



# City of Grand Island

Tuesday, October 27, 2020

Council Session - Updated

## Item G-6

**#2020-263 - Approving Final Plat and Subdivision Agreement for Farmstead South Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission  
**Meeting:** October 27, 2020  
**Subject:** Farmstead South Subdivision – Final Plat  
**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## **Background**

This property is located west of Farmstead Road and south of Husker Highway in Grand Island, Nebraska. (2 lots, 6.916 acres). This property is zoned LLR – Large Lot Residential Zone. A replat of Lot Six (6), Grand Island Farmstead Project, Hall County, Nebraska.

## **Discussion**

The final plat for Farmstead South Subdivision were considered at the Regional Planning Commission at the October 7, 2020 meeting.

A motion was made by Ruge and second by Rubio to approve all items on the Kate Subdivision subject to the conditions approval of the rezoning.

The motion was carried with nine members voting in favor (O’Neill, Ruge, Hendricksen, Robb, Nelson, Monter, Randone, Rubio and Rainforth) with 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**  
Justin P. and Anna Oseka.  
3524 Farmstead Road  
Grand Island, NE 68801

To create

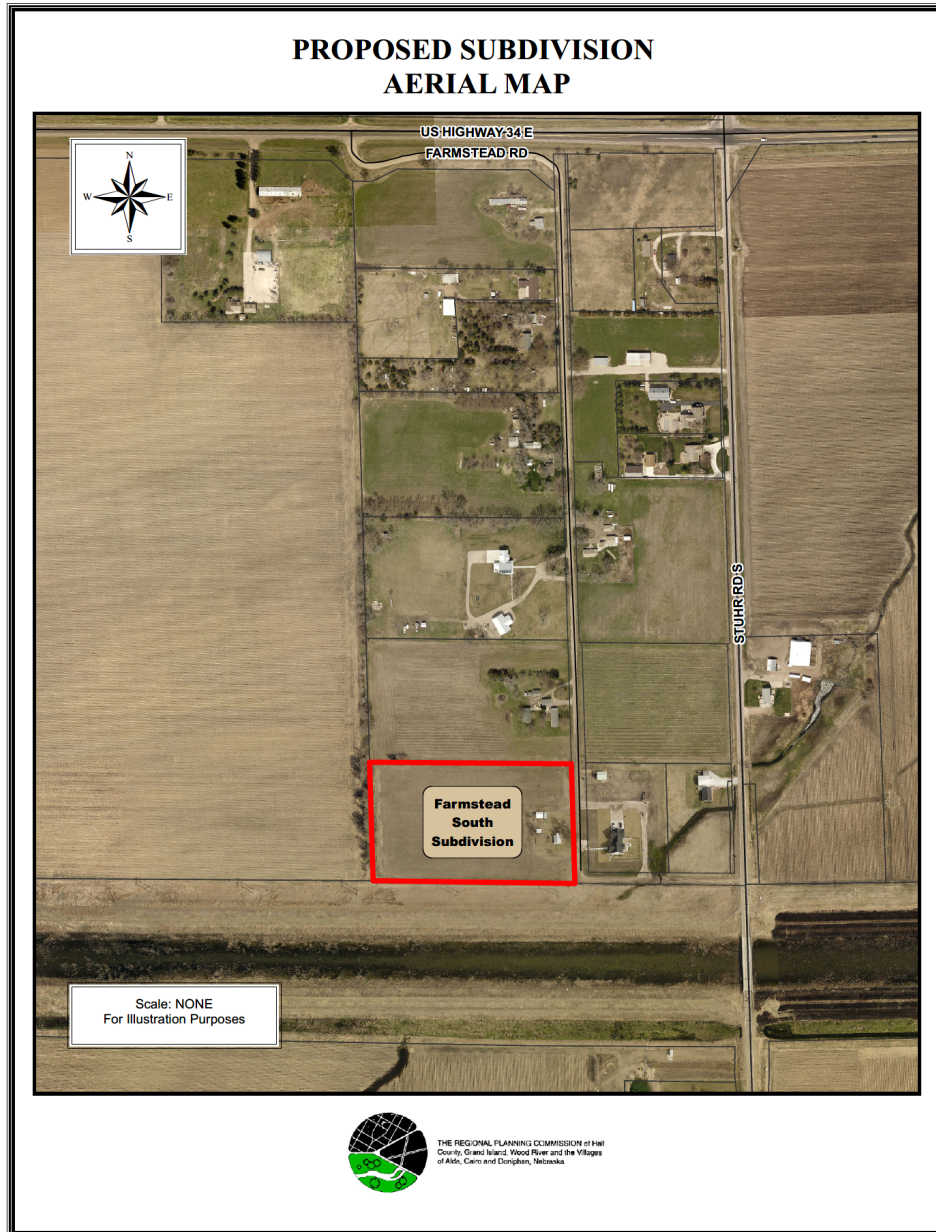
**Size: Final Plat** 2 lots, 6.916 Acres

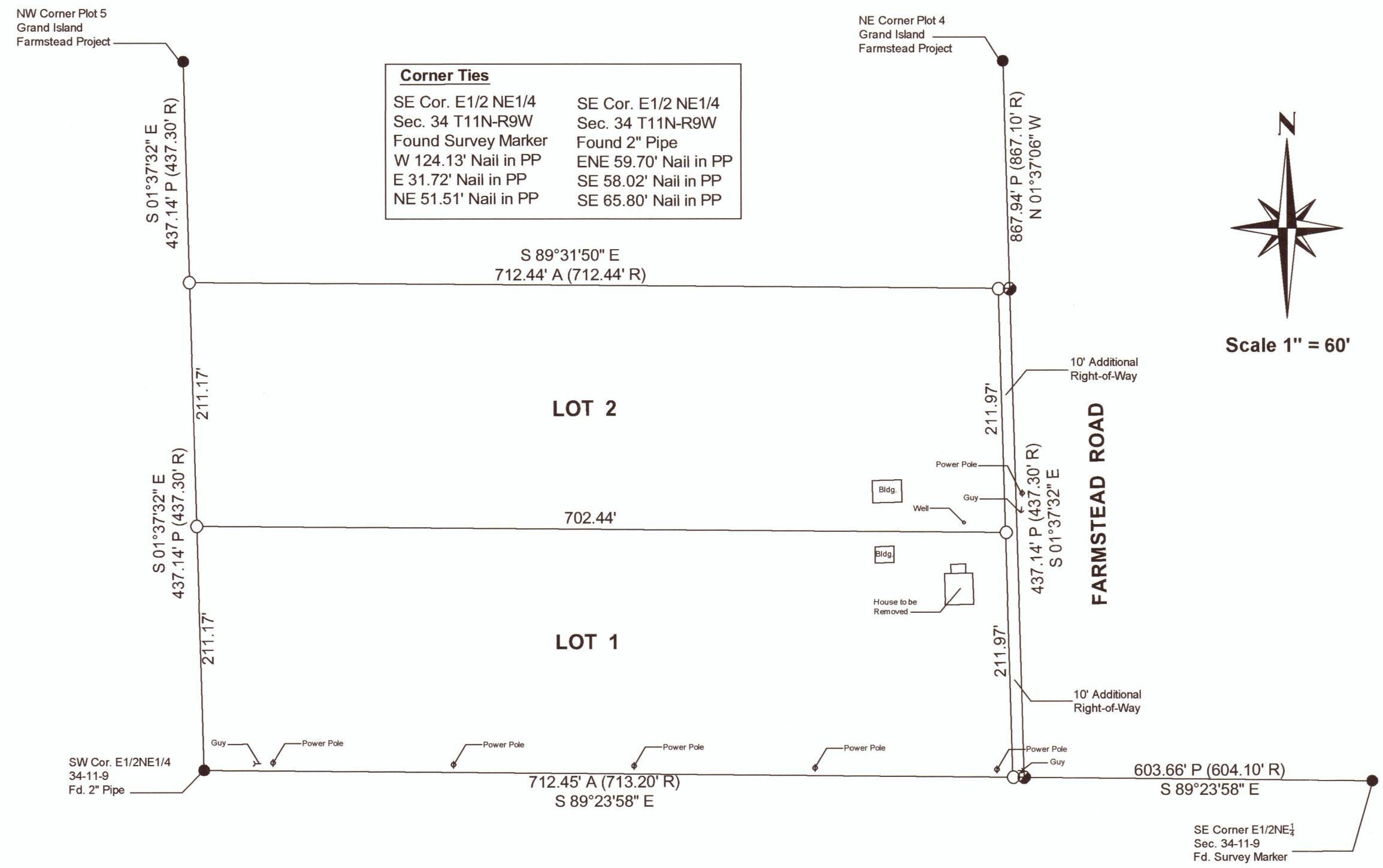
**Zoning:** LLR Large Lot Residential Zone

**Road Access:** Property an existing gravel county road.

**Water Public:** City water is not available.

**Sewer Public:** City sewer is not available.





# FARMSTEAD SOUTH SUBDIVISION UTILITY EXHIBIT

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that Justin P. Oseka and Anna Oseka Husband and Wife, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as FARMSTEAD SOUTH SUBDIVISION' in Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, 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 this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

Justin P. Oseak \_\_\_\_\_ Anna Oseka \_\_\_\_\_  
Date \_\_\_\_\_ Date \_\_\_\_\_

**ACKNOWLEDGEMENT**

State of Nebraska  
County of Hall  
On the \_\_\_\_ day of \_\_\_\_\_, 2020, before me \_\_\_\_\_ a Notary Public within and for said County, personally appeared Justin P. Oseka a married person, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge 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 Grand Island, Nebraska, on the date last above written.

My commission expires \_\_\_\_\_ .20\_\_

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

**ACKNOWLEDGEMENT**

State of Nebraska  
County of Hall  
On the \_\_\_\_ day of \_\_\_\_\_, 2020, before me \_\_\_\_\_ a Notary Public within and for said County, personally appeared Anna Oseka a married person, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge 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 Grand Island, Nebraska, on the date last above written.

My commission expires \_\_\_\_\_ .20\_\_

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

**LEGAL DESCRIPTION**

A Replat of Plot Six (6) Grand Island Farmstead Project, Hall County, Nebraska, contains a area of 6.916 Acres More or Less and 0.097 Acres More or Less for Road Right-of Way.

**SURVEYORS CERTIFICATE**

I hereby certify that on August 24, 2020, I completed an accurate survey of 'FARMSTEAD SOUTH SUBDIVISION', in 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 lot corners; that the dimensions of each lot are 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.

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

**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

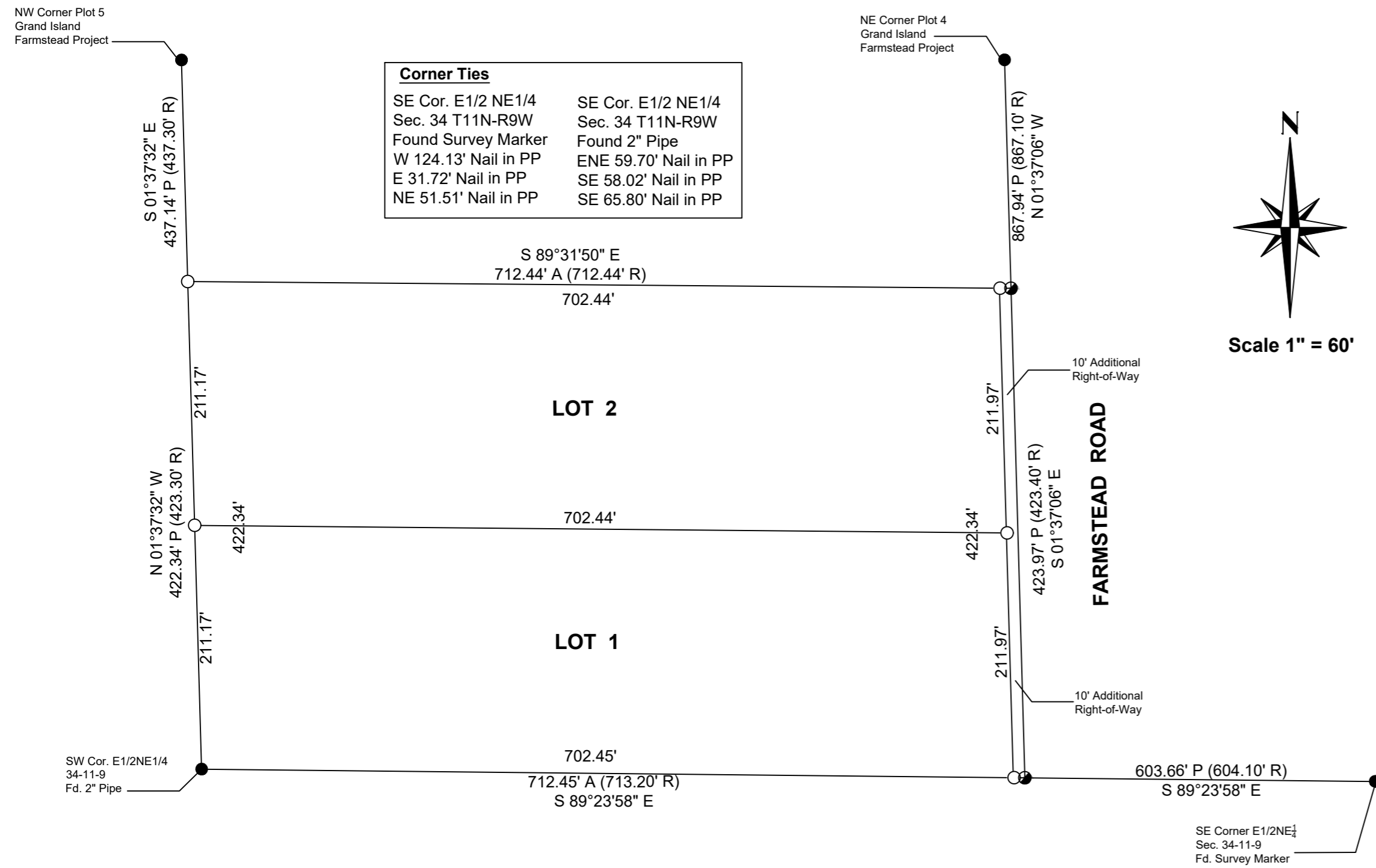
\_\_\_\_\_  
Chairman Date  
Approved and accepted by the Hall County Board of Supervisors, this Day of \_\_\_\_\_, 2020

Approved and accepted by the City of Grand Island, Hall County, Nebraska this \_\_\_\_\_ Day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Chairman of the Board Mayor City Clerk

- Legend**
- - Corner Found 1/2" Pipe Unless Otherwise Noted
  - - 1/2 Rebar Placed W/Survey Cap Unless Otherwise Noted
  - ⊙ - Temporary Point
  - All Distances on Curves are Chord Distance
  - R - Recorded Distance
  - A- Actual Distance
  - P- Prorated Distance

INITIAL POINT SURVEYING LLC 1811 W 2nd Street, Suite 280 Grand Island, NE 68803 308-383-6754 Cell 308-675-4141 Office			
LOCATION: Replat Plot Six (6) Grand Island Farmstead Project			
TITLE: Hall County, Nebraska			
SCALE: AT AS 1" = 60'	DATE: 8/26/2020	DRAWN: Brent C.	PAGE: 1 OF 1
BENSCH PROJECT NO:	DRAWING NO: 20-082	REVISION:	



# FARMSTEAD SOUTH SUBDIVISION

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Justin P. Oseka and Anna Oseka Husband and Wife, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as FARMSTEAD SOUTH SUBDIVISION' in Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, 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 this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

Justin P. Oseka  
Date \_\_\_\_\_

Anna Oseka  
Date \_\_\_\_\_

## ACKNOWLEDGEMENT

State of Nebraska

County of Hall

On the \_\_\_\_ day of \_\_\_\_\_, 2020, before me \_\_\_\_\_ a Notary Public within and for said County, personally appeared Justin P. Oseka a married person, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge 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 Grand Island, Nebraska, on the date last above written.

My commission expires \_\_\_\_\_ .20\_\_

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

## ACKNOWLEDGEMENT

State of Nebraska

County of Hall

On the \_\_\_\_ day of \_\_\_\_\_, 2020, before me \_\_\_\_\_ a Notary Public within and for said County, personally appeared Anna Oseka a married person, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge 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 Grand Island, Nebraska, on the date last above written.

My commission expires \_\_\_\_\_ .20\_\_

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

## LEGAL DESCRIPTION

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I hereby certify that on August 24, 2020, I completed an accurate survey of 'FARMSTEAD SOUTH SUBDIVISION', in 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 lot corners; that the dimensions of each lot are 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.

\_\_\_\_\_  
Brent D Cyboron

Nebraska Professional Registered Land Surveyor No. 727

## 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  
Approved and accepted by the Hall County Board of Supervisors, this  
Day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Chairman of the Board

Approved and accepted by the City of Grand Island, Hall County, Nebraska this  
Day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## Legend

- - Corner Found 1/2" Pipe Unless Otherwise Noted
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INITIAL POINT SURVEYING LLC 1811 W 2nd Street, Suite 280 Grand Island, NE 68803 308-383-6754 Cell 308-675-4141 Office			
LOCATION:	Replat Plot Six (6) Grand Island Farmstead Project		
TITLE:	Hall County, Nebraska		
SCALE AT 1" = 60'	DATE:	DRAWN:	PAGE:
	8/26/2020	Brent C.	1 OF 1
BENESCH PROJECT NO:	DRAWING NO:	REVISION:	
	20-082	3/8/2020	

\* This Space Reserved for Register of Deeds \*

SUBDIVISION AGREEMENT

**FARMSTEAD SOUTH SUBDIVISION**  
2 LOTS

In the City of Grand Island, Hall County Nebraska

The undersigned, JUSTIN P. OSEKA, and ANNA OSEKA 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 PLOT SIX (6) GRAND ISLAND FARMSTEAD PROJECT, HALL COUNTY, NEBRASKA, CONTAINS AN AREA OF 6.916 ACRES MORE OR LESS AND 0.097 ACRES MORE OR LESS FOR ROAD RIGHT-OF-WAY.

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 FARMSTEAD SOUTH 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 FARMSTEAD SOUTH 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 Farmstead Road where it abuts the subdivision.

2. **Water.** Public water supply is not available to the subdivision. Therefore, individual water well systems shall be permissible on an initial basis. The Subdivider waives the right to protest the creation of any future water district within or abutting the subdivision.

3. **Sanitary Sewer.** Public sanitary sewer main is not available to the subdivision; therefore individual systems shall be permissible on an initial basis. However, the Subdivider waives the right to protest the creation of a sanitary sewer district within or abutting the subdivision.

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.** Immediate sidewalk construction adjacent to Farmstead Road 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. **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. **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.

8. **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 FARMSTEAD 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.

9. **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.

JUSTIN P. OSEKA, Subdivider

ANNA OSEKA, Subdivider

By: \_\_\_\_\_  
Justin P. Oseka

By: \_\_\_\_\_  
Anna Oseka

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 Justin P. Oseka, owner, 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.

WITNESS my hand and notarial seal the date above written.

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

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

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 Anna Oseka, owner, 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.

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 \_\_\_\_\_, 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 2020-263

WHEREAS, known all men by these presents, that Justin P. Oseka and Anna Oseka, husband and wife, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "FARMSTEAD SOUTH SUBDIVISION". A replat of lot six (6) Grand Island Farmstead Project, Hall County, Nebraska, contains an area of 6.916 acres more or less and 0.097 acres more or less for road right-of-way; 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 FARMSTEAD SOUTH 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 27, 2020.

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

Attest:

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

Approved as to Form	☐ _____
October 27, 2020	☐ City Attorney