



City of Grand Island

Tuesday, October 22, 2019

Council Session

Item G-3

**#2019-312 - Approving Final Plat and Subdivision Agreement for
Prairie Commons Fourth Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: October 22, 2019

Subject: Prairie Commons Fourth Subdivision – Final Plat

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

Background

This property is located south of Husker Highway and west of Edwolt Street all in the City Of Grand Island, Hall County, Nebraska. (2 lots, 18.869 acres). This property is zoned RO-Residential Office Zone. A tract of land comprised of all Lot 2 Block 1 of Prairie Commons Third Subdivision in Grand Island, Hall County, Nebraska.

Discussion

The final plat for Prairie Commons Fourth Subdivision was considered by the Regional Planning Commission at the October 2, 2019 meeting.

A motion was made by Rainforth and second by Randone 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 (Nelson, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Hendricksen and Randone) 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

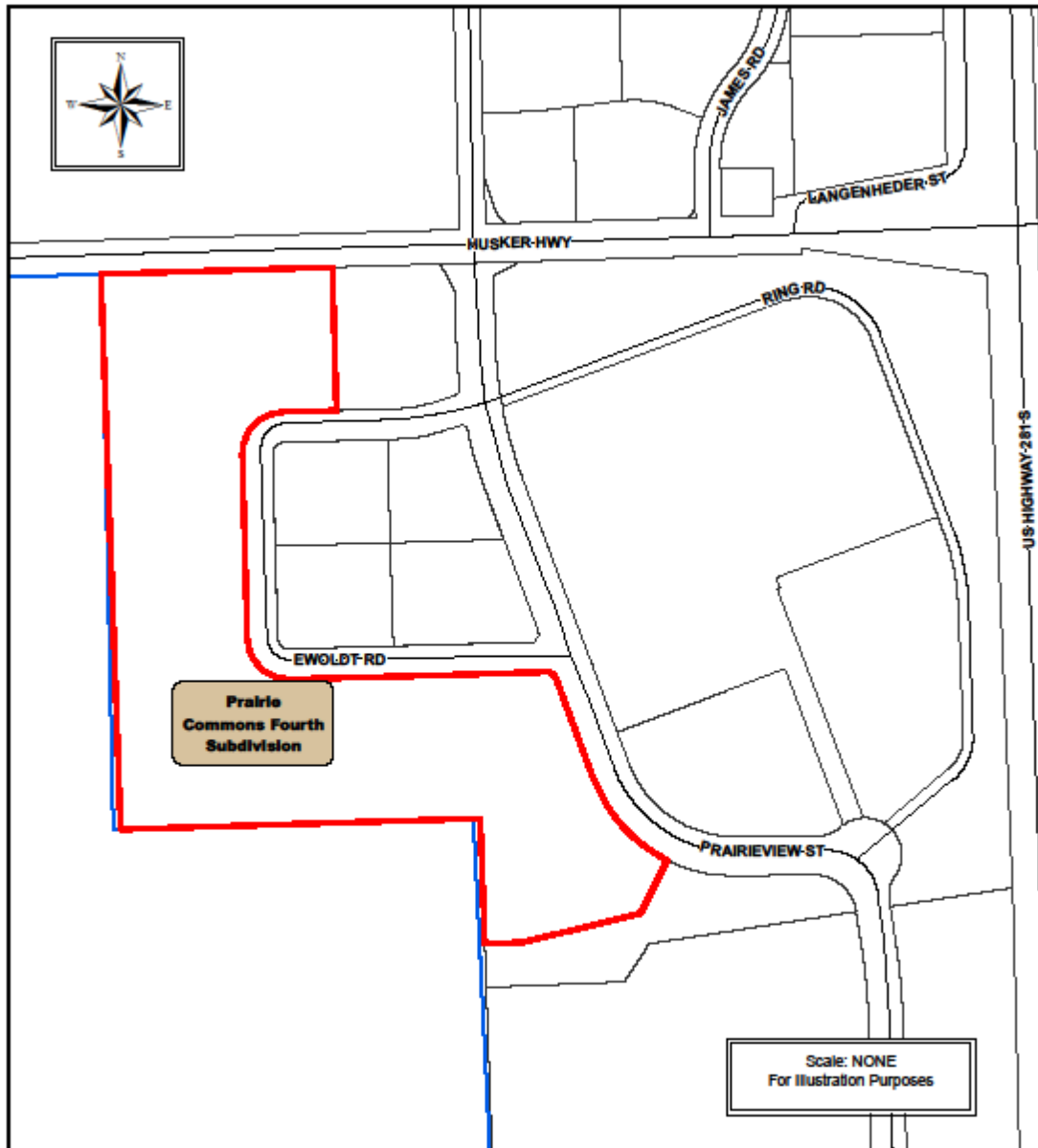
Recommendation

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

Sample Motion

Move to approve as recommended.

PROPOSED SUBDIVISION LOCATION MAP



THE CITY OF GRAND ISLAND, NEBRASKA
COUNTY OF COLLETT, NEBRASKA
OFFICE OF THE CITY CLERK

Developer/Owner
Prataria Ventures LLC

3942 W Old HWY 30
PO Box 2078
Grand Island, NE 68801

To create 2 lots south of Huske Highway along Ewoldt Street in Grand Island, Nebraska.

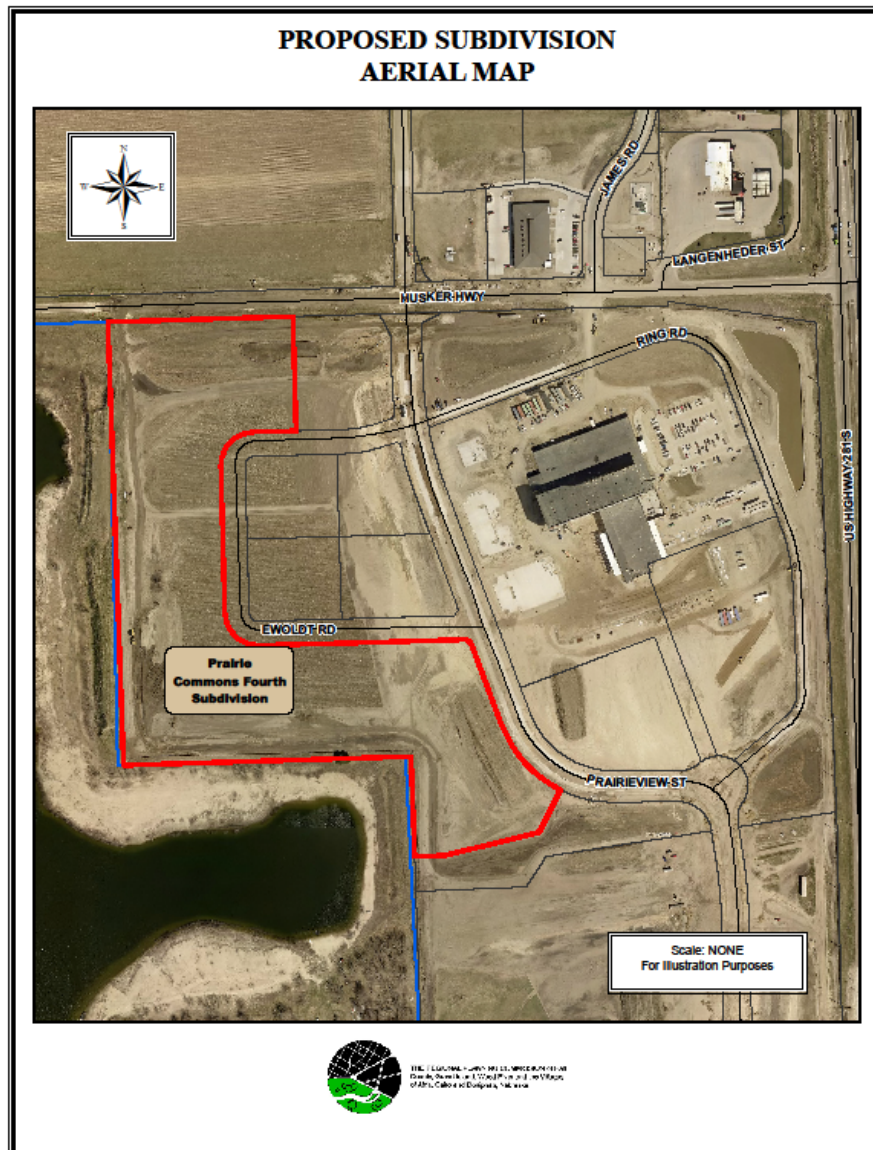
Size: 18.869 Acres 2 Lots

Zoning: RO- Residential Office Zone

Road Access: Ewoldt Street is planned as a commercial street with curb and gutter.

Water Public: City water is available and will be extended.

Sewer Public: City sewer is available and will be extended.



PRAIRIE COMMONS FOURTH SUBDIVISION
IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 821,932.62 SQUARE FEET OR 18.869 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2019, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A REPLAT OF ALL OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, 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.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT PRATARIA VENTURES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "PRAIRIE COMMONS FOURTH SUBDIVISION" A REPLAT OF ALL OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; AND 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 HERETO, 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 ADDITION 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.

DAVID OSTDIEK, MANAGER
PRATARIA VENTURES, LLC,
A NEBRASKA LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL
ON THIS _____ DAY OF _____, 2019, BEFORE ME _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED DAVID OSTDIEK, MANAGER, PRATARIA VENTURES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS 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 _____, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____
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.

CHAIRPERSON _____ DATE _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA
THIS _____ DAY OF _____, 2019.

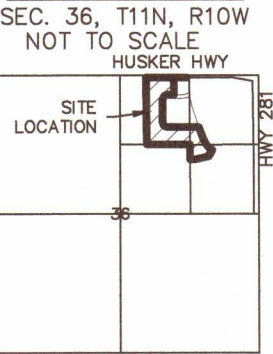
MAYOR _____
CITY CLERK _____

OWNERS: PRATARIA VENTURES, LLC
SUBDIVIDER: PRATARIA VENTURES, LLC
SURVEYOR: OLSSON
ENGINEER: OLSSON
NUMBER OF LOTS: 2

LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (5/8" REBAR W/CAP UNLESS NOTED)
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SUBDIVISION LINE
- MEASURED DISTANCE
- EASEMENT DISTANCE
- EWOLDT SUBD (VACATED) DISTANCE
- RECORDED DISTANCE
- PRAIRIE COMMONS SUBDIVISION
- PRAIRIE COMMONS 2ND SUBDIVISION
- PRAIRIE COMMONS 3RD SUBDIVISION

LOCATION MAP



SCALE IN FEET
0' 50' 100' 200'

N02°03'02"W 1278.91'(M,P1,P2,P3) 1279.01'(P) 1278.84'(R)

EXISTING 50' TRAIL, UTILITY & DRAINAGE EASEMENT

EXISTING 80' TRAIL, UTILITY & DRAINAGE EASEMENT

EXISTING 70' RIGHT-OF-WAY

LOT 1
493751± S.F.
11.335 ACRES

PROPOSED 20' UTILITY/DRAINAGE EASEMENT TO BE DEDICATED WITH THIS PLAT

R50'
L=78.29'

S88°13'51"W 827.64'(M,P1,P2,P3) 827.63'(P) 827.61'(R)

CURVE TABLE

CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C 1	95.00 (M,P1,P2,P3)	090°00'00"	149.23 (M,P1,P2,P3)	N43°20'37"E	134.35 (M,P1,P2,P3)
C 2	95.00 (M,P1,P2,P3)	090°00'00"	149.23 (M,P1,P2,P3)	N46°39'23"W	134.35 (M,P1,P2,P3)
C 3	345.00 (M,P1,P2,P3)	043°05'32"	259.47 (M,P1,P2,P3)	S42°06'52"E	253.40 (M,P1,P2,P3)
C 4	95.00 (M)	074°44'33"	123.93 (M)	S39°01'39"E	115.33 (M)
C 5	95.00 (M)	015°15'27"	25.30 (M)	S84°01'39"E	25.22 (M)

PROJECT NO. 2019-2696
Prataria Ventures
Prairie Commons
Survey
FB

olsson

201 East 2nd Street
Grand Island, NE 68802
TEL 308.384.8750
FAX 308.384.8752

DWG: F:\2019\2501-3000\019-2696\40-Design\Survey\SRVY\Sheets\V_FPLAT_0192696.dwg USER: jjimenez
DATE: Sep 12, 2019 3:30pm XREFS: C_PBASE_0192696 C_RWAY_01962696 V_RWAY-PC_3RD_61176

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

PRAIRIE COMMONS FOURTH SUBDIVISION
(LOT 1 and LOT 2)

In the City of Grand Island, Hall County Nebraska

The undersigned, Prataria Ventures, LLC, a Nebraska limited liability company, hereinafter called the Subdivider, as owner of a tract of land in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

A REPLAT OF ALL OF LOT 2, BLOCK 1, PRAIRIE COMMONS THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 821,932.62 SQUARE FEET OR 18.869 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 PRAIRIE COMMONS FOURTH 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 PRAIRIE COMMONS FOURTH 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 Ewoldt 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 Ewoldt Street, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for Husker Highway and Prairie View Street where they abut the subdivision.

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 within the subdivision shall be conventional sidewalks. A ten (10.0) foot wide hike/bike trail as shown on the attached exhibit shall be constructed as follows: On lot one (1) and lot two (2) with the completion of Ewoldt Street. No additional sidewalk shall be necessary along the Husker Highway side of lots one (1) and two (2) after the installation of the hike/bike trail unless or until such time as deemed necessary and installation ordered by the City Council.

6. **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.

7. **Landscaping.** The Subdivider agrees to comply with the requirements of the Landscaping Regulations of the City of Grand Island, and plans as submitted to and approved by the City's Building Department.

8. **Access.** No driveway access shall be permitted from Husker Highway onto Lot 1 . No driveway access shall be permitted from Prairieview Street onto Lot 2.

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 PRAIRIE COMMONS FOURTH 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.

PRATARIA VENTURES, LLC,

A Nebraska limited liability company,
Subdivider

By: _____
David Ostdiek, Manager

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 David Ostdiek, Manager of Prataria Ventures, LLC, a Nebraska limited liability company, known personally to me to be the identical person 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 company.

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.

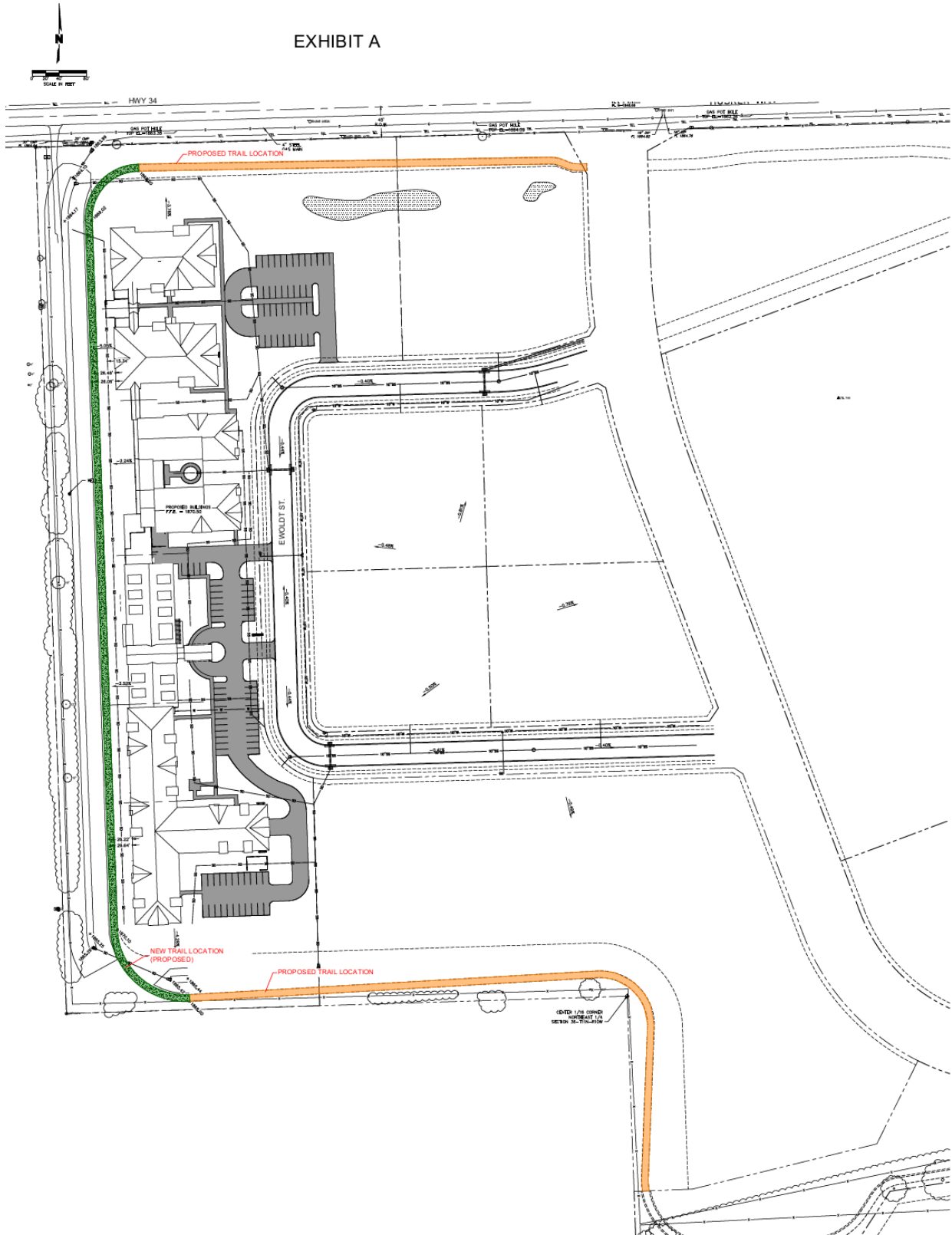
WITNESS my hand and notarial seal the date above written.

- 5 -

Notary Public

My commission expires: _____

EXHIBIT A



- 7 -

RESOLUTION 2019-312

WHEREAS PRATARIA VENTURES, LLC, being the said owners of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as "PRAIRIE COMMONS FOURTH SUBDIVISION", a replat of all of lot 2 block 1, Prairie Commons Second 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 PRAIRIE COMMONS FOURTH 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, October 22, 2019.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 18, 2019	☐ City Attorney