



City of Grand Island

Tuesday, November 14, 2017

Council Session

Item G-7

#2017-311 - Approving Correction to Final Plat and Subdivision Agreement for Eberl Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Interjurisdictional Planning Commission
Meeting: November 14, 2017
Subject: Eberl Subdivision – Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located north of Fort Kearney Road and east of Beck Road in the two-mile extraterritorial jurisdiction of Grand Island, in Merrick County, Nebraska. Consisting of 2 lots and 4.47 acres.

Discussion

The plat for Eberl Subdivision, Final Plat was considered by the Interjurisdictional Planning Commission at the November 1, 2017 meeting.

Nabity explained there was an error in the legal description for the Eberl Subdivision that was approved at the Sept. 6 meeting and that another land owner also needed to be added to the plat. He said those corrections were made and Resolution 2017-01 would rescind past action regarding the plat and give approval to the new plat containing the correct information.

A motion was made by Randone and seconded by Rubio to recommend approval of Resolution 2017-01 and the final plat for Eberl Subdivision as presented. Five members present voted in favor (Rubio, Randone, Hendricksen, Gamblin and Riblett) of the motion and no members opposed or abstained.

Alternatives

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

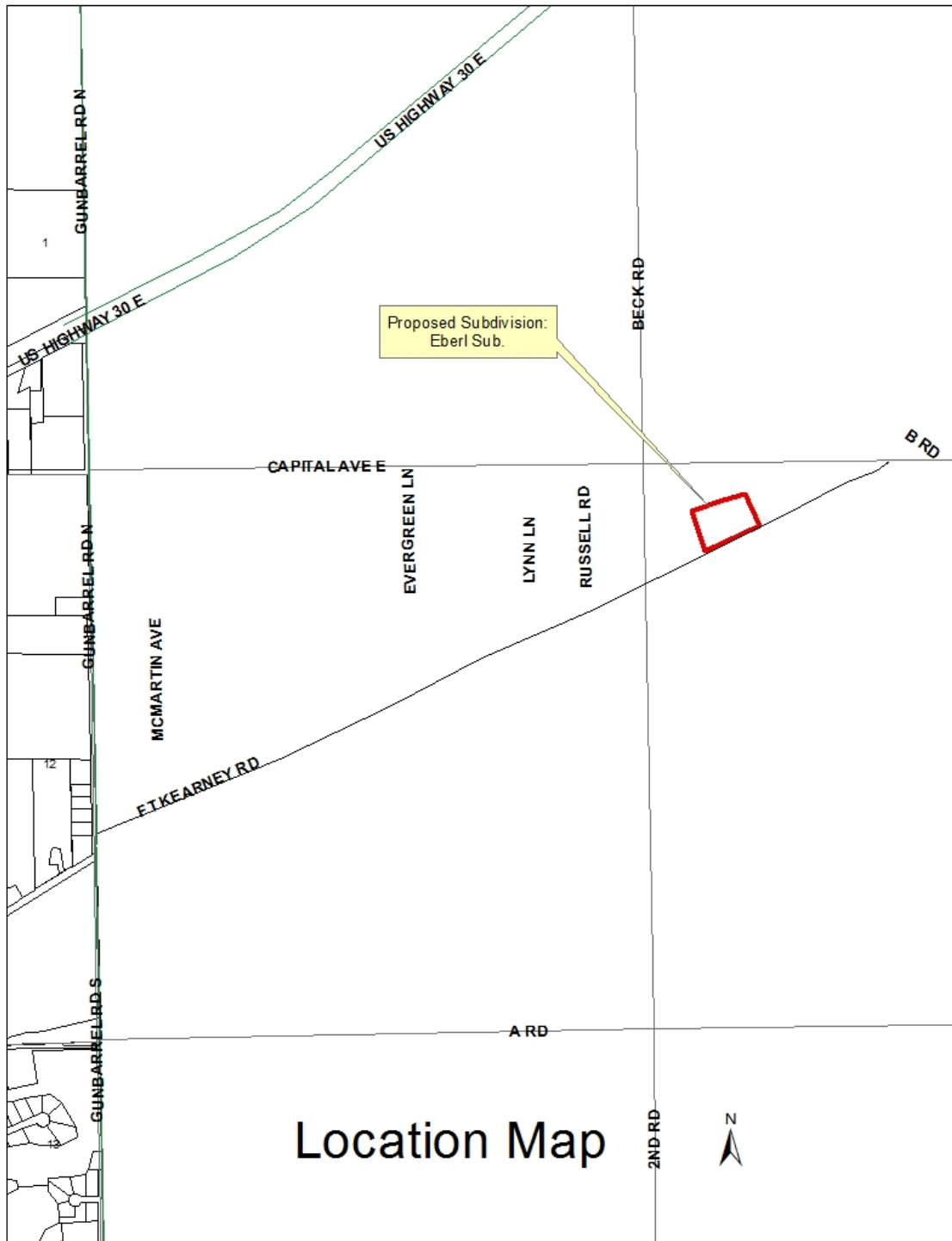
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that Council approve the final plat as presented.

Sample Motion

Move to approve as recommended.



Developer/Owner

Rick and Michele Eberl
215 Fort Kearney Road
Grand Island, NE 68801

To create 2 lots north of Fort Kearney Road and east of Beck Road in the two-mile extraterritorial jurisdiction of Grand Island, in Merrick County, Nebraska.

Size: 4.47 acres.

Zoning: TA – Transitional Agriculture.

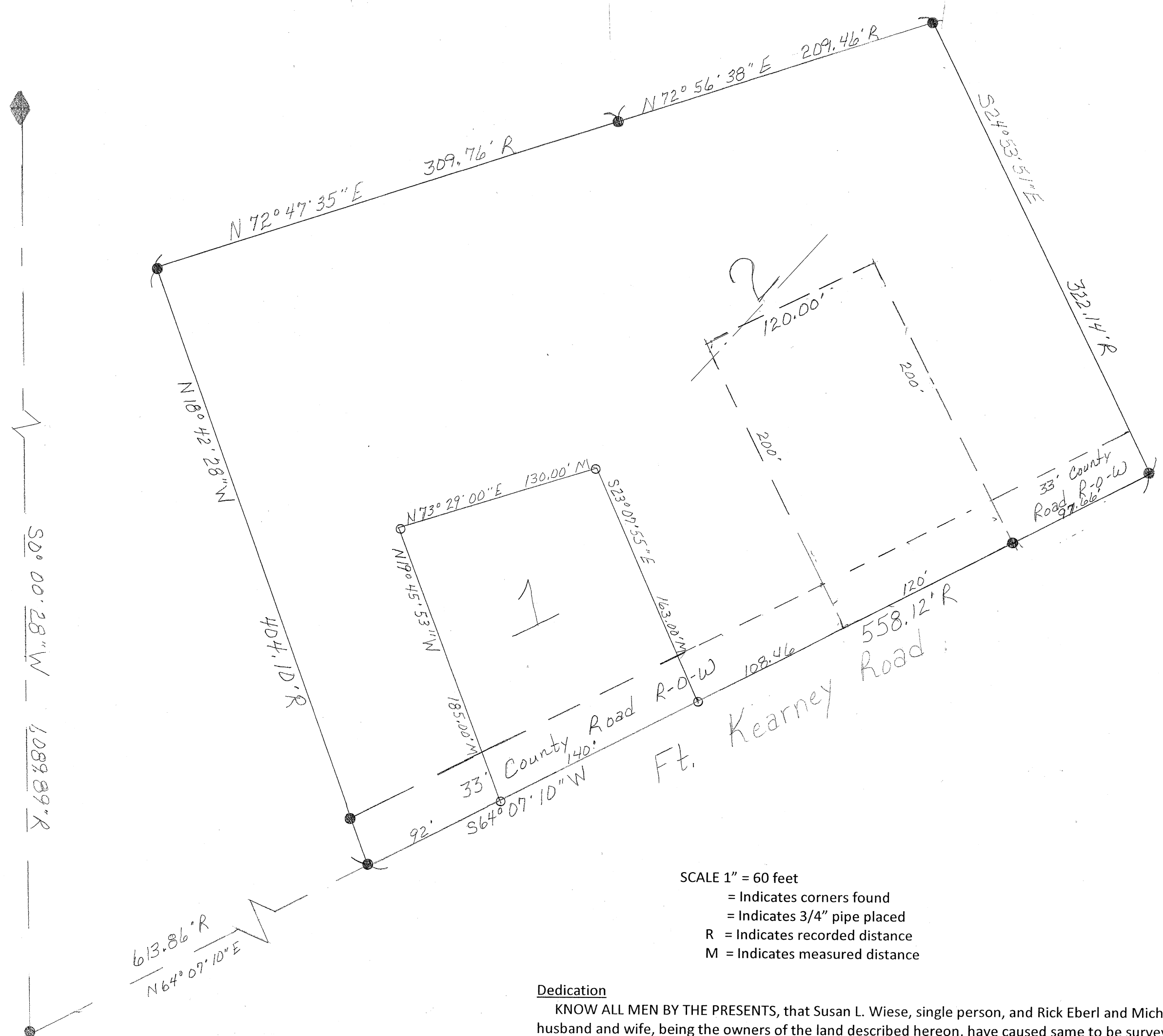
Road Access: County Roads.

Water Public: City water is not available.

Sewer Public: City sewer is not available.



NW cor. Sec. 8,11-8
 Found 3/4" Iron pipe
 E-32.65' Conc. WC
 SE-48.10' NPP
 SW-46.65' Conc. WC
 NW-46.75' Conc. WC



SCALE 1" = 60 feet
 = Indicates corners found
 = Indicates 3/4" pipe placed
 R = Indicates recorded distance
 M = Indicates measured distance

Legal Description

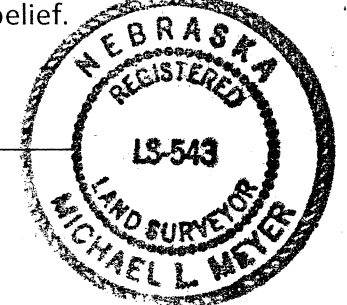
A tract of land comprising a part of Lot Two (2) in Section Eight (8), Township Eleven (11) North, Range Eight (8) West of the 6th P.M. lying North of Ft. Kearney Road, Merrick County, Nebraska, more particularly described:

First to ascertain the actual point of beginning, start at the Northwest corner of said Lot Two (2); thence South 00°00'28" West along and upon the West line of said Lot Two (2) a distance of One Thousand Eighty-Nine and Eighty-Nine Hundredths (1,089.89) feet; thence North 64°07'10" East a distance of Six Hundred Thirteen and Eighty-Six Hundredths (613.86) feet to the actual point of beginning; thence North 18°42'28" West a distance of Four Hundred Four and Ten Hundredths (404.10) feet; thence North 72°47'35" East a distance of Three Hundred Nine and Seventy-Six Hundredths (309.76) feet; thence North 72°56'38" East a distance of Two Hundred Nine and Forty-Six Hundredths (209.46) feet; thence South 24°53'51" East a distance of Three Hundred Twenty-Two and Fourteen Hundredths (322.14) feet; thence South 64°07'10" West a distance of Five Hundred Fifty-Eight and Twelve Hundredths (558.12) feet to the point of beginning and containing 4.47 acres, more or less, of which 0.42 acre, more or less, is currently occupied by public road right-of-way.

Surveyor's Certificate

I hereby certify that on August 15, 2017 I have surveyed and staked as shown on the above plat, and that the measurements as shown are true and correct to the best of my knowledge and belief.

Michael L. Meyer
 Michael L. Meyer, L.S. No. 543
 County Surveyor



Approvals

Submitted to and approved by the Inter Jurisdictional Planning Commission of the City of Grand Island and Merrick County, Nebraska.

Chairman _____ Date _____

Approved and accepted by the Merrick County Board of Supervisors, Merrick County, Nebraska, this _____ day of _____, 2017.

Chairman of the Board _____ County Clerk _____

Approved and accepted by the City of Grand Island, Nebraska, this _____ day of _____, 2017.

Mayor _____ City Clerk _____

Dedication

KNOW ALL MEN BY THE PRESENTS, that Susan L. Wiese, single person, and Rick Eberl and Michele Eberl, husband and wife, being the owners of the land described hereon, have caused same to be surveyed, subdivided, plotted and designated as 'EBERL SUBDIVISION', Merrick County, Nebraska, as shown on the accompanying plat thereof, and that the foregoing subdivision as 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, we have affixed our signatures hereto at Grand Island, Nebraska, this 25th day of October, 2017.

Rick Eberl
 Rick Eberl, Owner

Michele Eberl
 Michele Eberl, Owner

Susan L. Wiese
 Susan L. Wiese, Owner

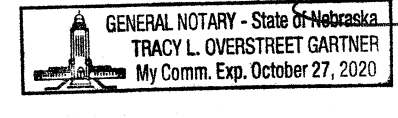
Acknowledgement

State of Nebraska s.s.
 County of Hall

On the 25th day of October, 2017, before me Tracy L. Overstreet Gartner, a Notary Public within and for said County, personally appeared Susan L. Wiese, single person and Rick Eberl and Michele Eberl, husband and wife, and to me personally known to be the identical persons whose signatures are affixed hereto, and that did acknowledge the execution thereof to be their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal of Hall County, Nebraska on the date last above written.

My commission expires Oct 27 2020



Tracy L. Overstreet Gartner
 Notary Public

State of Nebraska) s.s.
 County of Merrick)

This is to certify that this instrument was filed for record in the Registered of Deeds office this _____ day of _____, 2017 at _____ o'clock, and is duly recorded in Plat Book _____ Page _____, Instrument Number _____.

Register of Deeds _____ Deputy _____

EBERL SUBDIVISION
MERRICK COUNTY, NEBRASKA

RESOLUTION 2017-311

WHEREAS, Rick and Michele Eberl, husband and wife, being the said owners of the land described as follows, have caused same to be surveyed, subdivided, platted and designated as "EBERL SUBDIVISION", to be laid out into two lots, to wit: a tract of land comprising a part of Lot Two (2) in Section Eight (8), Township Eleven (11) North, Range Eight (8) West of the 6th P.M., in the two-mile jurisdiction of the City of Grand Island, Merrick County Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, as a result of an erroneous legal description on the subdivision plat, Resolution No. 2017-255 adopted on September 26, 2017 contained an erroneous legal description; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of EBERL SUBDIVISION, a tract of land comprising a part of Lot Two (2) in Section Eight (8), Township Eleven (11) North, Range Eight (8) West of the 6th P.M., Merrick County, Nebraska, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

BE IT FURTHER RESOLVED that Resolution No. 2017-255 adopted on September 26, 2017 should be and the same hereby is rescinded.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 14, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	□ _____
November 9, 2017	□ City Attorney