



City of Grand Island

Tuesday, December 20, 2011

Council Session

Item F8

#9355 - Consideration of Conveyance of a Tract of Land Owned by the City of Grand Island to the State of Nebraska, Department of Roads for Project 34-4(126)

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, Public Works Project Manager

Meeting: December 20, 2011

Subject: Conveyance of a Tract of Land Owned by the City of Grand Island to the State of Nebraska, Department of Roads for Project 34-4(126)

Item #'s: F-8

Presenter(s): John Collins, Public Works Director

Background

The State of Nebraska, Department of Roads (NDOR) is planning to improve a portion of US Highway 34 from US-281 to South Locust Street. The project includes milling of the existing roadway surface and overlaying with asphalt. US-34 will be widened at the intersection of Blaine Street to accommodate left turn lanes. The bridge immediately west of the Blaine Street intersection will be replaced with a concrete box culvert. Construction is scheduled in 2012.

In order for US-34 to be widened and the new box culvert constructed, 0.03 Acre of property owned by the City of Grand Island must be acquired by NDOR.

Discussion

In accordance with Article 1, Section 21 of the Constitution of the State of Nebraska, an appraisal on the property was conducted to determine just compensation. Documentation of this appraisal was provided to the City of Grand Island in a Project Report. The appraisal was reviewed by a Certified Review Appraiser, and a Compensation Estimate was prepared by NDOR.

NDOR's offer of \$1,142.00 is based on the following.

Purchase 0.03 Acre at \$20,000.00 per Acre: \$600.00
Control of Access: \$25.00
Move and Relocate Fencing: \$517.00

Notice of this sale shall be published for three consecutive weeks in the *Grand Island Independent* to allow a remonstrance to be filed against the conveyance of this real estate. If no remonstrance is filed against the conveyance, the Mayor is authorized to complete the conveyance without further Council action.

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

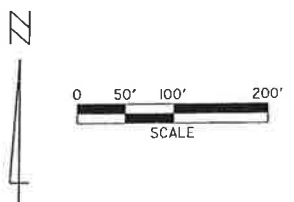
Public Works Administration recommends that the Council approve the agreement of the sale of the property as described in the Warranty Deed to the State of Nebraska, Department of Roads in the amount of \$1,142.00.

Sample Motion

Move to approve the sale of property as described in the Warranty Deed to the State of Nebraska, Department of Roads.

Previous R.O.W. Projects
 F-228(18)
 F-228(20)

TRACT NO. COUNTRY CLUB HOLDING ASSOCIATION, A CORPORATION, PT. SW4 OF SEC. 28



- Sta. 48+50 to Sta. 50+65 Lt. Build 500 Sq. Yds. of Erosion Control, Class 10, (---' Width), Plan 501-R5.
- Sta. 48+50 to Sta. 50+70 Lt. Build 200 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502
- Sta. 49+83.29 to Sta. 50+33.29 Build Pavement Approach Slab, Special Plan 1.
- Sta. 50+84.41 Build 106'-3" Lin. Ft. of W-Beam Guardrail, 4-Beam Approach Sections, 4-Guardrail End Treatment, Type II, Special Plan 1C.
- Sta. 50+84.41 #5034 2318E) SLAB BR. ON 18" SPANS CONG. ROY. (Widen to 44'-0" Roadway), Special Plan 1
- Sta. 51+35.57 to Sta. 51+85.57 Build Pavement Approach Slab, Special Plan 1.
- Sta. 51+10 to Sta. 52+40 Lt. Build 170 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502
- Sta. 51+30 to Sta. 53+00 Lt. Build 520 Sq. Yds. of Erosion Control, Class 10, (---' Width), Plan 501-R5.
- Sta. 51+46 to Sta. 58+57 Lt. Remove 612 Sq. Yds. of Asphalt Surface. (Shoulder)
- Sta. 51+85.57 to Sta. 59+69.62 Lt. Build 1,211 Sq. Yds. of Concrete Base Course, Plan 301-R10.
- Sta. 58+00.00 #1624 2320E) 1-54'-3" SPANS CONG. ROY. SLAB BR. ON 18" SPANS W/30' ROWY. Remove.
- Sta. 58+80.00 D.A. = 642 mi², Q₁₀₀ = 165 cfs, H.W. = 3.9' Build 8' x 7' x 90' Concrete Box Culvert on 15° Skew w/Wingwalls, Special Plan 2C, Fill=5.3' Exca. = 107 Cu. Yds.
- Sta. 58+00 to Sta. 59+60 Lt. Build 210 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502
- Sta. 59+13 to Sta. 59+64 Lt. Remove 20 Sq. Yds. of Asphalt Surface.
- Sta. 59+22.44, 256' LT. 1-49'-3" SPANS CONG. ROY. SLAB BR. W/17' ROWY.
- Sta. 60+38 48" x 85" REINF. CONC. PIPE W/WRAPLS. Remove Headwalls & Extend 9' Lt. on 30° skew & 10' Rt. Build Flared End Sections, Plan 410-R3. 2-Concrete Collars, Plan 425-R4.
- Sta. 59+88.33 to Sta. 60+00.00 Lt. Build 1,198 Sq. Yds. of Concrete Base Course, Plan 301-R10.
- Sta. 60+38 to Sta. 60+00 Lt. Remove 102 Sq. Yds. of Asphalt Surface. (Shoulder)

1/4 SEC. LINE STA. 33+52.45

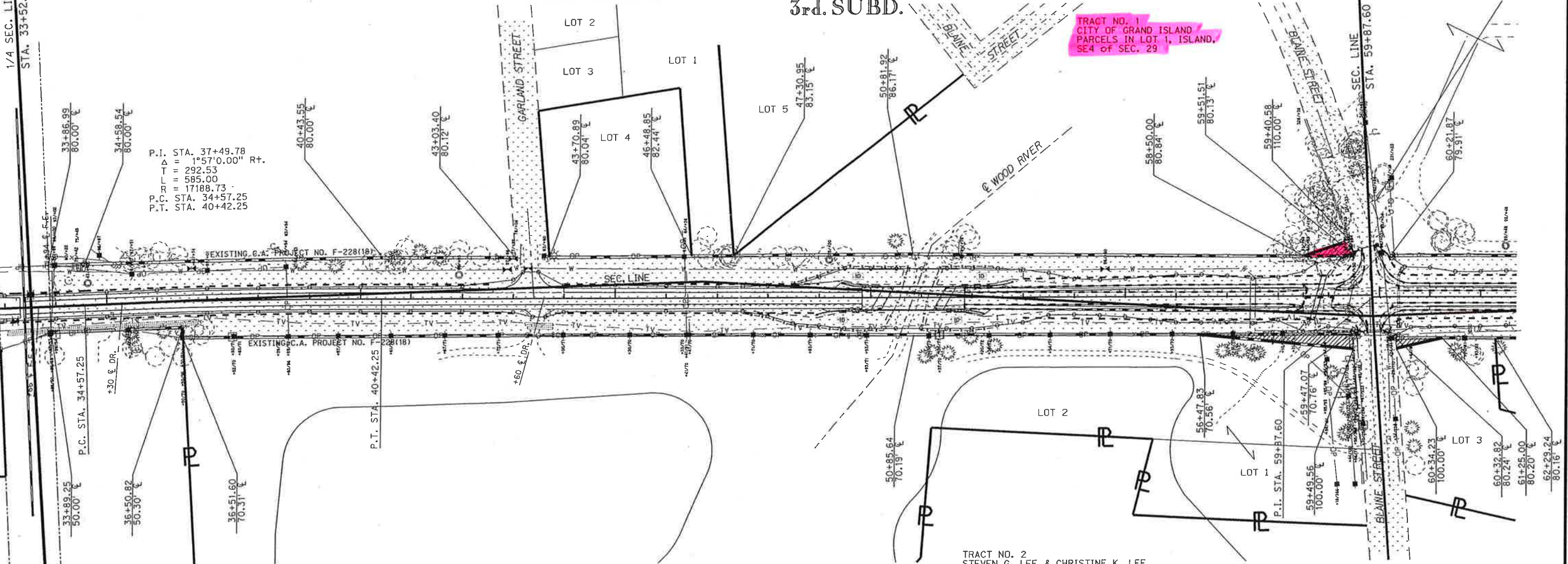
SEC. 29-T11N-R9W

RIVERSIDE 2nd. ADDITION

RIVERSIDE FARM 3rd. SUBD.

55

60



P.I. STA. 37+49.78
 $\Delta = 1^{\circ}57'0.00''$ Rt.
 $T = 292.53$
 $R = 585.00$
 $L = 17188.73$
 P.C. STA. 34+57.25
 P.T. STA. 40+42.25

TRACT NO. 1
 CITY OF GRAND ISLAND
 PARCELS IN LOT 1, ISLAND,
 SE4 OF SEC. 29

TRACT NO. 2
 STEVEN G. LEE & CHRISTINE K. LEE
 J.T. - Lot 1, HEAVENLY HAVEN THIRD
 SUBDIVISION, HALL COUNTY, NEBRASKA,
 & PART OF LOTS 1 AND 2 (ISLAND), IN
 SEC. 32-T11N-R9W, HALL COUNTY, NEBRASKA

TRACT NO. 3
 KURT F. McCALLUM & SHIRLEY
 McCALLUM, H&W, J.T. - LOT 3, LAKE
 HERITAGE 2nd. SUBDIVISION,
 GRAND ISLAND, HALL COUNTY, NEBRASKA

Sta. 34+94.481 Rt. 2'-42" x 37" REINF. CONC. PIPE W/WRAPLS.

Sta. 43+51.49 Rt. 48" x 55' C.M. DR. PIPE

Sta. 43+84.87 Rt. 48" x 50' C.M. DR. PIPE

Sta. 48+00 to Sta. 50+35 Rt. Build 550 Sq. Yds. of Erosion Control, Class 10, (---' Width), Plan 501-R5.

Sta. 47+50 to Sta. 50+50 Rt. Build 350 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502

Sta. 50+84.41 Remove 400 Lin. Ft. of Guardrail.

Sta. 51+00 to Sta. 52+40 Rt. Build 210 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502

Sta. 51+10 to Sta. 52+40 Rt. Build 430 Sq. Yds. of Erosion Control, Class 10, (---' Width), Plan 501-R5.

Sta. 51+28 to Sta. 58+48 Rt. Remove 618 Sq. Yds. of Asphalt Surface. (Shoulder)

Sta. 51+85.57 to Sta. 59+78.24 Rt. Build 1,082 Sq. Yds. of Concrete Base Course, Plan 301-R10.

Sta. 57+85.165 Rt. 18" x 59' P.C.P. PIPE

Sta. 58+80.00 Remove 446 Lin. Ft. of Guardrail.

Sta. 58+00 to Sta. 59+60 Rt. Build 190 Lin. Ft. of Fabric Silt Fence-Low Porosity, Plan 502

Sta. 59+05 to Sta. 59+52 Rt. Remove 26 Sq. Yds. of Asphalt Surface.

Surface 4-Way Intersection. See Sheet 2-5.

Sta. 60+00.89 to Sta. 60+00.00 Lt. Build 1,119 Sq. Yds. of Concrete Base Course, Plan 301-R10.

Sta. 60+62 to Sta. 60+00 Rt. Remove 700 Sq. Yds. of Asphalt Surface. (Shoulder)

HEAVENLY HAVEN THIRD SUBDIVISION

THESE PLANS ARE INTENDED TO SHOW DETAILS OF THE HIGHWAY RIGHT OF WAY. ALL OTHER DETAILS ARE SHOWN FOR INFORMATION ONLY. SEE CONSTRUCTION PLANS
Negotiations Plans
 TENTATIVE FINAL PLANS
 SUBJECT TO CHANGE
 DATE: 11-04-2011

ORDINANCE NO. 9355

An ordinance directing and authorizing the sale of real estate to the State of Nebraska, Department of Roads; providing for the giving of notice of such conveyance and the terms thereof; providing for the right to file a remonstrance against such conveyance; providing for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The City of Grand Island, Nebraska, will convey to the State of Nebraska, Department of Roads a tract of land legally described as:

A TRACT OF LAND LOCATED IN PARCELS, LOT 1, ISLAND, IN SE4, OF SEC. 29-T11N-R9W, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 117.00 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 086 DEGREES, 41 MINUTES, 43 SECONDS LEFT, A DISTANCE OF 30.22 FEET TO A POINT ON THE NORTHERLY HIGHWAY 34 RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 101 .51 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 161 DEGREES, 45 MINUTES, 15 SECONDS RIGHT, A DISTANCE OF 95.16 FEET TO A POINT ON THE WESTERLY BLAINE STREET RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 087 DEGREES, 44 MINUTES, 43 SECONDS RIGHT, A DISTANCE OF 31.81 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.03 ACRES, MORE OR LESS.

SECTION 2. In consideration for such conveyance the purchaser shall pay the City the sum of One thousand, one hundred forty-two and No/100 Dollars (\$1,142.00). Conveyance of the real estate above described shall be by warranty deed, upon payment of the consideration pursuant to the terms and conditions of an Agreement for Warranty Deed between the parties.

ORDINANCE NO. 9355 (Cont.)

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish said notice.

SECTION 4. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by registered voters of the City of Grand Island equal in number to thirty percent of the registered voters of the City of Grand Island voting at the last regular municipal election held in such City be filed with the City Council within thirty days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor shall make, execute and deliver to State of Nebraska, Department of Roads a warranty deed for said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the *Grand Island Independent* as provided by law.

ORDINANCE NO. 9355 (Cont.)

Enacted: December 20, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk