



# **City of Grand Island**

**Tuesday, January 28, 2020**

**Council Session**

## **Item G-17**

**#2020-32 - Approving Final Plat and Subdivision Agreement for  
Nikodym Subdivision**

**Staff Contact: Chad Nabity**

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** January 28, 2020

**Subject:** Nikodym Subdivision – Preliminary and Final Plat

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

## **Background**

A replat of all of Lot1, Super Bowl Subdivision, in the City of Grand Island, Hall County, Nebraska. Located east of Cherry St and north of Bismark Rd. (3 lots, 19.492). This property is zoned CD- Commercial Development Zone and is in the process of being rezoned to RD- Residential Development & Amended CD- Commercial Development Zone

## **Discussion**

The preliminary and final plats for Nikodym Subdivision were considered at the Regional Planning Commission at the January 8, 2020 meeting.

A motion was made by Ruge and second by Rubio to approve the preliminary and final plat as presented.

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

## **Alternatives**

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

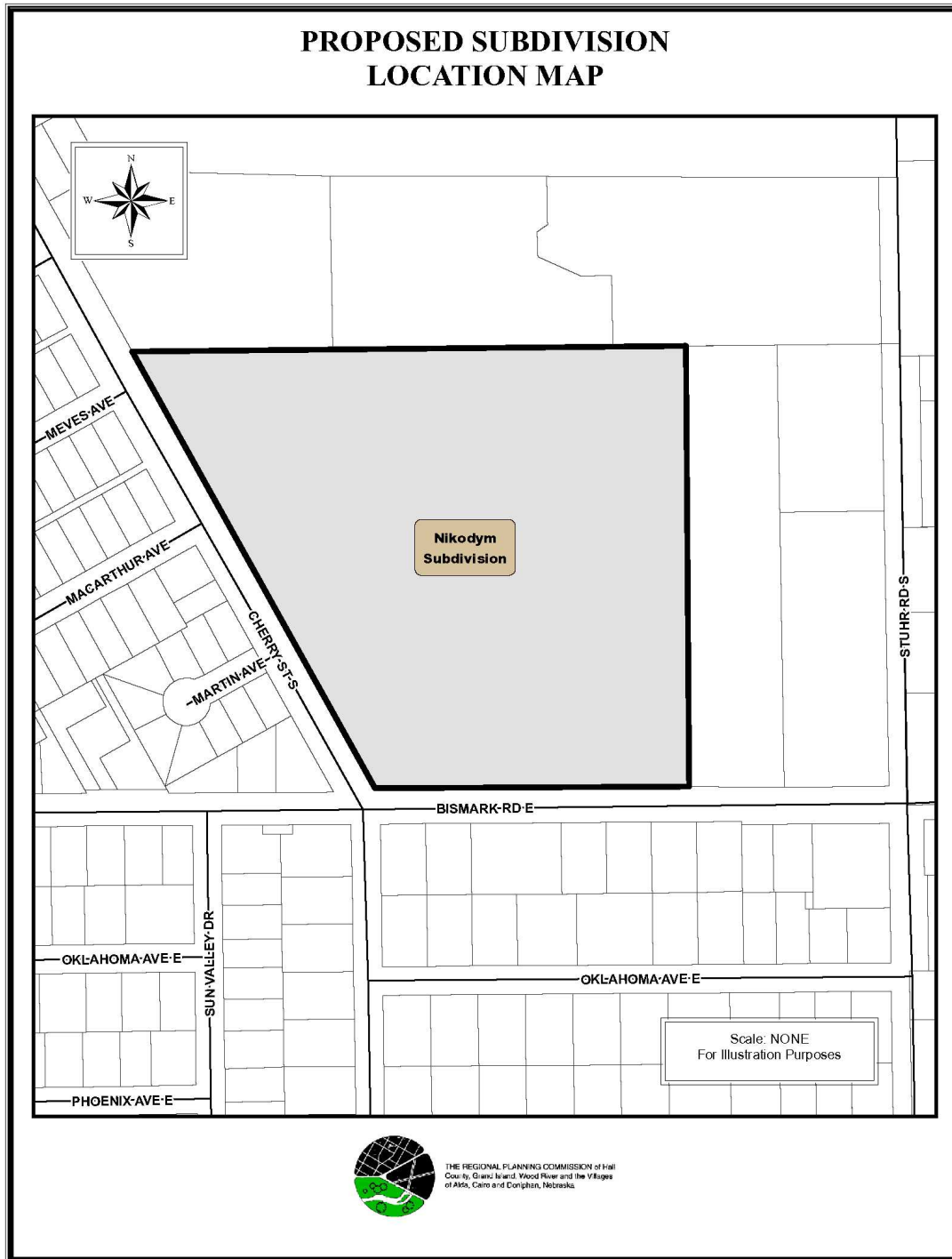
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

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

## Sample Motion

Move to approve as recommended.



**Developer/Owner**

Gosan Inc, A Nebraska Corporation  
1010 Bismark Rd.  
Grand Island, NE 68801

**Size:** Final Plat 3 lots, 19.942 Acres

**Zoning:** RD Residential Development Zone and CD Commercial Development Zone

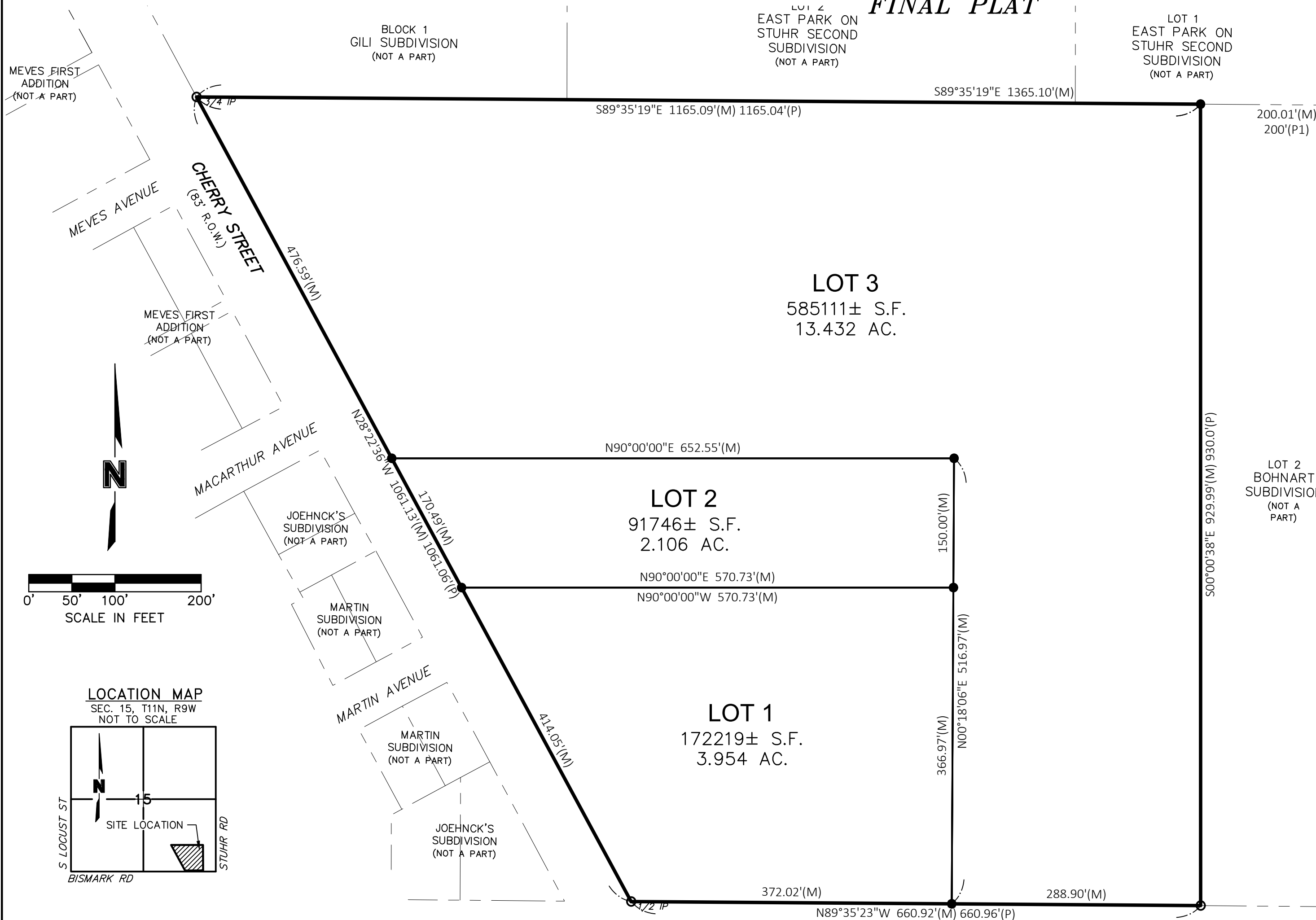
**Road Access:** Existing Streets

**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.



NIKODYM SUBDIVISION  
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



**LEGAL DESCRIPTION**  
A REPLAT OF ALL OF LOT 1, SUPER BOWL SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 849,075.17 SQUARE FEET OR 19.492 ACRES MORE OR LESS.

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT ON \_\_\_\_\_, 2019, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF A REPLAT OF ALL OF LOT 1, SUPER BOWL 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 GOSAN INC., A NEBRASKA CORPORATION, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**NIKODYM SUBDIVISION**" A **REPLAT** OF ALL OF LOT 1, SUPER BOWL SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER; 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.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT \_\_\_\_\_, NEBRASKA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

GEORGE J. OVERFIELD JR., PRESIDENT & PERSONALLY  
GOSAN INC., A NEBRASKA CORPORATION

**ACKNOWLEDGMENT**  
STATE OF NEBRASKA SS  
COUNTY OF HALL  
BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED GEORGE J. OVERFIELD JR., PRESIDENT & PERSONALLY, GOSAN INC., A NEBRASKA CORPORATION, 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.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.  
\_\_\_\_\_  
NOTARY PUBLIC

**LEGEND**

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- PROPERTY LINE
- SUBDIVISION LINE
- NEW PROPERTY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE SUPER BOWL SUB
- P1 PLATTED DISTANCE BOHNART SUB
- P2 PLATTED DISTANCE CAREY SUB

OWNERS: GOSAN INC.  
SUBDIVIDER: GOSAN INC.  
SURVEYOR: OLSSON  
ENGINEER: OLSSON  
NUMBER OF LOTS: 3

olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 FAX 308.384.8752	PROJECT NO. 2019-3284
		JOHN NIKODYM SURVEY
		FB GI 2019-3

**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 \_\_\_\_\_

DWG: F:\2019\3001-3500\019-3284-Design\Survey\SRV\Sheets\V\_FPLAT\_0193284.dwg  
DATE: Dec 19, 2019 1:50pm  
XREFS: V\_XTOPO\_0193284 V\_XRWAY\_0193284  
USER: jjimenez

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 GOSAN INC. / John Nikodym
Address 1111 Hwy 281
City Red Cloud, State NE Zip 68970
Phone 402-746-2248

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: [Signature]
(Applicant)

Surveyor/Engineers Information

Surveyor/Engineering Firm Olsson
Address 201 East 2nd Street
City Grand Island, State NE Zip 68801
Phone 308-384-8750
Surveyor/Engineer Name Jai Jason Andrist License Number LS 630

SUBDIVISION NAME: Nikodym Subdivision

Please check the appropriate location

- [X] 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

470 + 10 per lot

500.00

Please check the appropriate Plat

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

Number of Lots Lots 3

Number of Acres 19.492 acres

Checklist of things Planning Commission Needs

- [X] 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
[X] Closure Sheet
Utilities Sheet
[X] Receipt for Subdivision Application Fees in the amount of \$ 450.00

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 (208) 284-2241

\* This Space Reserved for Register of Deeds \*

SUBDIVISION AGREEMENT

**NIKODYM SUBDIVISION**

(Lots 1 through 3)

In the City of Grand Island, Hall County Nebraska

The undersigned GOSAN INC., A NEBRASKA CORPORATION 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 1, SUPER BOWL SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 849,075.17 SQUARE FEET OR 19.492 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 NIKODYM 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 NIKODYM 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 waive the right to object to the creation of any paving or repaving district for Cherry Street and Bismark Road where they about 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 all new structures requiring service shall be connected to such sanitary sewer supply.

4.       **Storm Drainage.** The Subdivider agrees to provide and maintain positive drainage from all lots, according to the drainage plan, 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 2 and 3 are built upon, and such sidewalk shall be regulated and required with the building permit for each such lot.

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
Cherry Street		X	NO
Bismark Road		X	NO

Immediate sidewalk construction adjacent to Lot 1 shall be waived. However, the sidewalks shall be constructed when the property owner is directed to do so by the City Council. In the event a Street Improvement District is created to pave any public street in the subdivision, the Subdivider agrees to install public sidewalks within one year of the completion of such street improvement district in accordance with the City of Grand Island Sidewalk Policy

6. **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.

7. **RD Zone.** The Subdivider agrees to follow the R2 – Low Density Residential setbacks, height and coverage requirement for any construction on Lot 2 with a

minimum front yard setback from Cherry Street of 30 feet to provide the required landscape buffer in the RD zone. The subdivider also agree that development of lot 3 shall be restricted with no further development until such time a plan is presented to and approved by the Grand Island City Council or the property is rezoned to another zoning district.

8. **CD Zone.** Lot 1 shall be maintained for commercial purposes including a car museum, private library and reception hall as permitted in the CD zoning district and in compliance with all building and life safety codes adopted and enforced by the City of Grand Island.

9. **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.

10. **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.

11. **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 NIKODYM 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.

12. **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 \_\_\_\_\_, 2020.

GOSAN INC., A NEBRASKA  
CORPORATION

By: \_\_\_\_\_  
George J. Overfield Jr., President

STATE OF NEBRASKA       )  
  ) ss  
COUNTY OF HALL        )

On \_\_\_\_\_, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared George J. Overfield Jr., President of Gosan Inc., a Nebraska Corporation, 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 Gosan Inc., a Nebraska Corporation.

WITNESS my hand and notarial seal the date above written.

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

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 \_\_\_\_\_, 2020, 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 2020-\_\_\_\_, 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: \_\_\_\_\_

RESOLUTION 2020-32

WHEREAS Gosan Inc., A Nebraska Corporation being the said owners of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “NIKODYM SUBDIVISION”, a replat of all of Lot 1, Super Bowl 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 NIKODYM 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, January 28, 2020.

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

Attest:

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

Approved as to Form	☐ _____
January 24, 2020	☐ City Attorney