



**City of Grand Island**  
**Tuesday, May 14, 2019**  
**Council Session/Budget Work Session**

**Item G-5**

**#2019-153 - Approving Final Plat and Subdivision Agreement for  
The Orchard Subdivision**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission  
**Meeting:** May 14, 2019  
**Subject:** Orchard Subdivision – Final Plat  
**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## Background

This property is located south of Capital Avenue, east of Beal Street, north of intersection of 12<sup>th</sup> Street and Lambert Avenue and west of the railroad tracks in Grand Island, Nebraska. (67 lots, 23.861 acres). This property is zoned R3-SL Medium Density Small Lot Residential Zone.

## Discussion

The final plat for Orchard Subdivision was considered by the Regional Planning Commission at the May 1, 2019 meeting.

A motion was made by Rainforth and second by Allan to approve the final plat as presented.

A roll call vote was taken and the motion passed with 11 members present and voting in favor (O'Neill, Nelson, Ruge, Allan, Monter, Maurer, Rubio, Rainforth, Randone, Kjar and Hedricksen) and no members present 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

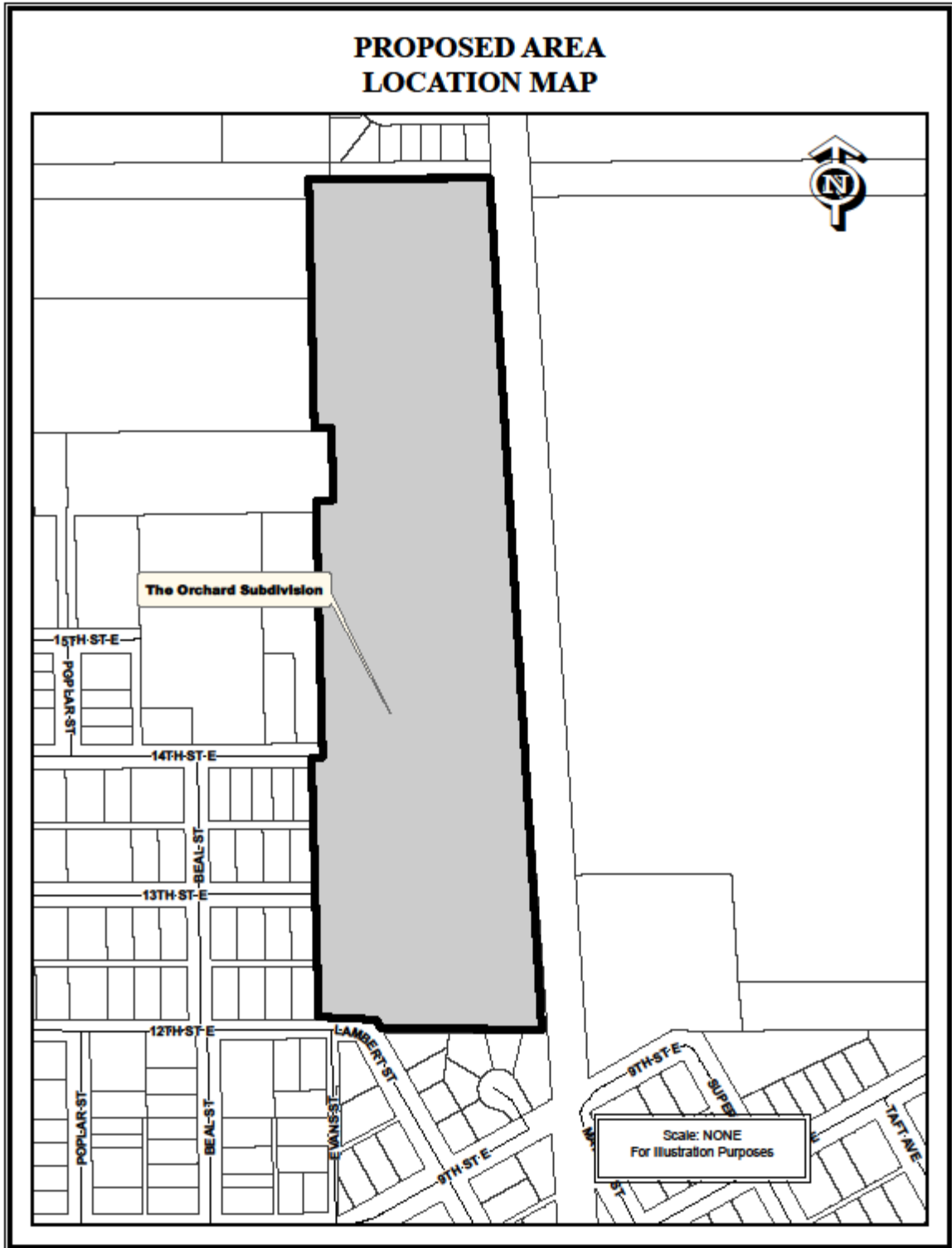
## **Recommendation**

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

## **Sample Motion**

Move to approve as recommended.

# PROPOSED AREA LOCATION MAP



**Developer/Owner**  
The Orchard LLC



5631 S. 48<sup>th</sup>  
Lincoln, NE 68516

To create 65 lots and 2 outlots south of Capital Avenue, north of 12<sup>th</sup> Street and west of the Central Nebraska Rail Road.

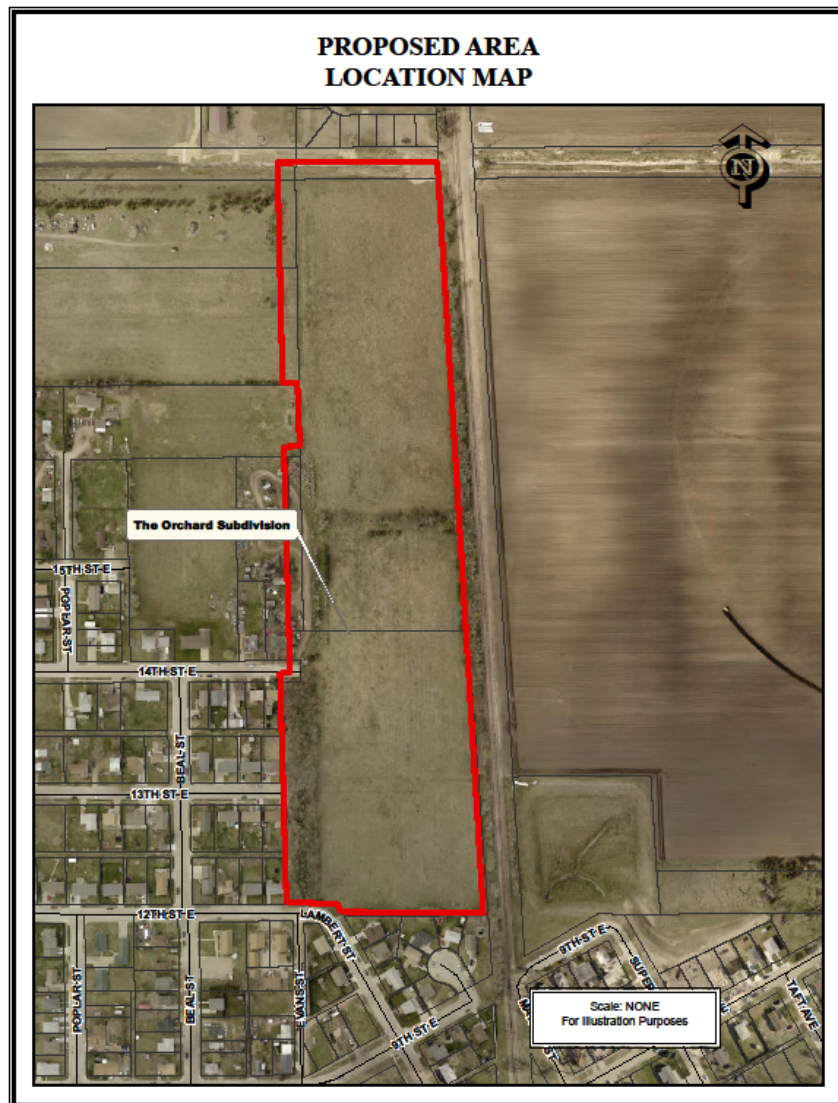
**Size:** 23.861 Acres 67 Lots

**Zoning:** R3-SL – Medium Density Small Lot Residential Zone

**Road Access:** 19<sup>th</sup> Street, 15<sup>th</sup> Street and 14<sup>th</sup> Street will all be constructed as 37 foot concrete curb and gutter streets. Peach Street will be 32' with parking offset by driveways as shown and approved with the preliminary plat.

**Water Public:** City water is available and will be extended to all lots.

**Sewer Public:** City sewer is available and will be extended to all lots.



**Hall County Regional Planning Commission**  
**SUBDIVISION APPLICATION**

This application must be submitted a minimum of 20 calendar days prior to a planning commission meeting to be considered at that meeting.  
Planning Commission meetings are typically held on the first Wednesday of the month.

**Owners Information**

Name The Orchard LLC  
Address 5631 S 48th  
City Lincoln, State NE Zip 68516  
Phone 402-328-8100

Attach additional information as necessary for all parties listed as an owner on the plat and any other party such as: partners, Deed of Trust holders, etc...

All owners, lien holder's etc... will be required to sign the dedication certificate on the final plat.

As the applicant for this subdivision I do hereby certify that I have provided complete information regarding the ownership of the property included in this application:

By: Ward F. Hoppe  
(Applicant) 

**Surveyor/Engineers Information**

Surveyor/Engineering Firm Husker Surveying  
Address 4535 Normal Blvd., Ste. 101  
City Lincoln, State NE Zip 68506  
Phone 402-423-5202  
Surveyor/Engineer Name Jayne M. Malone License Number 440

**SUBDIVISION NAME:** The Orchard

**Please check the appropriate location**

- Grand Island City Limits
- 2 Mile Grand Island Jurisdiction
- Hall County
- City of Wood River or 1 Mile Jurisdiction
- Alda or 1 Mile Jurisdiction
- Cairo or 1 Mile Jurisdiction
- Doniphan or 1 Mile Jurisdiction

**Please check the appropriate Plat**

- Preliminary Plat
- Final Plat
- Administrative Plat (Grand Island, Alda, Doniphan, and Cairo)

Number of Lots 65

Number of Acres 23.861

**Checklist of things Planning Commission Needs**

- An emailed copy of the AutoCAD file and a PDF to rashadm@grand-island.com
- 4/17/19: 10 + 15 copies if in City limits or the two mile jurisdiction of Grand Island
- 5 + 15 copies if in Hall County, City of Wood River, Village of Cairo, Doniphan or Alda
- 5 copies if Administrative Plat
- Closure Sheet
- Utilities Sheet
- Receipt for Subdivision Application Fees in the amount of \$ 1070.00

Providing false information on this application will result in nullification of the application and forfeiture of all related fees. If you have any questions regarding this form or subdivision regulations administered by the Hall County Regional Planning Department call (308) 384-3341.

# THE ORCHARD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

## LEGAL DESCRIPTION

LOT 1, LINCOLN HEIGHTS SUBDIVISION, PART OF LOT 8, NORWOOD SUBDIVISION, PART OF LOTS 2, 3, 4, AND 5, NORWOOD SUBDIVISION, PART OF THE EAST HALF OF THE NORTHWEST QUARTER LYING WESTERLY FROM THE UNION PACIFIC RAILROAD RIGHT-OF-WAY. ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 9 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE CENTER OF SAID SECTION 10, A 3" IRON PIPE FOUND FOR CORNER; THENCE WESTERLY ON AN ASSUMED BEARING OF SOUTH 89°40'03" WEST, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, 795.96 FEET, TO THE SOUTHEAST CORNER OF LOT 1, LINCOLN HEIGHTS SUBDIVISION, ALSO BEING THE TRUE POINT OF BEGINNING; THENCE FOLLOWING THE SOUTHERLY LINE OF LINCOLN HEIGHTS SUBDIVISION ON THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 89°40'03" WEST, 403.60 FEET; THENCE NORTH 28°59'12" WEST, 45.21 FEET; THENCE SOUTH 89°40'51" WEST, 136.00 FEET, TO THE SOUTHWEST CORNER OF LOT 1, LINCOLN HEIGHTS SUBDIVISION; THENCE FOLLOWING THE WESTERLY LINE OF LINCOLN HEIGHTS SUBDIVISION ON THE FOLLOWING BEARINGS AND DISTANCES: NORTH 00°48'38" WEST, 619.72 FEET; THENCE NORTH 89°40'21" EAST, 48.29 FEET; THENCE NORTH 00°37'11" WEST, 59.97 FEET; THENCE SOUTH 89°42'12" WEST, 35.00 FEET; THENCE NORTHERLY NORTH 00°34'59" WEST, 574.66 FEET; THENCE NORTH 89°40'45" EAST, 35.04 FEET; THENCE NORTH 00°37'01" WEST, 199.80 FEET; THENCE SOUTH 89°40'32" WEST, 75.00 FEET; THENCE NORTH 00°35'50" WEST, 575.26 FEET; THENCE NORTH 89°39'52" EAST, 479.05 FEET, TO A POINT OF INTERSECTION ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 03°39'59" EAST, ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, 2072.64 FEET, TO THE TRUE POINT OF BEGINNING.

CONTAINING A TOTAL CALCULATED AREA OF 1,039,394 SQUARE FEET, OR 23.861 ACRES, MORE OR LESS.

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON MARCH 5, 20019, I COMPLETED AN ACCURATE SURVEY (MADE UNDER MY SUPERVISION) OF "THE ORCHARD 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 MARKERS WERE PLACED AT ALL CORNERS AS SHOWN ON THE PLAT; THAT EACH LOT BEARS ITS OWN NUMBER; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAYME M. MALONE, L.S. 440

DATE

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WARD F. HOPPE, MEMBER OF THE ORCHARD, LLC, WILLIAM P. & JULANN K. ZILLER, AND ROGER STEELE, CITY OF GRAND ISLAND MAYOR, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAS CAUSED SOME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "THE ORCHARD SUBDIVISION", IN THE CITY OF GRAND ISLAND, HALL COUNTY 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, THE \_\_\_ DAY OF \_\_\_\_\_, 2019.

WARD F. HOPPE, MEMBER OF THE ORCHARD, LLC

WILLIAM P. ZILLER (HUSBAND)

JULIANN K. ZILLER (WIFE)

ROGER STEELE, CITY OF GRAND ISLAND MAYOR

## ACKNOWLEDEGEMENT

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF HALL )

ON THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BEFORE ME, \_\_\_\_\_ A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED WARD F. HOPPE, MEMBER OF THE ORCHARD, LLC, TO ME PERSONALLY KNOW TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED.  
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

(SEAL)

## ACKNOWLEDEGEMENT

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF HALL )

ON THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_, BEFORE ME, \_\_\_\_\_ A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED WILLIAM P. & JULANN K. ZILLER, HUSBAND AND WIFE, TO ME PERSONALLY KNOW TO BE THE IDENTICAL PERSONS WHOSE SIGNATURES ARE AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS AND HER VOLUNTARY ACT AND DEED.  
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

(SEAL)

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MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

(SEAL)

## APPROVALS

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND AND 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 \_\_\_\_\_, 20\_\_\_.

MAYOR

CITY CLERK

(SEAL)



HUSKER SURVEYING

4535 Normal Blvd., Ste #101  
Lincoln, Ne 68506  
(402)423-5202  
(402)423-5211  
www.huskersurveying.com

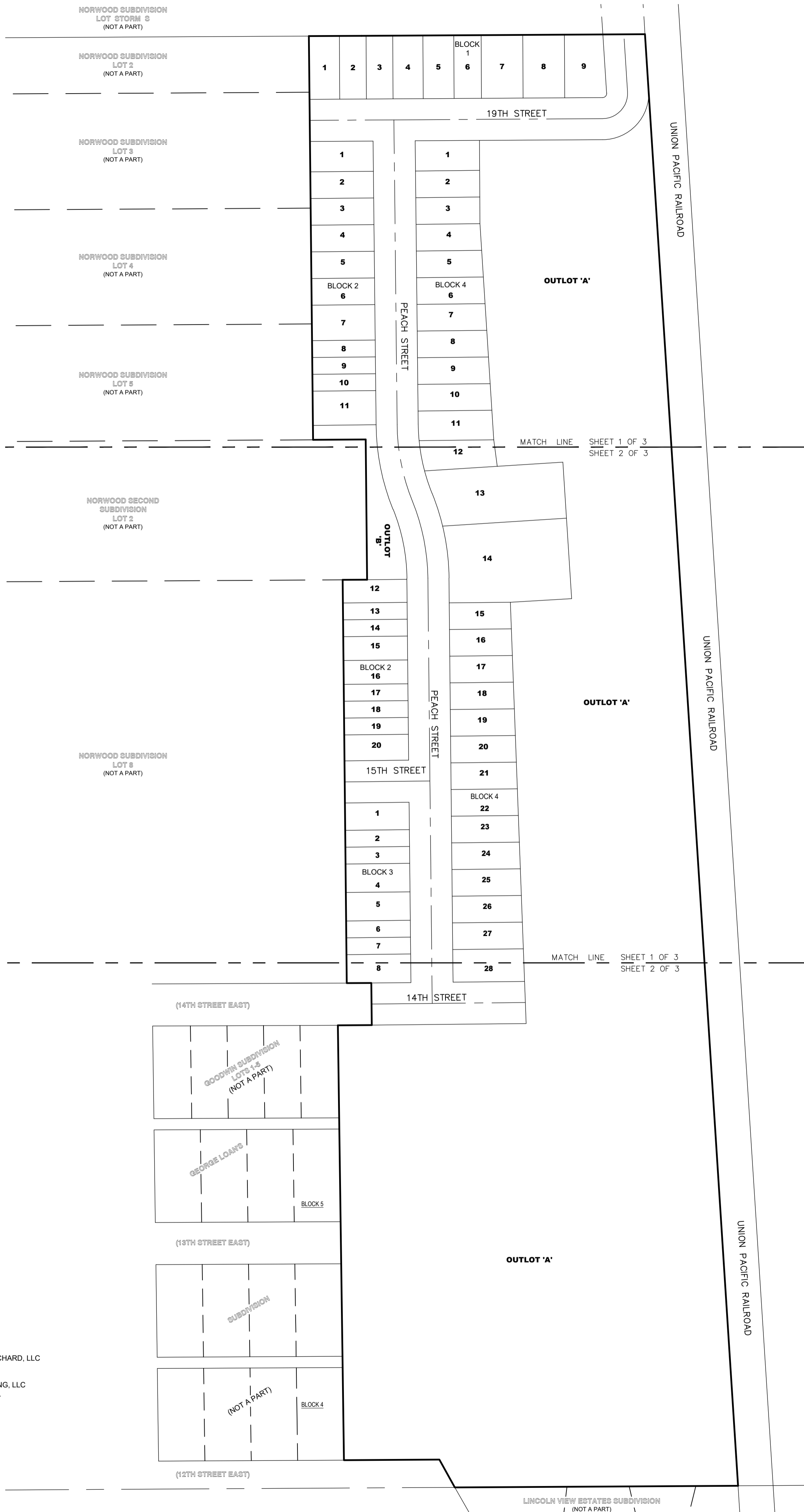
OWNERS: WARD F. HOPPE, MEMBER OF THE ORCHARD, LLC  
WILLIAM P & JULANN K ZILLER  
SUBDIVIDER: THE ORCHARD, LLC  
SURVEYOR: JAYME M. MALONE, HUSKER SURVEYING, LLC  
ENGINEER: DESIGN ASSOCIATES OF LINCOLN, INC.  
NUMBER OF LOTS: 65

# THE ORCHARD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



SCALE: 1" = 100'



OWNERS: WARD F. HOPPE, MEMBER OF THE ORCHARD, LLC  
WILLIAM P. & JULANN K. ZILLER  
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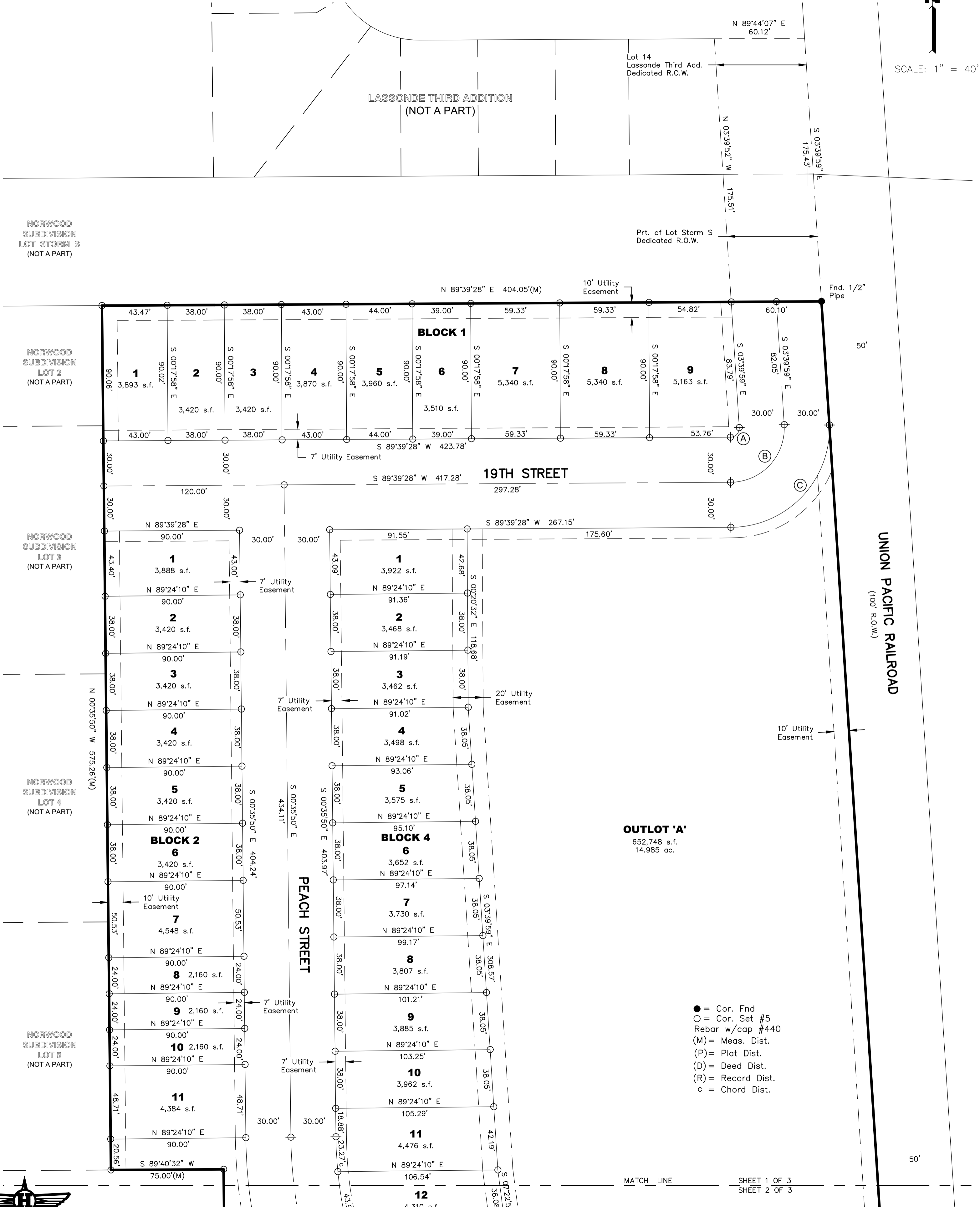
# THE ORCHARD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT



SCALE: 1" = 40'



- = Cor. Fnd
- = Cor. Set #5
- Rebar w/cap #440
- (M) = Meas. Dist.
- (P) = Plat Dist.
- (D) = Deed Dist.
- (R) = Record Dist.
- c = Chord Dist.



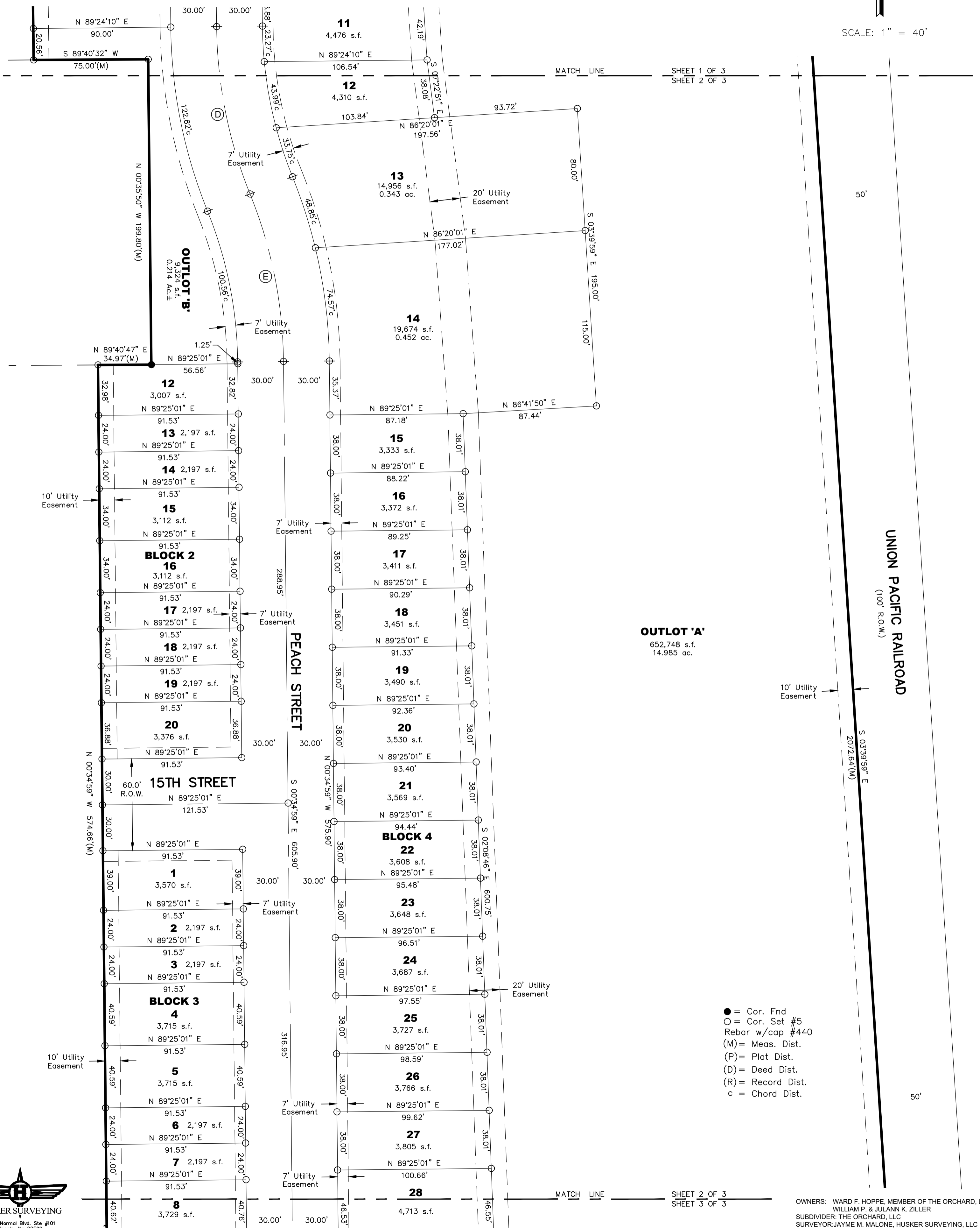
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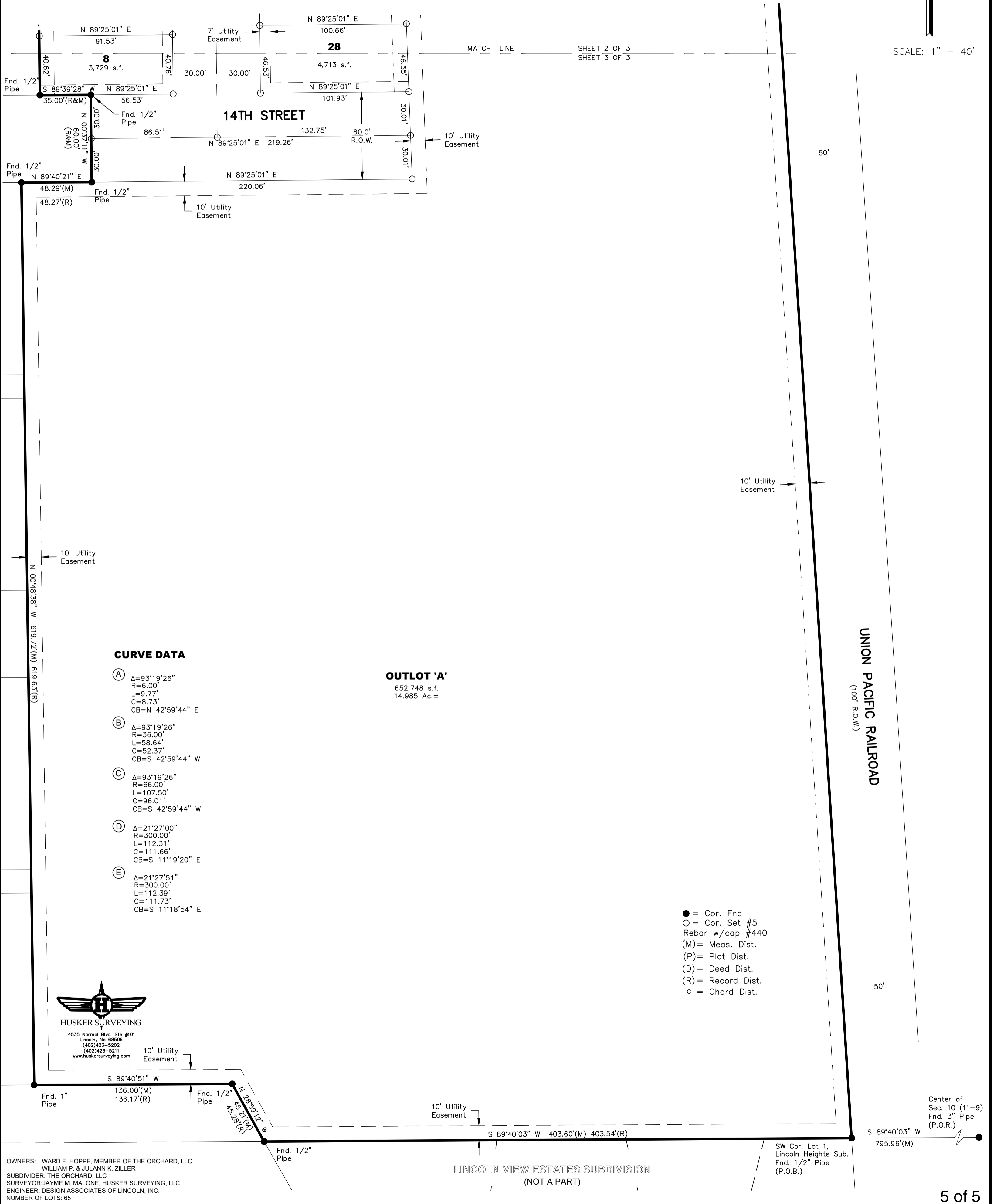
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CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



SCALE: 1" = 40'



**CURVE DATA**

- (A) Δ=93°19'26"  
R=6.00'  
L=9.77'  
C=8.73'  
CB=N 42°59'44" E
- (B) Δ=93°19'26"  
R=36.00'  
L=58.64'  
C=52.37'  
CB=S 42°59'44" W
- (C) Δ=93°19'26"  
R=66.00'  
L=107.50'  
C=96.01'  
CB=S 42°59'44" W
- (D) Δ=21°27'00"  
R=300.00'  
L=112.31'  
C=111.66'  
CB=S 11°19'20" E
- (E) Δ=21°27'51"  
R=300.00'  
L=112.39'  
C=111.73'  
CB=S 11°18'54" E

- = Cor. Fnd
- = Cor. Set #5  
Rebar w/cap #440
- (M) = Meas. Dist.
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NUMBER OF LOTS: 65

SW Cor. Lot 1,  
Lincoln Heights Sub.  
Fnd. 1/2" Pipe  
(P.O.B.)

Center of  
Sec. 10 (11-9)  
Fnd. 3" Pipe  
(P.O.R.)

LINCOLN VIEW ESTATES SUBDIVISION  
(NOT A PART)



\* This Space Reserved for Register of Deeds \*

SUBDIVISION AGREEMENT

**ORCHARD SUBDIVISION**

(Lots 1 through 28)

In the City of Grand Island, Hall County Nebraska

WHEREAS THE ORCHARD, LLC; a Nebraska Limited Liability Company, WILLIAM P. ZILLER and JULIANN K. ZILLER, hereinafter called the Subdivider, whether one or more, as owner of a tract of land in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

LOT 1, LINCOLN HEIGHTS SUBDIVISION, PART OF LOT 8, NORWOOD SUBDIVISION, PART OF LOTS 2, 3, 4, AND 5, NORWOOD SUBDIVISION, PART OF THE EAST HALF OF THE NORTHWEST QUARTER LYING WESTERLY FROM THE UNION PACIFIC RAILROAD RIGHT-OF-WAY. ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 9 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE CENTER OF SAID SECTION 10, A 3” IRON PIPE FOUND FOR CORNER; THENCE WESTERLY ON



AN ASSUMED BEARING OF SOUTH 89°40'03" WEST, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, 795.96 FEET, TO THE SOUTHEAST CORNER OF LOT 1, LINCOLN HEIGHTS SUBDIVISION, ALSO BEING THE TRUE POINT OF BEGINNING; THENCE FOLLOWING THE SOUTHERLY LINE OF LINCOLN HEIGHTS SUBDIVISION ON THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 89°40'03" WEST, 403.60 FEET; THENCE NORTH 28°59'12" WEST, 45.21 FEET, THENCE SOUTH 89°40'51" WEST, 136.00 FEET, TO THE SOUTHWEST CORNER OF LOT 1, LINCOLN HEIGHTS SUBDIVISION; THENCE FOLLOWING THE WESTERLY LINE OF LINCOLN HEIGHTS SUBDIVISION ON THE FOLLOWING BEARINGS AND DISTANCES: NORTH 00°48'38" WEST, 619.72 FEET; THENCE NORTH 89°40'21" EAST, 48.29 FEET; THENCE NORTH 00°37'11" WEST, 59.97 FEET; THENCE SOUTH 89°42'12" WEST, 35.00 FEET; THENCE NORTHERLY NORTH 00°34'59" WEST, 574.66 FEET; THENCE NORTH 89°40'45" EAST, 35.04 FEET; THENCE NORTH 00°37'01" WEST, 199.80 FEET; THENCE SOUTH 89°40'32" WEST, 75.00 FEET, THENCE NORTH 00°35'50" WEST, 575.26 FEET; THENCE NORTH 89°39'52" EAST, 479.05 FEET, TO A POINT OF INTERSECTION ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 03°39'59" EAST, ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, 2072.64 FEET, TO THE TRUE POINT OF BEGINNING.

CONTAINING A TOTAL CALCULATED AREA OF 1,039,394 SQUARE FEET, OR 23.861 ACRES, MORE OR LESS;

desires to have subdivided as a subdivision the foregoing tract of land located within the corporate limits of the City of Grand Island, Nebraska, and hereby submits to the City Council of such City for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as ORCHARD SUBDIVISION, designating explicitly the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name, and proposes to cause the plat of such subdivision when finally approved by the Regional Planning

Commission and the City Council to be acknowledged by such owner, certified as to accuracy of survey by a registered land surveyor, and to contain a dedication of the easements to the use and benefit of public utilities, and of the street to the use of the public forever. In consideration of the acceptance of the plat of said ORCHARD SUBDIVISION, the Subdivider hereby consents and agrees with the City of Grand Island, Nebraska, that it will install or provide at its expense the following improvements:

1. **Paving.** The Subdivider agrees to pave 14<sup>th</sup> Street, 15<sup>th</sup> Street, 19<sup>th</sup> Street, and Peach Street, in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave 14<sup>th</sup> Street, 15<sup>th</sup> Street, 19<sup>th</sup> Street, and Peach Street, the City may create a paving district to perform such work.

2. **Water.** Public water is available to the subdivision and the Subdivider agrees to extend, connect and provide water service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.

3. **Sanitary Sewer.** Public sanitary sewer is available to the subdivision and the Subdivider agrees to extend, connect and provide sanitary sewer service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.

4. **Storm Drainage.** The Subdivider agrees to grade all lots in the subdivision in conjunction with the development proposed thereon so that storm drainage is conveyed to a public right-of-way or to other drainage systems so approved by the Director of Public Works. If the Subdivider fails to grade and maintain such drainage the City may create a

drainage district to perform such work. The Subdivider agrees to waive the right to object to the creation of any drainage district benefitting the subdivision.

5. **Sidewalks.** The Subdivider shall install and maintain all public sidewalks required by the City of Grand Island when the lots are built upon, and such sidewalk shall be regulated and required with the building permit for each such lot. Sidewalks along Outlot B shall be installed with Peach Street.

The Subdivider must select curb or conventional sidewalk for each street unless the requirement has been waived by Council.

Street Name	Curb sidewalk	Conventional Sidewalk	Sidewalk Requirement Waived by Council
14 <sup>th</sup> Street		X	NO
15 <sup>th</sup> Street		X	NO
19 <sup>th</sup> Street		X	NO
Peach Street		X	No

6. **Outlots:** Outlot A may be sold but may not be further developed without platting in accordance with an approved preliminary plat. Outlot B may be paved for additional off street parking for the proposed daycare/community building on Block Four (4) Lots Thirteen (13) and/or Fourteen (14) of the subdivision according to plans approved by the Grand Island Building and Public Works Departments.

7. **Daycare/Community Building** The proposed Daycare/Community Building on Block Four (4) Lots Thirteen (13) and/or Fourteen (14) is subject to a conditional use permit that the Subdivider agrees to apply for and receive not more than 18 months prior to beginning construction.

8. **Driveways:** Driveways along the 32 foot sections of Peach Street Block 2 lots One(1) through Twenty (20) excluding Outlot B and Block Four (4) Lots One (1) through Twelve (12) and Lots Fifteen (15) through (28) shall be limited to the locations shown on the attached driveway exhibit.

8. **Easements.** Any easements shall be kept free of obstructions and the Subdivider shall indemnify the City for any removal or repair costs caused by any obstructions. In addition, the duty to maintain the surface of any easements to keep them clear of any worthless vegetation or nuisance shall run with the land.

9. **Engineering Data.** All final engineering plans and specifications for public improvements shall bear the signature and seal of a professional engineer registered in the State of Nebraska and shall be furnished by the Subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements. Inspections of improvements under construction shall be performed under the supervision of a professional engineer registered in the State of Nebraska, and upon completion shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand Island. An "as built" set of plans and specifications including required test results bearing the seal and signature of a professional engineer registered in the State of Nebraska shall be filed with the Director of Public Works by the Subdivider prior to acceptance of these improvements by the City.

10. **Warranty.** The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as ORCHARD SUBDIVISION, and that an abstract of title or title insurance commitment will be submitted for examination, if necessary, upon request of the City of Grand Island.

11. **Successors and Assigns.** This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs, devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the conditions of this agreement if the Subdivider has not performed such conditions.

Dated \_\_\_\_\_, 2019.

THE ORCHARD, LLC, A NEBRASKA  
LIMITED LIABILITY COMPANY,  
Subdivider

By: \_\_\_\_\_  
Ward F. Hoppe, Member

By: \_\_\_\_\_  
William P. Ziller, Subdivider

By: \_\_\_\_\_  
Juliann K. Ziller, Subdivider

STATE OF NEBRASKA            )  
  ) ss  
COUNTY OF HALL            )

On \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ward F. Hoppe, Member of The Orchard, LLC, a Nebraska Limited Liability Company, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of The Orchard, LLC.

WITNESS my hand and notarial seal the date above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

STATE OF NEBRASKA            )

COUNTY OF HALL ) ss  
 )

On \_\_\_\_\_, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared William P. Ziller and Juliann K. Ziller, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of William P. Ziller and Juliann K. Ziller.

WITNESS my hand and notarial seal the date above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

CITY OF GRAND ISLAND, NEBRASKA  
A Municipal Corporation

By: \_\_\_\_\_  
Roger G. Steele, Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
RaNae Edwards, City Clerk

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF HALL )

On \_\_\_\_\_, 2019, before me, the undersigned,, a Notary Public in and for said County and State, personally came Roger G. Steele, Mayor of the City of Grand Island, Nebraska, a municipal corporation, known to me to be such officer and the identical person who signed the foregoing Subdivision Agreement and acknowledged that the foregoing signature was his voluntary act and deed pursuant to Resolution 2019-\_\_\_\_, and that the City's corporate seal was thereto affixed by proper authority.

WITNESS my hand and notarial seal the date above written.

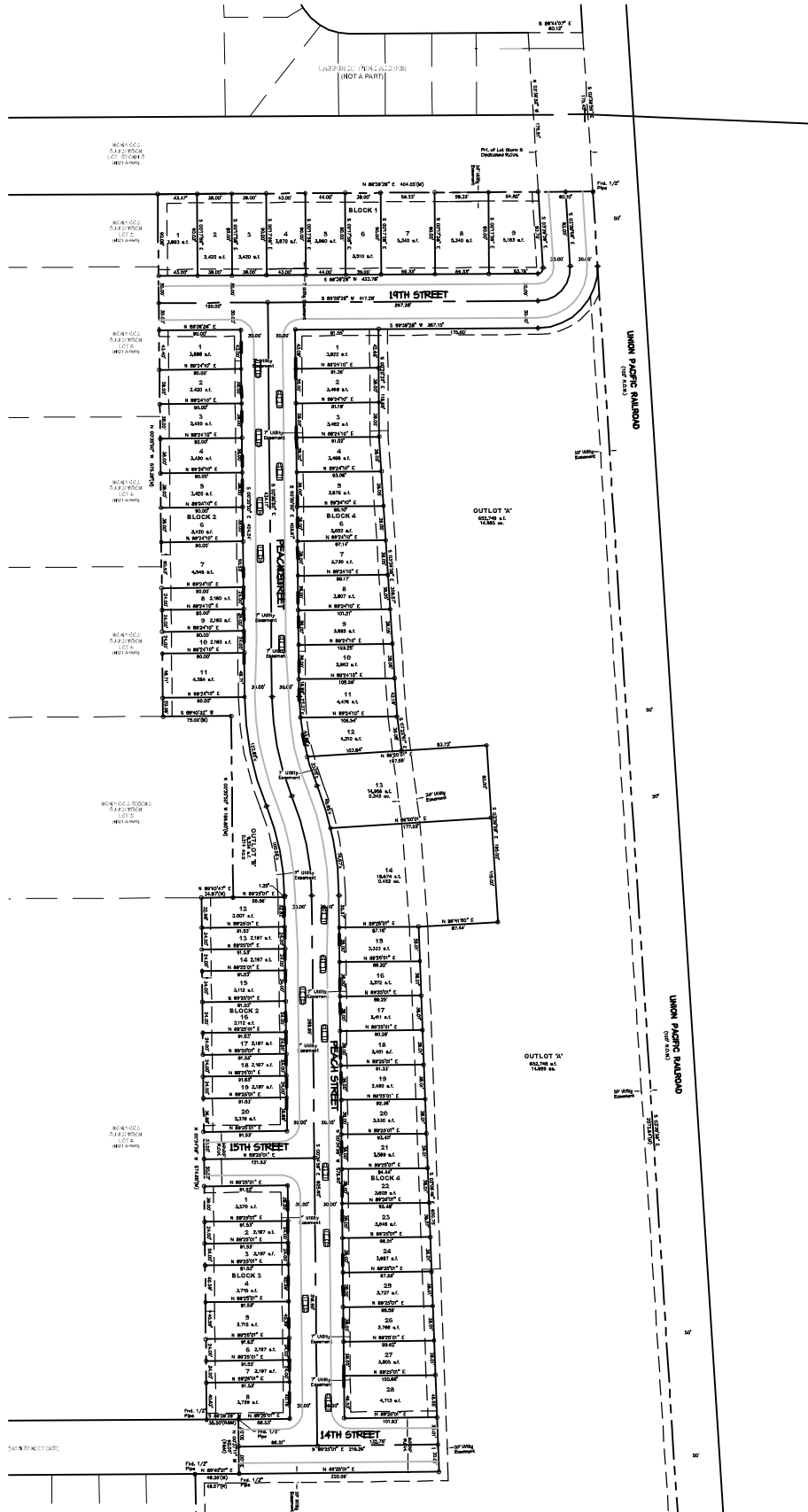
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



# THE ORCHARD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



## OVERALL SITE PLAN

NO SCALE



RESOLUTION 2019-153

WHEREAS Known all men by these presents, that Ward F. Hoppe, Member of the Orchard, LLC, William P. and Julann K. Ziller, Husband and Wife, and Roger Steele, City of Grand Island Mayor, , being the owners of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “THE ORCHARD SUBDIVISION”, a subdivision being part of a tract of land consisting of all of Lot 1, Lincoln Heights Subdivision, part of lots 2,3,4,5 and 8 of Norwood Subdivision and part of the east half of the Northwest Quarter of (E ½ NW ¼) of Section Ten (10), Township Eleven (11) North, Range Nine (9), West of the 6<sup>th</sup> P.M. all in Grand Island, Hall County, Nebraska. County, Nebraska and being more particularly described as follows:

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 THE ORCHARD 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.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 14, 2019.

\_\_\_\_\_  
Roger G. Steele, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☒ _____
May 10, 2019	☒ City Attorney