



City of Grand Island

Tuesday, November 12, 2002
Speical Mtg/Council Session

Item G4

#2002-332 - Approving Acquisition of Public Right of Way for the Extension of Independence Avenue

This item relates to the aforementioned Public Hearing. Acquisition of Right of Way is required in order to construct the extension of Independence Avenue. See attached RESOLUTION.

Staff Contact: Steve Riehle

R E S O L U T I O N 2002-332

WHEREAS, property is required by the City of Grand Island, from the following parties for right-of-way purposes to extend Independence Avenue; and

WHEREAS, a public hearing was held on October 22, 2002, for the purpose of discussing the proposed rights-of-way affecting the following tracts of land:

Name	Property Description
Keo Phetsavahn and Sysengpheth Saycocie	The east 25.00 feet of Lot 77, Le Heights Fourth Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 8,312 square feet or 0.19 acres more or less, all of which is an existing City of Grand Island drainage easement.
Jonathan & Shannon Boehle	The east 40.00 feet of Lot 11, Western Heights Second Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 6,539 square feet or 0.15 acres more or less, all of which is an existing City of Grand Island drainage easement.
Tharin & Brenda Peters	The east 40.00 feet of Lot 12, Western Heights Second Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 5,489 square feet or 0.13 acres more or less, all of which is an existing City of Grand Island drainage easement.
Chad & Wendy Cox	The east 40.00 feet of Lot 1, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 7,211 square feet or 0.17 acres more or less, all of which is an existing City of Grand Island drainage easement.
Alan & Linda Potter	The east 40.00 feet of Lot 2, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 7,211 square feet or 0.17 acres more or less, all of which is an existing City of Grand Island drainage easement.
Richard & Rada Bacon	The east 40.00 feet of Lot 3, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,475 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.
Gary & Judith Horne	The east 40.00 feet of Lot 4, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,476 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.

Jerry & Faye Brown	The east 40.00 feet of Lot 5, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,477 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.
Christopher & Tammy Chohon	The east 40.00 feet of Lot 6, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,478 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.
Robert Cummings	The east 40.00 feet of Lot 7, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,485 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.
Burrell & Lisa Albee	The east 40.00 feet of Lot 8, Western Heights Third Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 4,501 square feet or 0.10 acres more or less, all of which is an existing City of Grand Island drainage easement.
Westridge Middle School	The west 70.00 feet of Lot 8 and the west 40.00 feet of Lot 9, Sussex Place Subdivision in the City of Grand Island, Hall County, Nebraska. Said tract contains 41,269 square feet or 0.95 acres more or less, of which 30,660 square feet or 0.70 acres is an existing drainage easement.
Gladys Williams	<p>A tract of land located in the East Half of the West 19 acres of the East 20 acres of the Southeast Quarter of the Southwest Quarter of Section 11, Township 11 North, Range 10 West of the 6th P.M. in the City of Grand Island, Hall County, more particularly described as follows:</p> <p>Commencing at the south quarter corner of said Section 11; thence on an assumed bearing of N89°08'56"W on the south line of said Section 11, a distance of 153.48 feet to the Point of Beginning; thence continuing on said south line N89°08'56"W a distance of 80.00 feet; thence N00°18'47"E a distance of 584.07 feet; thence around a curve in a clockwise direction having a radius of 340.00 feet, a chord bearing of N23°27'48"E a distance of 267.34 feet; thence around a curve in a counterclockwise direction having a radius of 260.00 feet, a chord bearing of N23°17'43"E a distance of 205.84 feet; thence N00°18'47"E a distance of 18.02 feet; thence S86°09'38"E a distance of 6.53 feet to the east line of said East Half of the west 19 acres of the east 20 acres of the Southeast Quarter of the Southwest Quarter; thence S00°18'47"W on said east line a distance of 230.26 feet; thence around a curve in a clockwise direction having a radius of 340.00 feet, a chord</p>

	<p>bearing of S42°39'19"W a distance of 46.94 feet; thence around a curve in a counterclockwise direction having a radius of 260.00 feet, a chord bearing of S23°27'48"W a distance of 204.44 feet; thence S00°18'47"W a distance of 584.83 feet to the point of beginning. Said tract contains 75,082 square feet or 1.72 acres more or less of which 2,640 square feet or 0.06 acres is existing 13th Street road right-of-way.</p>
<p>Gladys Williams</p>	<p>A tract of land located in the East Half of the West 19 acres of the East 20 acres of the Southeast Quarter of the Southwest Quarter of Section 11, Township 11 North, Range 10 West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska; more particularly described as follows:</p> <p>Commencing at the intersection of the southwest corner of Lot 8, Western Heights Third Subdivision, City of Grand Island and the easterly right-of-way (R.O.W.) line of Lariat Lane, said point also being the Point of Beginning; thence on an assumed bearing of S00°20'23"W a distance of 201.42 feet; thence N86°09'26"W a distance of 60.11 feet; thence N00°20'41"E a distance of 198.18 feet to the southeast corner of Lot 9 of said Western Heights Third Subdivision, said corner also on the westerly R.O.W. line of Lariat Lane; thence S89°14'50"E on the south line of said Western Heights Third Subdivision a distance of 59.98 feet to the point of beginning. Said tract contains 11,986 square feet or 0.28 acres more or less.</p>

Gladys Williams	<p>A tract of land located in the East Half of the West 19 acres of the East 20 acres of the Southeast Quarter of the Southwest Quarter of Section 11, Township 11 North, Range 10 West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska; more particularly described as follows:</p> <p>Commencing at the intersection of the northeast corner of Lot 5 of Western Heights Fifth Subdivision, City of Grand Island and the southerly right-of-way (R.O.W.) line of Shanna Street, said point also being the Point of Beginning; thence on an assumed bearing of N00°16'56"E a distance of 70.00 feet to the southeast corner of Lot 9 of Double R Subdivision, City of Grand Island; thence S86°09'24"E a distance of 304.91 feet to the east line of said East Half of the West 19 acres of the East 20 acres of the Southeast Quarter of the Southwest Quarter; thence S00°18'47"W on said east line a distance of 70.13 feet; thence N86°07'52"W a distance of 304.88 feet to the point of beginning. Said tract contains 21,310 square feet or 0.49 acres more or less.</p>
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WHEREAS, in the event the City and the various owners are unable to agree upon a price for such right-of-way, it is suggested that the City be authorized to condemn such property for public facilities in accordance with Neb. Rev. Stat. 19-709, as amended.

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 acquire right-of-way from the parties identified above on the above-described tracts of land.

BE IT FURTHER RESOLVED, that if the acquisition of such property is not possible through negotiations, the City Attorney is hereby authorized and directed to commence condemnation proceedings on behalf of the City of Grand Island to acquire such property forthwith.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 12, 2002.

RaNae Edwards, City Clerk