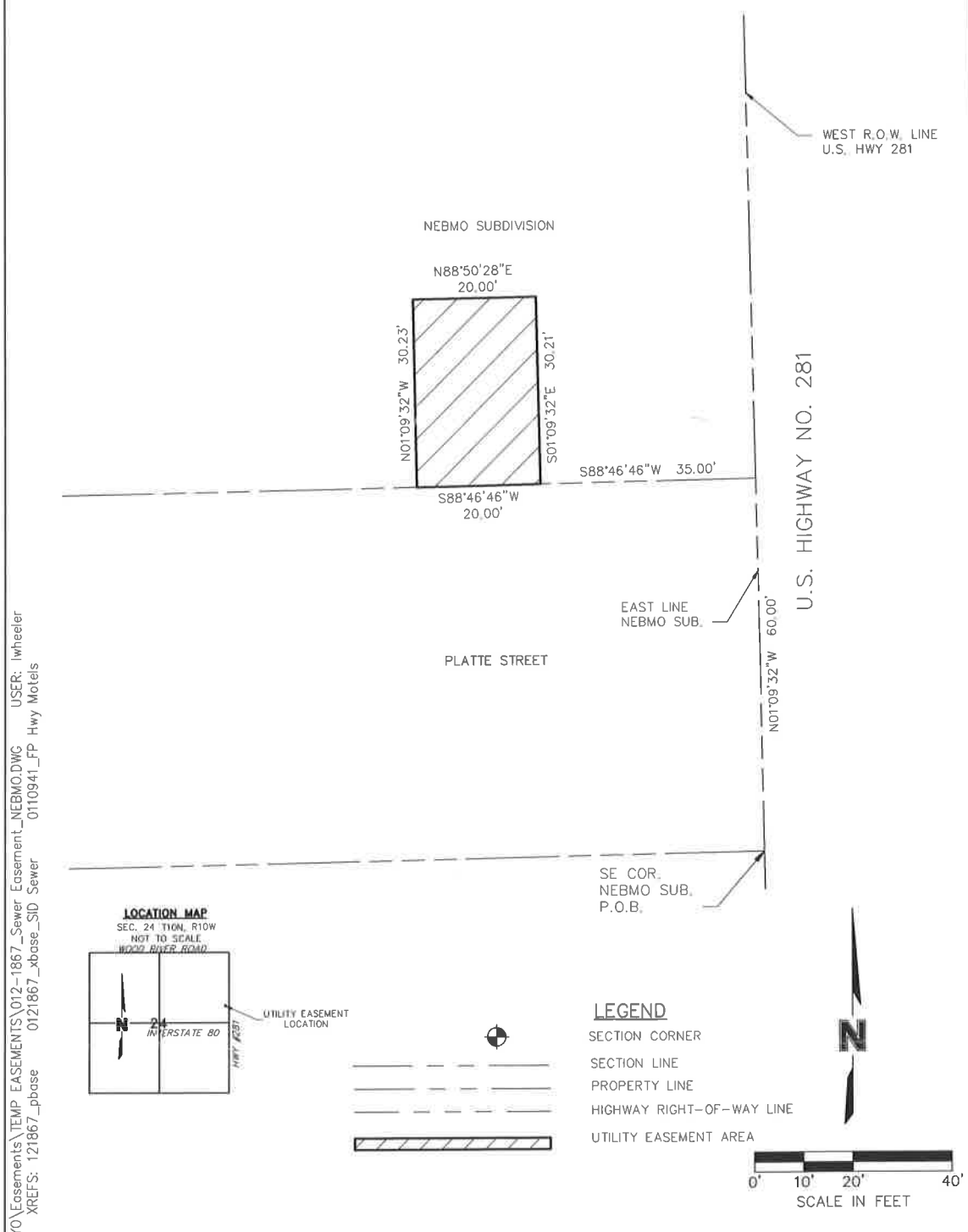


201 East 2nd Street
 P.O. Box 1072
 Grand Island, NE 68802-1072
 TEL 308.384.8750
 FAX 308.384.8752

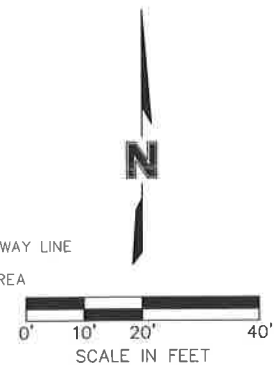
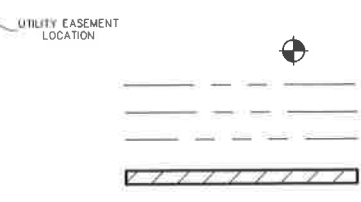
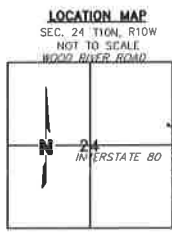
**EXHIBIT
 5A**

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



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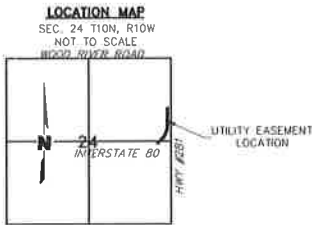
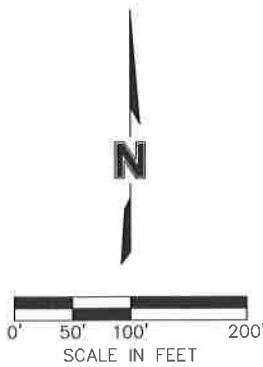
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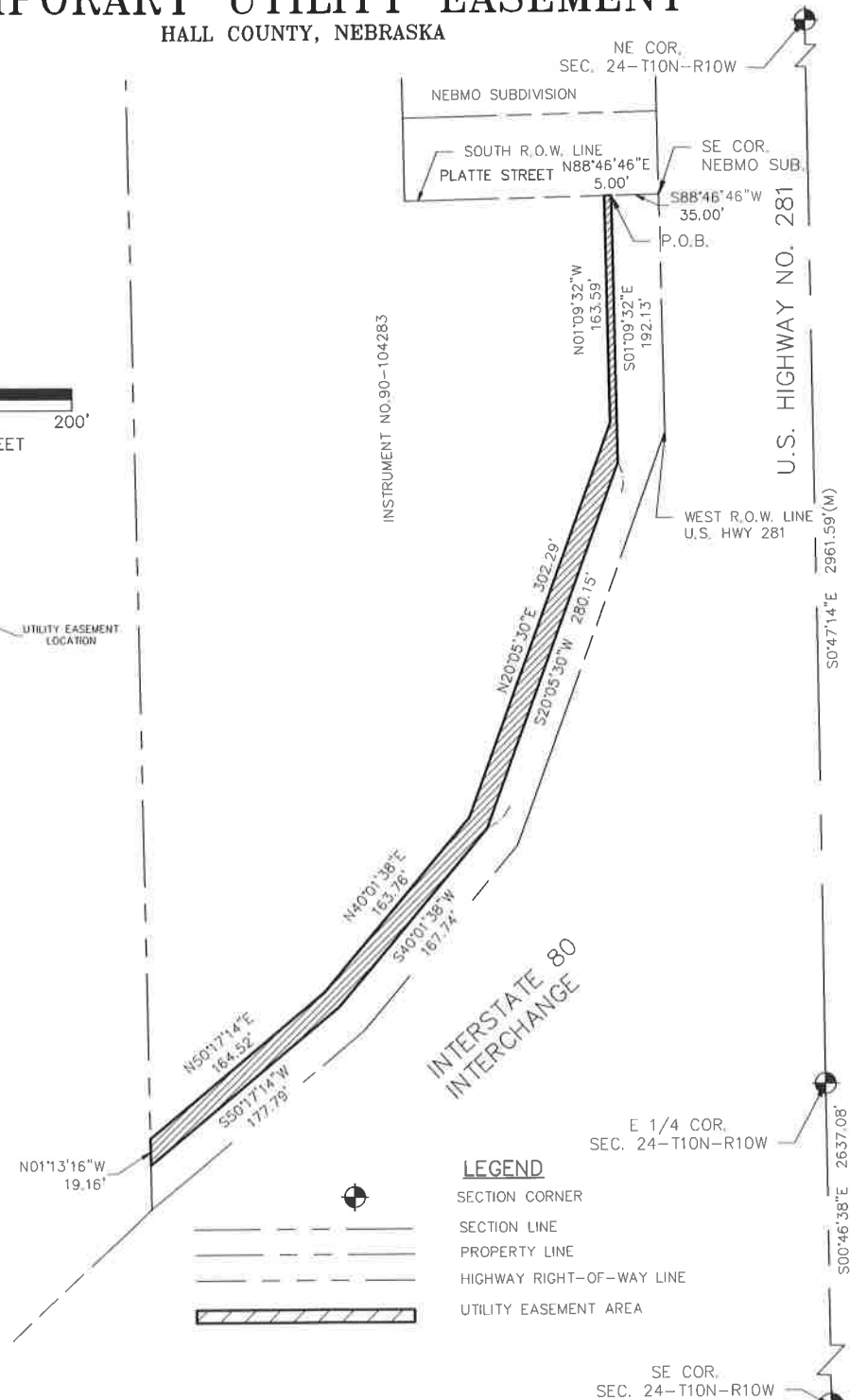
PROJECT NO: 2012-1867	U.S. HIGHWAY 281 UTILITY EASEMENTS	MOLSSON ASSOCIATES	201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752
DRAWN BY: LJW			EXHIBIT 5B
DATE: 07/08/2014			

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



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- LEGEND**
- SECTION CORNER
 - SECTION LINE
 - PROPERTY LINE
 - HIGHWAY RIGHT-OF-WAY LINE
 - UTILITY EASEMENT AREA

TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF THE EAST HALF (E1/2) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46\"/>

PROJECT NO: 2012-1867	U.S. HIGHWAY 281 UTILITY EASEMENTS		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				6A
DATE: 07/08/2014				