



City of Grand Island

Tuesday, October 10, 2017

Council Session

Item E-3

Public Hearing on Property Exchange for Part of Sterling Estates 8th Subdivision for Part of Sterling Park in Sterling Estates 4th Subdivision

Council action will take place under Ordinances item F-3.

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: October 10, 2017

Subject: Property Exchange - Part of Sterling Estates 8th
Subdivision for Part of Sterling Park in Sterling Estates
4th Subdivision

Presenter(s): Chad Nabity, Regional Planning Director

Background

In 2009, the City of Grand Island purchased 6.75 acres of ground for a park within the area to be developed as the Sterling Estates Subdivision south of Capital Avenue and west of the Moore's Creek Drainway. In June of 2013 the adjoining property owners, from whom the park land was purchased, submitted a plat for the Sterling Estates Fourth Subdivision. In order to accommodate the planned lots, the owners requested that the City exchange a 10-foot-wide strip of property along the south side of the strip reserved to connect the park to the bike trail for a 10-foot-wide strip along the north side of that same strip. This is an even exchange for the property. The developers have also agreed to plat the park property as part of Sterling Estates 4th Subdivision.

During negotiations with the City of Grand Island over the location of utilities, the owners of the subdivision proceeded with a smaller version of the 4th Subdivision and left the remainder of the property north of the park unplatted. It was platted as Sterling Estates 8th Subdivision with approvals in late 2016 and filed in 2017. As a result of these changes and adjustments to the lots, the exchange that was made in 2013 was unnecessary. The platting of the property to the north of the park in 2016 assumed that the property exchanged in 2013 had been traded back. The proposed exchange will insure that clear title is available for the Sterling Estates Park and for Lot 6, Block 2 and Lot 12, Block 1 of Sterling Estates 8th Subdivision as platted.

Discussion

The attached maps and copy of the Sterling Estates 4th Subdivision identify the property involved in the proposed exchange. The City will be exchanging Tract B for Tract A and Tract C for Tract D. Tracts A and B are identical in size and Tracts C and D are identical in size. Council will consider an ordinance that would swap the ownership of these properties. The ordinance is subject to a 30-day remonstrance period should any citizen

feel that the exchange is unfair to the City. City Staff will complete this transaction once the remonstrance period has ended.

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

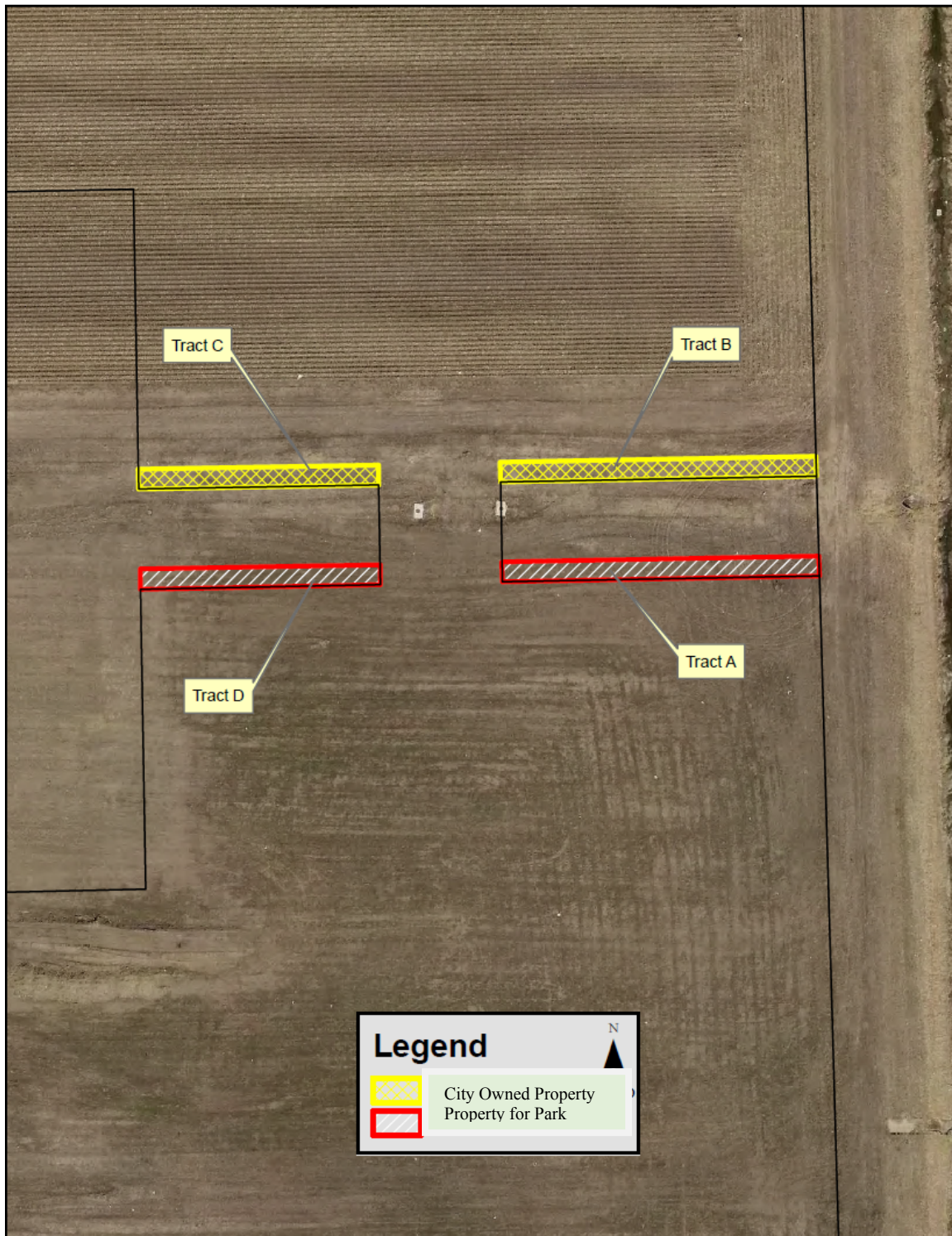
Recommendation

City Administration recommends that the Council approve the ordinances and resolution as presented.

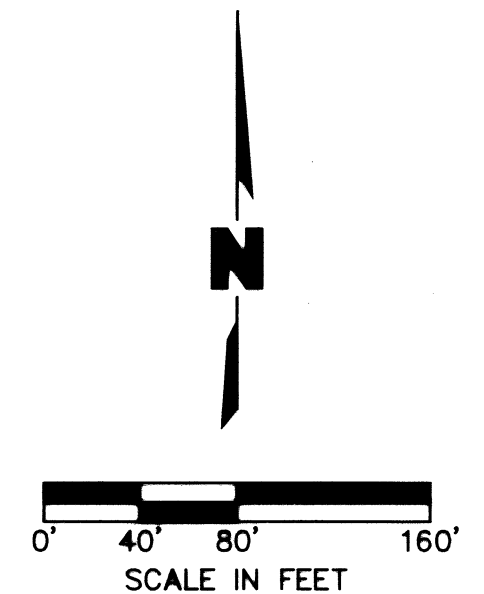
Sample Motion

Move to approve the Ordinance as presented.





DWG: F:\projects\014-1966_SRV\Final_Plat\Final_Plat\Sterling Estates 4th Sub_rev4.dwg
DATE: Apr 20, 2015 3:07pm XREFS: 014-1966_ROW
USER: |wheeler



LOCATION MAP
SEC. 12, T11N, R10W
NOT TO SCALE
CAPITAL AVE

SITE LOCATION

ENGEMAN ROAD

12

N

NORTH ROAD

LEGEND

SET CORNER (5/8"x24" REBAR W/CAP)
FOUND CORNER (5/8" REBAR W/CAP)
SECTION LINE
EXISTING PROPERTY LINE
PROPOSED PROPERTY LINE
EXISTING EASEMENT LINE
EASEMENT LINE TO BE DEDICATED WITH THIS PLAT
MEASURED DISTANCE
RECORDED DISTANCE STERLING ESTATES SUB.
RECORDED DISTANCE STERLING ESTATES THIRD SUB.
RECORDED DISTANCE AUTUMN PARK SUB.
RECORDED DISTANCE DOC. NO. 0200905078



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

PROJECT NO. 2014-1966
NIEDFELT SURVEY

OWNERS: NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC./ CITY OF GRAND ISLAND
SUBDIVIDER: NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC./ CITY OF GRAND ISLAND
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 27

SHEET 1 OF 2

STERLING ESTATES FOURTH SUBDIVISION

IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

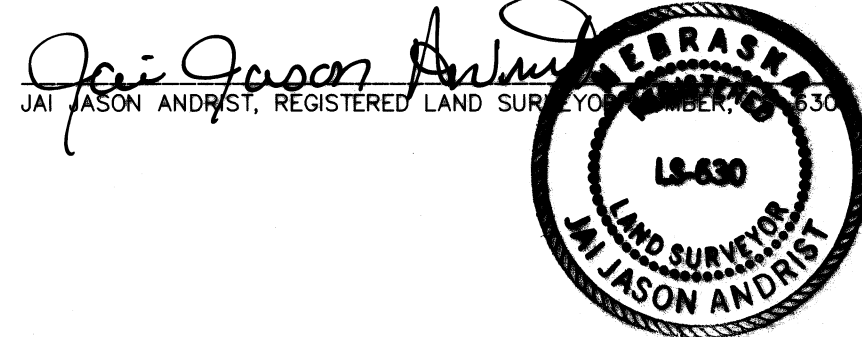
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF STERLING ESTATES 2ND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°15'38"W, ALONG THE WEST SIDE OF THE CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY, A DISTANCE OF 446.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°15'38"W, ALONG THE WEST SIDE OF THE CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY, A DISTANCE OF 496.83 FEET TO THE NORTHEAST CORNER OF AUTUMN PARK SUBDIVISION; THENCE N89°45'04"W, ALONG THE NORTH LINE OF SAID AUTUMN PARK SUBDIVISION, A DISTANCE OF 367.30 FEET TO THE NORTHWEST CORNER OF AUTUMN PARK SUBDIVISION AND THE NORTHEAST CORNER OF AUTUMN PARK THIRD SUBDIVISION; THENCE N89°45'31"W, ALONG THE NORTH LINE OF AUTUMN PARK THIRD SUBDIVISION A DISTANCE OF 124.41 FEET TO THE SOUTHEAST CORNER OF STERLING ESTATES THIRD SUBDIVISION; THENCE N00°34'09"E, ALONG THE EAST LINE OF SAID STERLING ESTATES THIRD SUBDIVISION, A DISTANCE OF 301.41 FEET TO THE NORTHEAST CORNER OF STERLING ESTATES THIRD SUBDIVISION; THENCE N89°25'51"W, ALONG THE NORTH LINE OF STERLING ESTATES THIRD SUBDIVISION AND THE NORTH LINE OF STERLING ESTATES SUBDIVISION, A DISTANCE OF 633.90 FEET TO THE EAST RIGHT-OF-WAY LINE OF EBONY LANE; THENCE N00°52'40"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 34.81 FEET; THENCE N89°07'20"W A DISTANCE OF 162.51 FEET TO A POINT ON THE NORTH LINE OF LOT 10, BLOCK 2, STERLING ESTATES SUBDIVISION AND A POINT OF CURVATURE: THENCE ON A 1815.00 FOOT RADIUS CURVE TO THE RIGHT WITH A BEARING OF N88°03'24"W, ALONG THE NORTH LINE OF LOTS 10 AND 9, BLOCK 2, STERLING ESTATES SUBDIVISION, A CHORD DISTANCE OF 67.50 FEET; THENCE N00°52'40"E A DISTANCE OF 311.16 FEET; THENCE S89°07'20"E A DISTANCE OF 160.00 FEET; THENCE N00°52'40"E A DISTANCE OF 189.00 FEET; THENCE S89°07'20"E A DISTANCE OF 70.00 FEET; THENCE S00°52'40"W A DISTANCE OF 62.00 FEET; THENCE S89°07'20"E A DISTANCE OF 8.88 FEET; THENCE S00°52'40"W A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 400.00 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; THENCE S89°07'20"E A DISTANCE OF 355.00 FEET; THENCE S00°52'40"W A DISTANCE OF 150.00 FEET; THENCE S89°07'20"E A DISTANCE OF 337.95 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 579,311 SQUARE FEET OR 13.30 ACRES MORE OR LESS OF WHICH 1.79 ACRES IS NEW DEDICATED ROAD ROW.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON JUNE 22ND, 2015, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.



CURVE TABLE

CURVE #	DELTA	RADIUS	CHORD BEARING	LENGTH	CHORD
C1	2°07'52"	1815.00'	N88°03'24"W	67.51'	67.50'
C2	1°15'47"	1815.00'	N87°37'22"W	40.01'	40.01'
C3	0°52'04"	1815.00'	N88°41'18"W	27.49'	27.49'
C4	89°40'25"	70.00'	N45°43'56"E	109.56'	98.71'
C5	42°52'21"	70.00'	S69°07'58"W	52.38'	51.17'
C6	46°48'04"	70.00'	S24°17'45"W	57.18'	55.60'
C7	191°53'42"	60.00'	S46°12'17"W	200.95'	119.35'
C8	6°16'48"	60.00'	N46°35'47"W	6.58'	6.57'
C9	52°03'43"	60.00'	N17°25'13"W	54.52'	52.66'
C10	33°49'03"	60.00'	N25°31'10"E	35.41'	34.90'
C11	33°49'05"	60.00'	N59°20'14"E	35.41'	34.90'
C12	56°20'02"	60.00'	S75°35'12"E	58.99'	56.65'
C13	9°33'36"	60.00'	S42°37'40"E	10.01'	10.00'

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC. AND THE CITY OF GRAND ISLAND, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**STERLING ESTATES FOURTH SUBDIVISION**" IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING SUBDIVISION IS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT

Grand Island, NE, THIS 22ND DAY OF JUNE, 2015.

John Niedfelt
JOHN NIEDFELT, MANAGER
NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC, A NEBRASKA LIMITED LIABILITY COMPANY

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT

Grand Island, NE, THIS 12 DAY OF May, 2015.

Jeremy Jensen
JEREMY JENSEN, MAYOR
CITY OF GRAND ISLAND

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

ON THIS 22 DAY OF June, 2015, BEFORE ME Christina Kay Dethlefs, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED JOHN NIEDFELT, MANAGER, NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC, A NEBRASKA LIMITED LIABILITY COMPANY, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURES ARE AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES July 20, 2016

Christina Kay Dethlefs
NOTARY PUBLIC



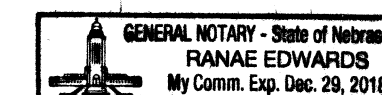
ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

ON THIS 12TH DAY OF May, 2015, BEFORE ME Ranae Edwards, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED JEREMY JENSEN, MAYOR, CITY OF GRAND ISLAND, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURES ARE AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES 12-29-18

Ranae Edwards
NOTARY PUBLIC



APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

Bob G. Givie
CHAIRMAN

5/6/15
DATE

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS 12 DAY OF May, 2015.

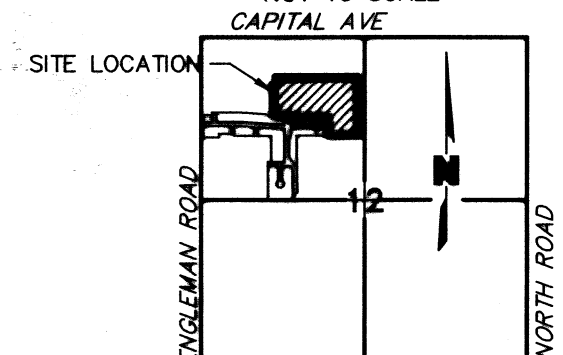
Jeremy Jensen
MAYOR

Ranae Edwards
CITY CLERK



LOCATION MAP

SEC. 12, T11N, R10W
NOT TO SCALE



201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.364.8750
FAX 308.364.8752

PROJECT NO. 2014-1966
NIEDFELT SURVEY
FB

OWNERS: NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC./ CITY OF GRAND ISLAND
SUBDIVIDER: NIEDFELT PROPERTY MANAGEMENT PREFERRED LLC. / CITY OF GRAND ISLAND
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 27

SHEET 2 OF 2