



# City of Grand Island

Tuesday, May 22, 2018

Council Session

## Item G-5

**#2018-138 - Approving Final Plat and Subdivision Agreement for Fugate Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** May 22, 2018

**Subject:** Fugate Subdivision – Final Plat

**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## **Background**

This property is located north of State Street and east of Diers Avenue in the City of Grand Island, Hall County, Nebraska. It consists of 2 lots and 1.44 acres.

## **Discussion**

The plat for Fugate Subdivision, Final Plat was considered by the Regional Planning Commission at the May 2, 2018 meeting.

A motion was made by Rainforth and seconded by Hendricksen to approve the final plat as presented.

A roll call vote was taken and the motion passed with 9 members present and voting in favor (O'Neill, Ruge, Robb, Monter, Rainforth, Rubio, Hendricksen, Randone and Kjar) and no members voting no.

## **Alternatives**

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

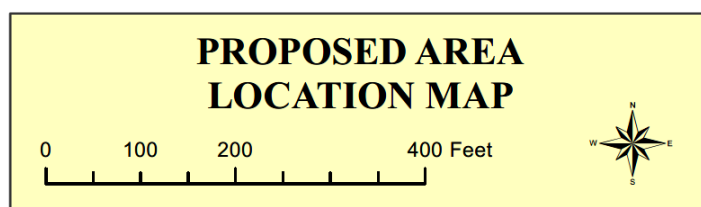
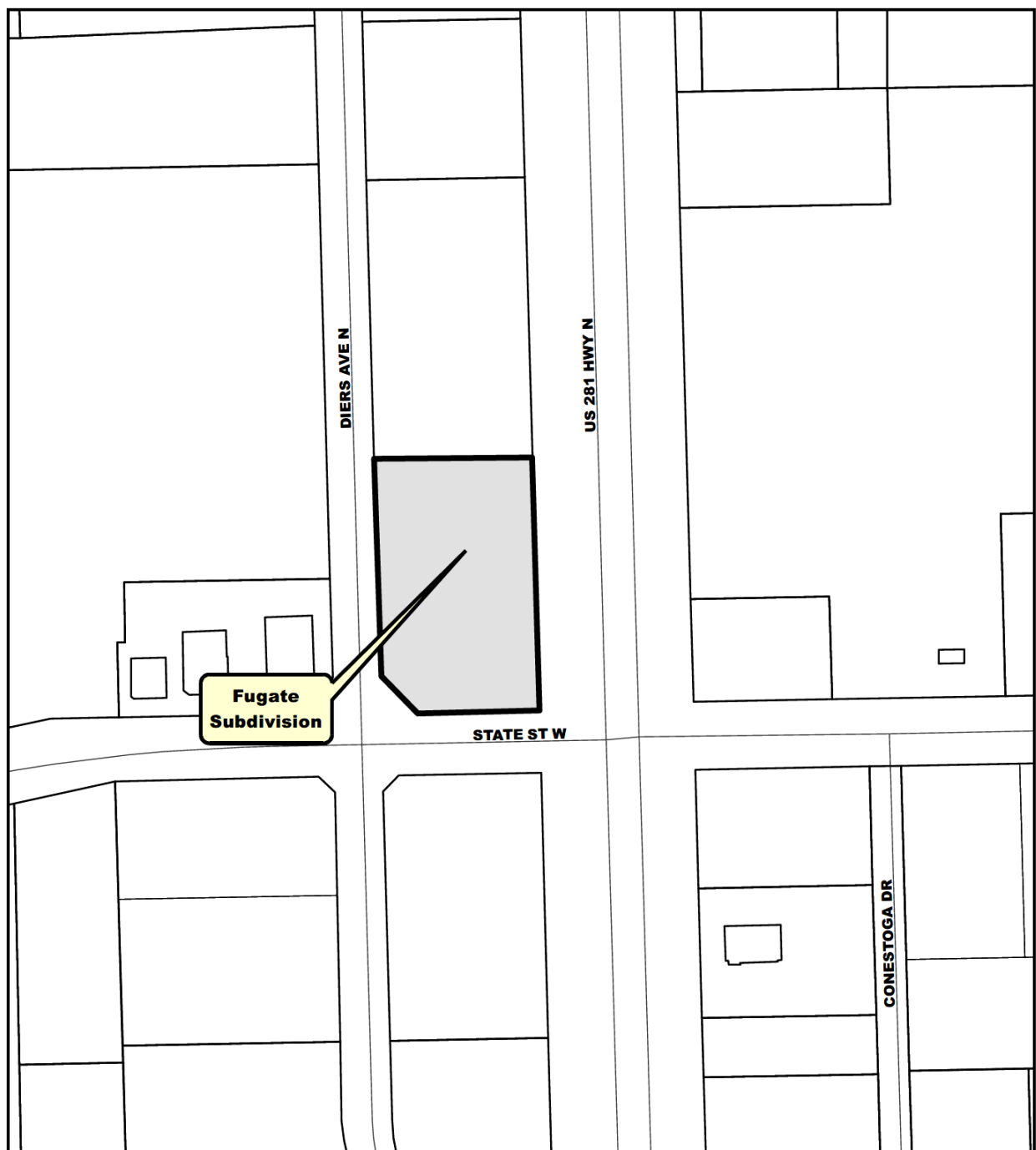
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

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

## **Sample Motion**

Move to approve as recommended.



## Developer/Owner

J. Larry Fugate  
208 South Maize Road  
Wichita, KS 67209

To create 2 lots north of State Street and east of Diers Avenue, in the City of Grand Island, in Hall County, Nebraska.

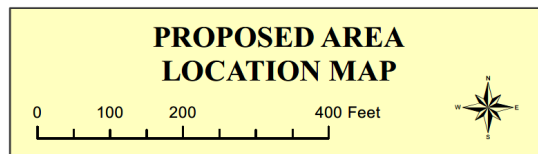
**Size:** 1.44 acres

**Zoning:** B2-General Business

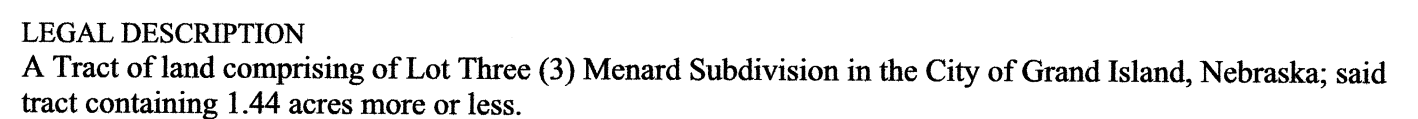
**Road Access:** Existing City Street

**Water Public:** City water is available.

**Sewer Public:** City sewer is available.



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I hereby certify that on March 29, 2018, I completed an accurate survey (Made under my Supervision) of Fugate Subdivision in the City of Grand Island, Hall County, Nebraska as shown on the Accompanying Plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other Grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron pipes were placed at all corners as shown on the plat; that each lot bears its own number; and that said survey made reference to known and recorded monuments.

NOTES:  
This Plat Prepared April 2018 for:  
Owner:  
J. Larry Fugate, as Trustee of the J. Larry  
Fugate Revocable Trust dated March 25, 2010  
208 South Maize Road  
Wichita, KS 67209

By:  
Miller & Associates  
11 Central Ave.  
Kearney, NE 68847

**Current Zoning:**  
**B-2 (General Business Zone)**

Flood Zone:  
X (0.2% Annual Chance of flood)

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FINAL PLAT  
-FUGATE SUBDIVISION-  
REPLAT OF LOT 3 MENARD SUBDIVISION, GRAND ISLAND  
HALL COUNTY, NEBRASKA.

**SURVEYOR'S CERTIFICATE**  
I hereby certify that on March 29, 2018, I completed an accurate survey (Made under my supervision) of Fugate Subdivision in the City of Grand Island, Hall County, Nebraska as shown on the Accompanying Plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other Grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron pipes were placed at all corners as shown on the plat; that each lot bears its own number; and that said survey made reference to known and recorded monuments.

Brent D. Cyboron  
Nebraska Professional Registered Land Surveyor No. 727

**DEDICATION**

KNOWN ALL MEN BY THESE PRESENTS, that, J. LARRY FUGATE, AS TRUSTEE OF THE J. LARRY FUGATE REVOCABLE TRUST DATED MARCH 25, 2010, being the sole owner of the land described hereon, had caused some to be surveyed, subdivided, platted and designated as "FUGATE SUBDIVISION", City of Grand Island, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the Easements as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress there to, 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 as more particularly described in the description hereon as appears on the plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, we have affixed our signatures hereto, at Grand Island, Nebraska,

This \_\_\_\_\_ day of \_\_\_\_\_, 2018.

J. Larry Fugate, as Trustee of the  
J. Larry Fugate Revocable Trust  
dated March 25, 2010

**ACKNOWLEDGEMENT**

STATE OF NEBRASKA  
COUNTY OF HALL

On the \_\_\_\_ day of \_\_\_\_\_, 2018, before me \_\_\_\_\_ a Notary Public within and for said County, personally appeared J. LARRY FUGATE, AS TRUSTEE OF THE J. LARRY FUGATE REVOCABLE TRUST DATED MARCH 25, 2010, to me personally known to be the identical person whose signature is affixed hereto, and that each did acknowledge the execution thereof to be his or her 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 \_\_\_\_\_.

Notary Public (Seal)

**APPROVALS**

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island, Wood River and the Villages of Alda, Cairo and Doniphan, Nebraska.

Chairman Date

Approved and accepted by The City of Grand Island, Nebraska, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

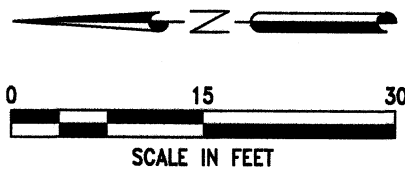
Mayor City Clerk (Seal)

**NOTES:**  
This Plat Prepared April 2018 for:  
Owner:  
J. Larry Fugate, as Trustee of the J. Larry Fugate Revocable Trust dated March 25, 2010  
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Wichita, KS 67209

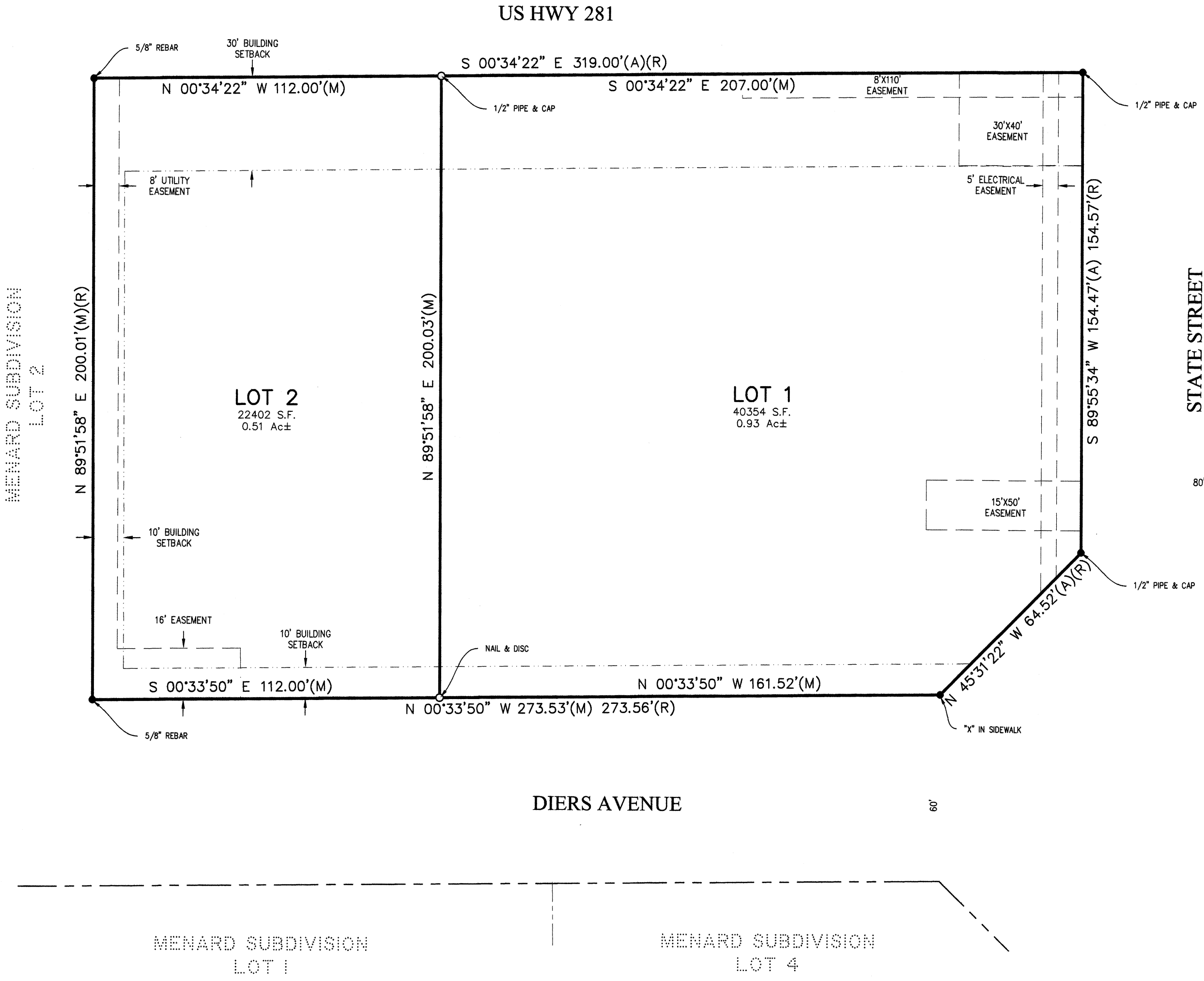
By:  
Miller & Associates  
11 Central Ave.  
Kearney, NE 68847

Current Zoning:  
B-2 (General Business Zone)

Flood Zone:  
X (0.2% Annual Chance of flood)



<b>MA</b> Miller & Associates 1111 CENTRAL AVENUE KEARNEY, NE 68847-5833 Tel: 308-234-8456 Fax: 308-234-1146 www.miller-engineers.com	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: MARCH 29, 2018
	DRAWN BY: LISA AMEN	REVISION: DATE & REASON
HALL CO-MENARD SUB LT 3		F.B. #



**LEGEND**

- ▲ = SECTION CORNER MONUMENT FOUND
- = MONUMENT FOUND
- = MONUMENT ESTABLISHED
- x = TEMPORARY POINT
- (P) = PLATTED DISTANCES
- (A) = ACTUAL DISTANCES
- (M) = MEASURED DISTANCES
- (R) = RECORDED DISTANCES
- SECTION LINE
- PROPOSED LOT LINES
- RIGHT-OF-WAY LINE
- EXISTING LOT LINES
- EXISTING EASEMENTS
- NEWLY DEDICATED EASEMENTS
- BUILDING SETBACKS:  
30.00' FRONT YARD  
00.00' SIDE YARD  
30.00' REAR YARD
- x-x-x-x-x- FENCE LINE
- /// BUILDING
- CONCRETE

**SURVEYOR'S NOTE**

A perpetual non-exclusive easement exists over all parking spaces now existing or from time to time existing located at Lot 1 and Lot 2, as well as over the use of the drive aisles and driveways located at Lot 1 and Lot 2 for the purpose of pedestrian and vehicular access.

**LEGAL DESCRIPTION**

A Tract of land comprising of Lot Three (3) Menard Subdivision in the City of Grand Island, Nebraska; said tract containing 1.44 acres, more or less.

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RESOLUTION 2018 -138

WHEREAS J. Larry Fugate, as Trustee of the J. Larry Fugate Revocable Trust Dated March 25, 2010, being the said owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as "FUGATE SUBDIVISION", a subdivision on a tract comprised Of all of Lot Three (3) of Menard Subdivision in the City of Grand Island, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; 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 herein before 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 FUGATE SUBDIVISION, 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.

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2018.

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Jeremy L. Jensen, Mayor

Attest:

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Norma Hernandez, City Clerk Pro-Tem

Approved as to Form	☐ _____
May 22, 2018	☐ City Attorney