



City of Grand Island

Tuesday, December 4, 2018

Council Session

Item F-1

**#9714 - Consideration of Approving Annexation of Property
Located at 2610 So. Engleman Road (Rowe Second Subdivision)
(Second Reading)**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: December 4, 2018

Subject: An Ordinance to include Rowe Second Subdivision as an Addition to the City of Grand Island, Nebraska and the adjoining right-of-way

Presenter(s): Chad Nabity, AICP Planning Director

Background

The Annexation Component of the Grand Island Comprehensive Development Plan as adopted by the Grand Island City Council on July 13, 2004 sets as the policy of Grand Island that any and all property subdivided adjacent to the Corporate Limits of the City of Grand Island be annexed into the City at the time of subdivision approval.

Gary P. Rowe and Dee Rowe, husband and wife, as owners of the property submitted a plat of Rowe Second Subdivision an Addition to the City of Grand Island. The Hall County Regional Planning Commission recommended approval of the subdivision at their meeting on November 7, 2018.

Discussion

Staff has prepared an ordinance in accordance with the requirements of Nebraska Revised Statute §16-117. Annexation ordinances must be read on three separate occasions. This is the first reading of the ordinance. This ordinance includes exhibits showing the property to be considered for annexation and the legal descriptions of that property.

Annexation of this property will not result in the extension of the Grand Island Zoning Jurisdiction.

One residential lot would be added to the City as a result of this annexation. This property is located north of North Lane (in Westwood Park Mobile Home Park) and west of Engleman Road.

Alternatives

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

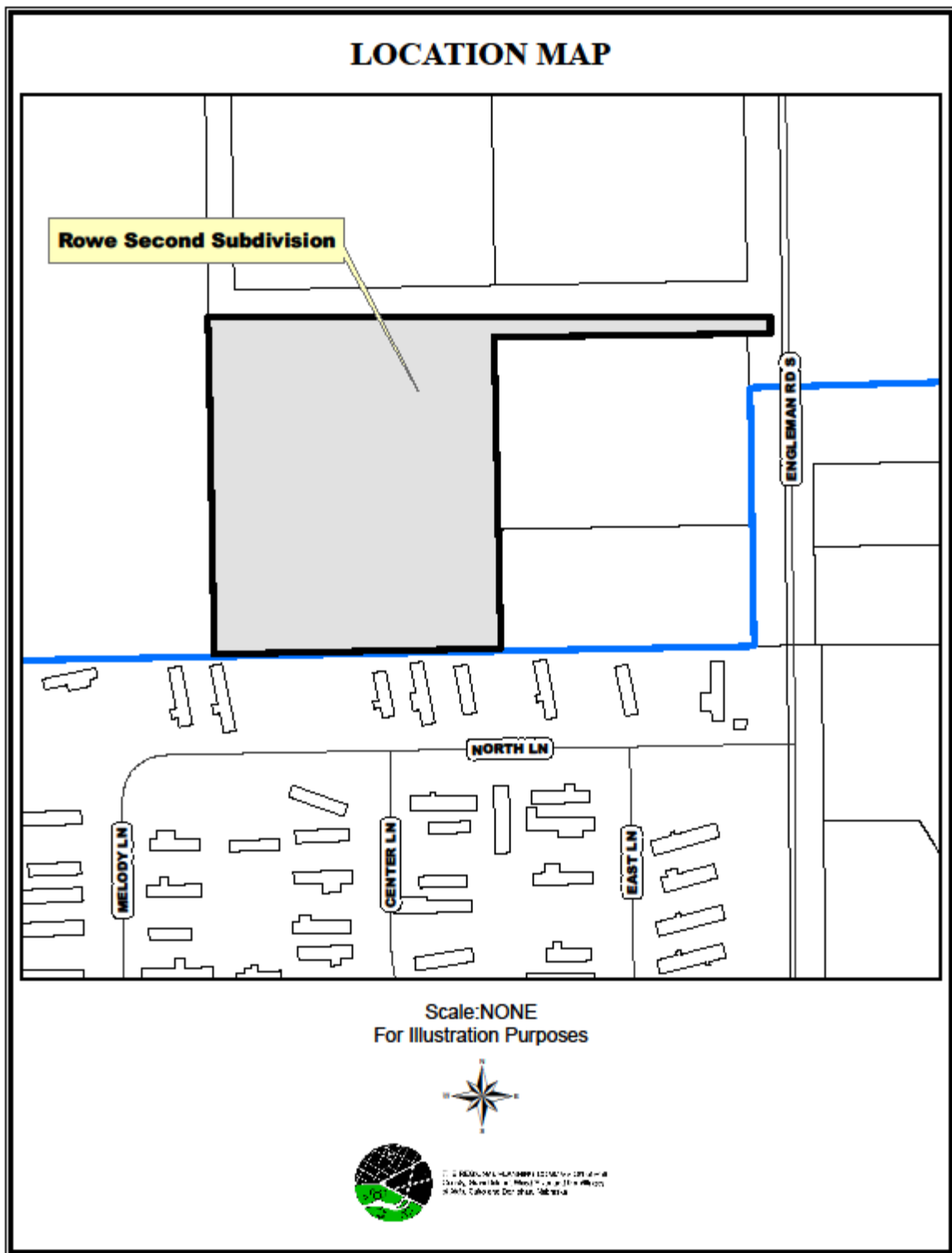
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council pass the annexation ordinance.

Sample Motion

Move to approve the annexation ordinance on first reading.



Developer/Owner
Gary P. & Dee Rowe

2550 S. Engleman Road
Grand Island, NE 68803

To create 1 lot west of Engleman Road and north of U.S. Highway 30 adjacent to Grand Island, Nebraska.

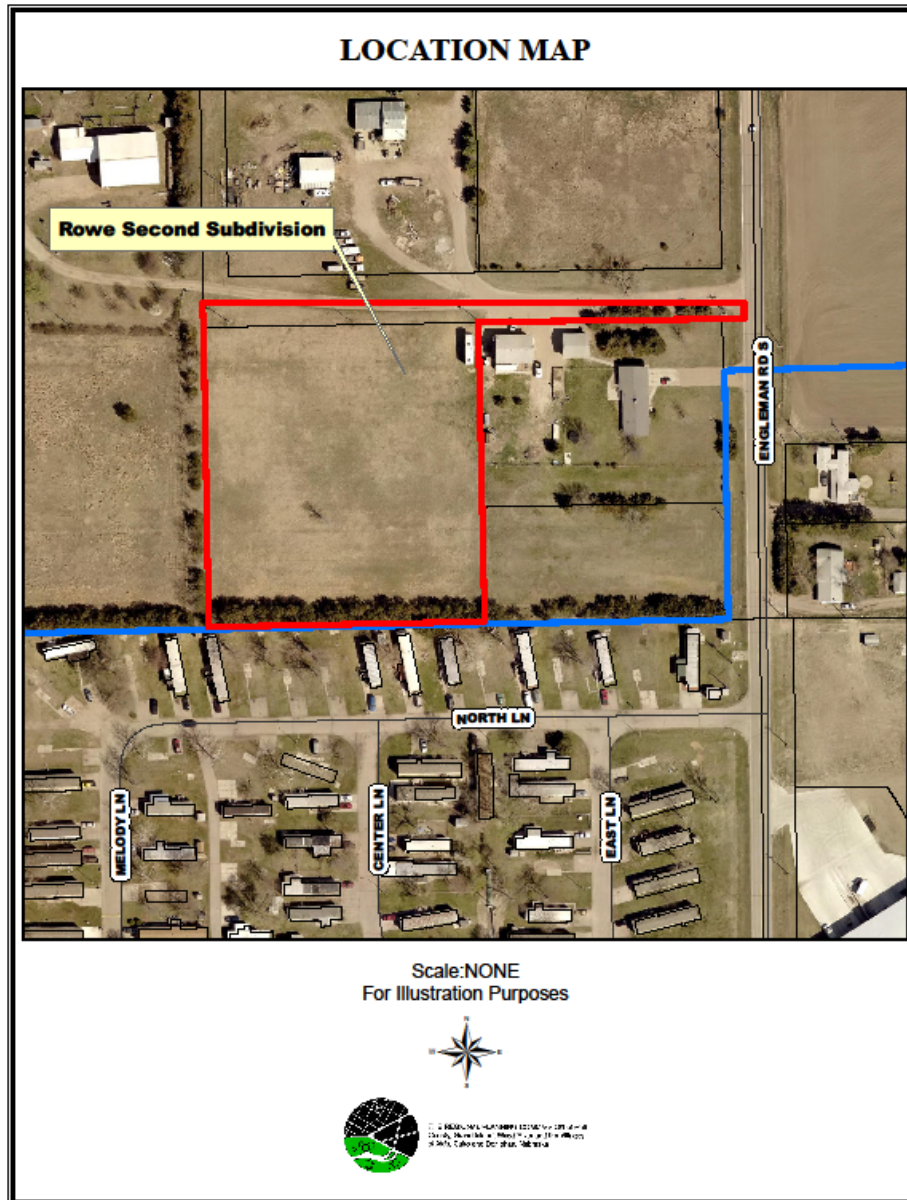
Size: 1 lot 3.1922 acres

Zoning: LLR Large Lot Residential

Road Access: Engleman Road is a City Street 24' Asphalt

Water Public: City water is available.

Sewer Public: City sewer is available.



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9715

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprised of Rowe Second Subdivision and all adjoining right-of-way in Hall County, Nebraska as more particularly described hereinafter and as shown on the subdivision plat and more particularly described in Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after Gary P. Rowe and Dee Rowe, husband and wife, as owner of the property submitted a plat of Rowe Second Subdivision an Addition to the City of Grand Island for approval; and

WHEREAS, the Annexation Component of the Comprehensive Development Plan for the City of Grand Island requires that owners of property proposed for subdivision adjacent to the Corporate Limits submit such subdivisions as additions to the City; and

Approved as to Form	<input type="checkbox"/>	_____
November 30, 2018	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9715 (Cont.)

WHEREAS, according to NRSS §16-177 the City of Grand Island can upon petition of the property owner(s) of property contiguous and adjacent to the City Limits annex said property by ordinance; and

WHEREAS, on November 20, 2018 the City Council of the City of Grand Island held a public hearing on such annexation and approved such annexation on first reading and on December 4, 2018 approved such annexation on second reading and on December 18, 2018 approved such annexation on third and final reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation does not extend the extraterritorial zoning jurisdiction.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience

ORDINANCE NO. 9715 (Cont.)

and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

ORDINANCE NO. 9715 (Cont.)

Enacted: December 18, 2018.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9715 (Cont.)

Exhibit A

LEGAL DESCRIPTION

A tract of land comprising a part of the East Half of the Northeast Quarter (E1/2 NE1/4) of Section Twenty Seven (27), 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 including all adjacent right of way adjacent to and extending there from:

First to ascertain the point of beginning, start at the southeast corner of said East Half of the Northeast Quarter (E1/2 NE1/4); thence N00°09'46"E, along and upon the east line of said East Half of the Northeast Quarter (E1/2 NE1/4), a distance of Three Hundred Ninety and Ninety Eight Hundredths (390.98) feet to the ACTUAL point of beginning; thence S89°59'41"W, a distance of Six Hundred Fifty Nine and Sixty Two Hundredths (659.62) feet; thence S00°12'31"W, a distance of Three Hundred Ninety One and Seventy Six Hundredths (391.76) feet to a point on the south line said East Half of the Northeast Quarter (E1/2 NE1/4); thence N89°55'40"E, along and upon the south line of said East Half of the Northeast Quarter (E1/2 NE1/4), a distance of Three Hundred Twenty Nine and Ninety Seven Hundredths (329.97) feet to the southwest corner of Lot One (1), Rowe Subdivision in the City of Grand Island, Hall County, Nebraska; thence N00°11'12"E, along and upon the west line of Lots One (1) and Two (2), of said Rowe Subdivision, a distance of Three Hundred Sixty One and Forty Nine Hundredths (361.49) feet to the northwest corner of Lot Two (2), of said Rowe Subdivision; thence S89°59'04"E, along and upon the north line of Lot Two (2), of said Rowe Subdivision and it's easterly prolongation, a distance of Three Hundred Twenty Nine and Eighty Two Hundredths (329.82) feet to a point on the east line of said East Half of the Northeast Quarter (E1/2 NE1/4); thence N00°09'46"E, along and upon the east line of said East Half of the Northeast Quarter (E1/2 NE1/4), a distance of Thirty (30.00) feet to a the ACTUAL point of beginning and containing 3.192 acres, more or less.

