



City of Grand Island

Tuesday, November 24, 2020

Council Session

Item G-7

**#2020-297 - Approving Final Plat and Subdivision Agreement for
Bosselville Sixth Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 24, 2020
Subject: Bosselville Sixth Subdivision – Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located west of U.S. Highway 281 and north of Wood River Road in Hall County, Nebraska within 2 mile ETJ of Grand Island, Nebraska.(5 lots, 16.547 acres). This property is zoned TD – Travel Development.

Discussion

The final plat for Bosselville Sixth Subdivision was considered at the Regional Planning Commission at the November 4, 2020 meeting.

A motion was made by Maurer and second by Rainforth to approve Bosselville Sixth Subdivision.

The motion was carried with nine members voting in favor (O’Neill, Ruge, Doane, Monter, Robb, Rubio, Hendricksen, Robb 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

Bosselman Inc
PO BOX 4905
Grand Island, NE 68802
To create

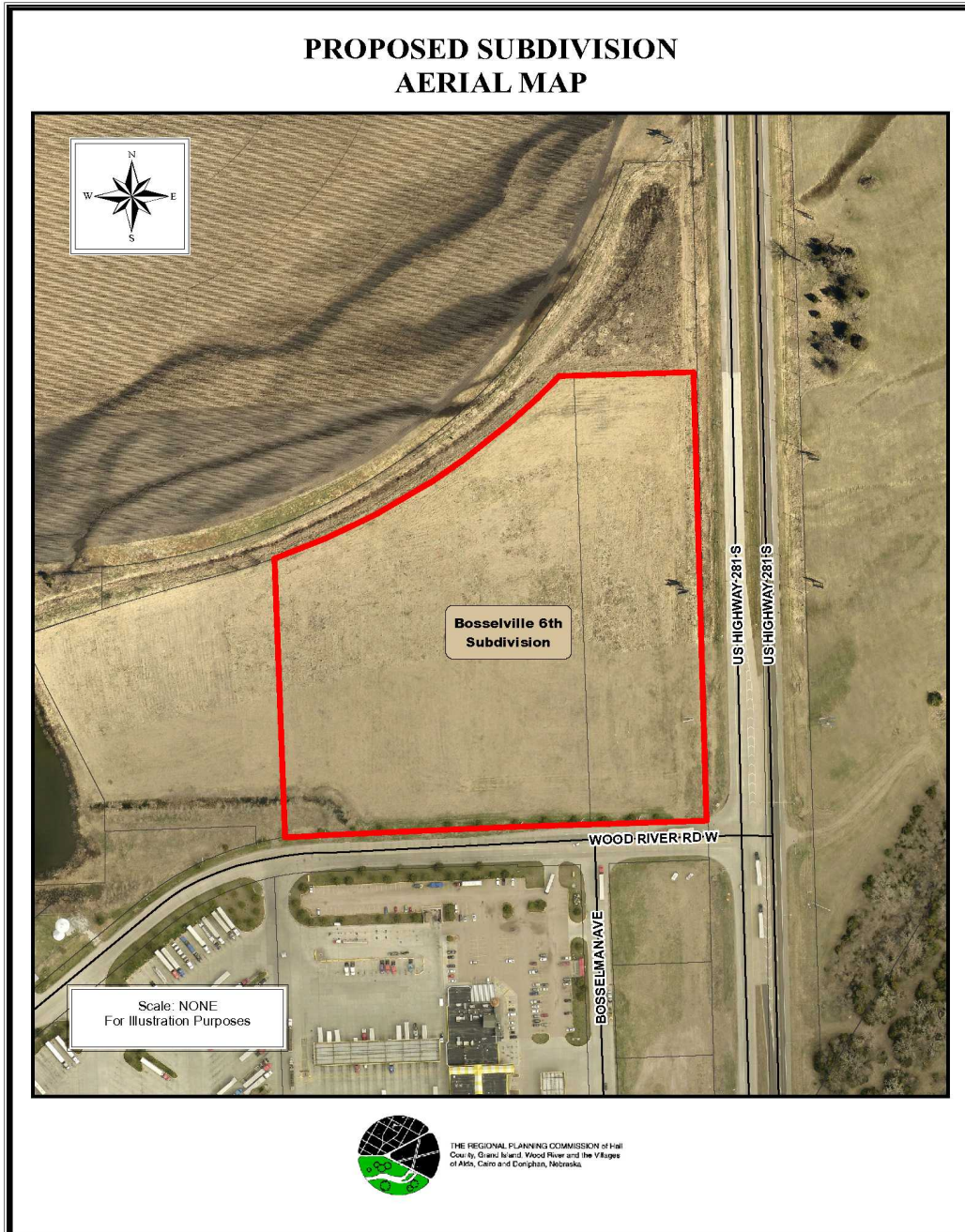
Size: Final Plat 5 lots, 16.574 Acres

Zoning: TD – Travel Development

Road Access: Bosselman Avenue will be extended as a 41' concrete commercial street.

Water: Public water is available through the Bosselman system.

Sewer: City Sewer is available.



BOSELVILLE SIXTH SUBDIVISION

HALL COUNTY, NEBRASKA

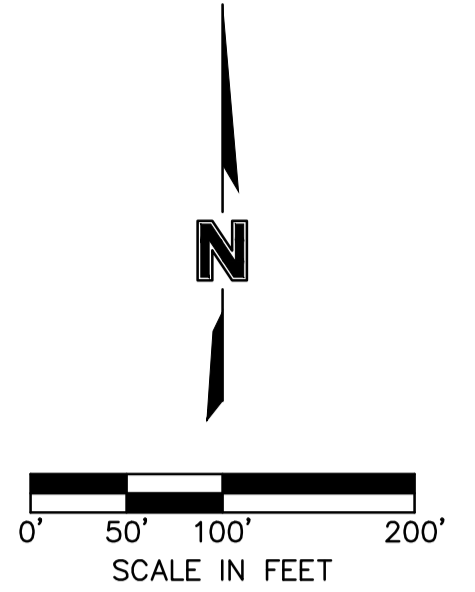
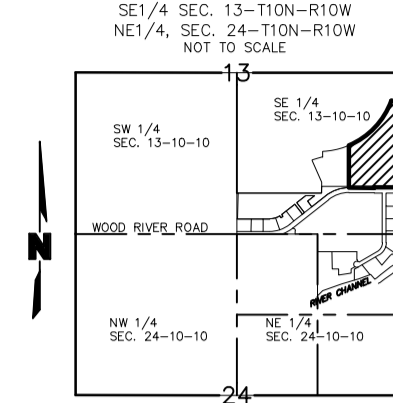
SITE PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOTS 2 AND 3, BOSELVILLE FIFTH SUBDIVISION, HALL COUNTY, NEBRASKA.

SAID TRACT CONTAINS A CALCULATED AREA OF 721,946.40 SQUARE FEET OR 16.574 ACRES MORE OR LESS OF WHICH 1.353 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

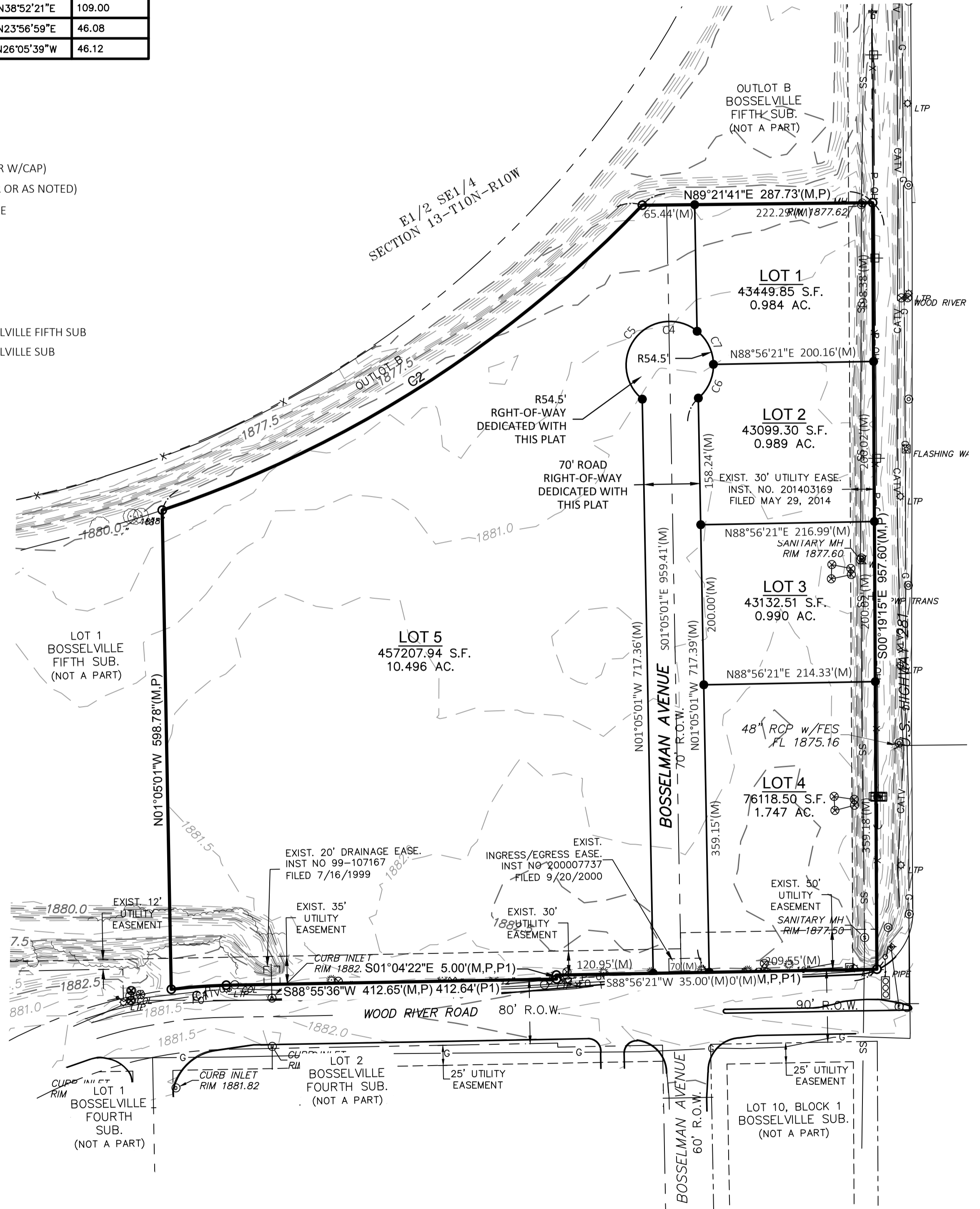
LOCATION MAP



CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	612.98 (M,P)	006°26'15"	68.87 (M,P)	S85°41'31"W	68.84 (M,P)
C2	1487.66 (M,P)	027°38'05"	717.52 (M,P)	N57°34'27"E	710.59 (M,P)
C4	54.50	280°05'15"	266.42	N88°54'59"E	70.00
C5	54.50	180°00'00"	171.22	N38°52'21"E	109.00
C6	54.50	050°01'16"	47.58	N23°56'59"E	46.08
C7	54.50	050°03'59"	47.62	N26°05'39"W	46.12

LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (5/8" REBAR OR AS NOTED)
- SUBDIVISION BOUNDARY LINE
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- - - PROPOSED EASEMENT LINE
- M MEASURED DISTANCE
- P RECORDED DISTANCE BOSELVILLE FIFTH SUB
- P1 RECORDED DISTANCE BOSELVILLE SUB



NOTE:
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 FAX 308.384.8752	PROJECT NO. 2020-2845
	BOSELVILLE BOSELVILLE SUBDIVISION SURVEY	

DWG: F:\2020\2501-3000\020-2845\40-Design\Survey\SRVY\Sheets\V_FLPLAT_0202845.dwg
DATE: Oct 15, 2020 2:37pm XREFS: V_XTOP0_0202845 V_XRWAY_0202845
USER: jjimenez

BOSELVILLE SIXTH SUBDIVISION

HALL COUNTY, NEBRASKA

FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOTS 2 AND 3, BOSELVILLE FIFTH SUBDIVISION, HALL COUNTY, NEBRASKA .

SAID TRACT CONTAINS A CALCULATED AREA OF 721,946.40 SQUARE FEET OR 16.574 ACRES MORE OR LESS OF WHICH 1.353 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2020, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A REPLAT OF ALL OF LOTS 2 AND 3, BOSELVILLE FIFTH SUBDIVISION, 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 BOSELMAN, INC., A NEBRASKA CORPORATION, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**BOSELVILLE SIXTH SUBDIVISION**" BEING A REPLAT OF ALL OF LOTS 2 AND 3, BOSELVILLE FIFTH SUBDIVISION, 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 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 OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, NEBRASKA, THIS ____ DAY OF _____, 2020.

BOSELMAN, INC., A NEBRASKA CORPORATION

BY: _____
CHARLES D. BOSELMAN, Jr., CHAIRMAN & CEO

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL SS

ON THIS ____ DAY OF _____, 2019, BEFORE ME _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED CHARLES D. BOSELMAN, Jr., CHAIRMAN & CEO, BOSELMAN, 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.

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 _____, 2020.

MAYOR _____

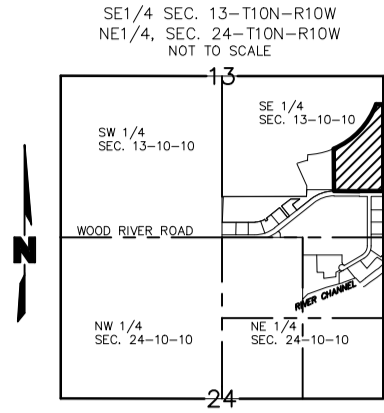
CITY CLERK _____

APPROVED AND ACCEPTED BY THE HALL COUNTY BOARD OF SUPERVISORS
THIS ____ DAY OF _____, 2020.

CHAIRPERSON _____

COUNTY CLERK _____

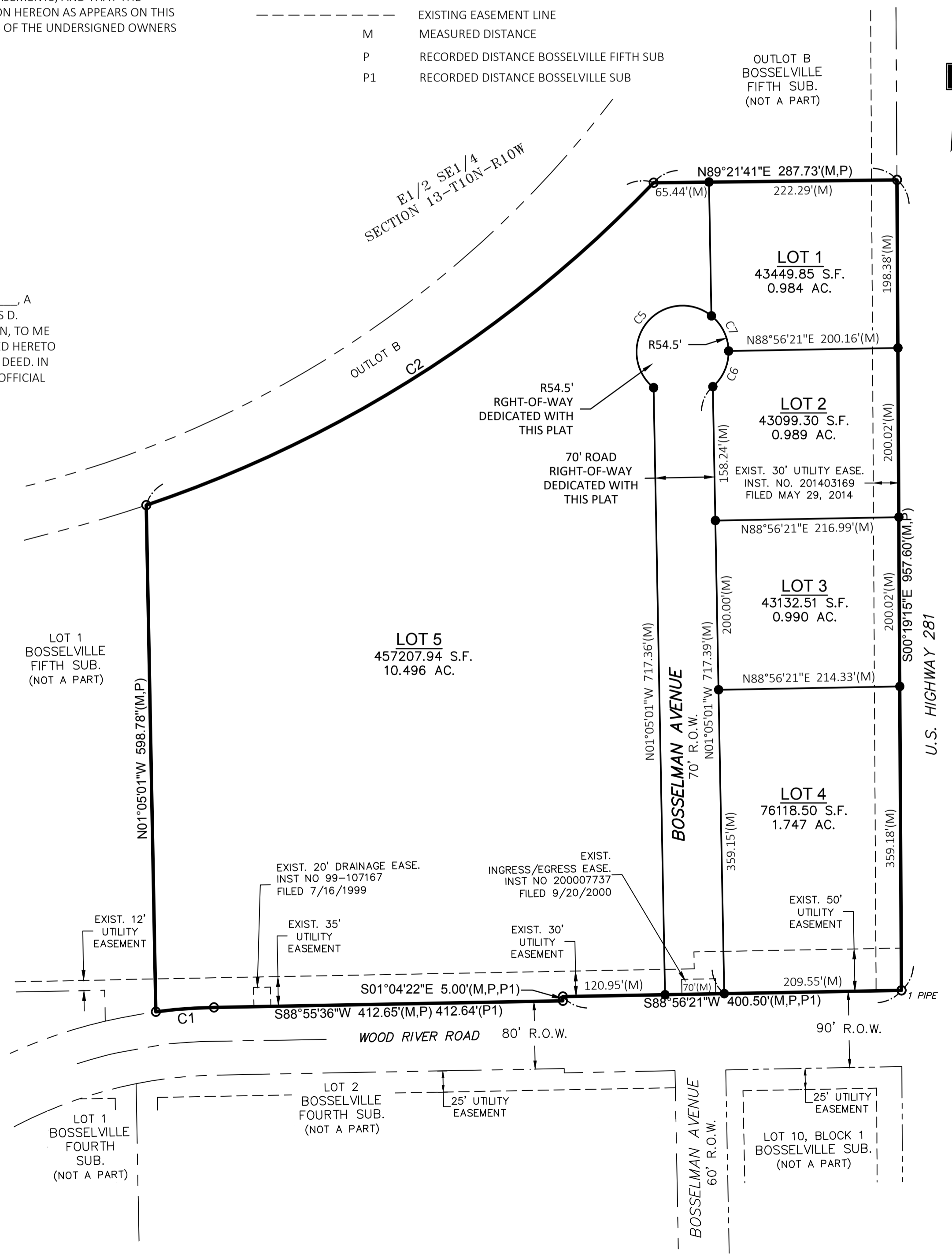
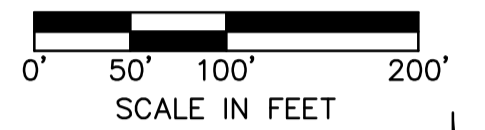
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olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 FAX 308.384.8752	PROJECT NO. 2019-2049
		BOSELMAN BOSELVILLE SUBDIVISION SURVEY
		FB

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

BOSELVILLE SIXTH SUBDIVISION

5 LOTS

In the Jurisdiction of the City of Grand Island, Hall County Nebraska

The undersigned, BOSSELMAN, 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 LOTS 2 AND 3 BOSELVILLE FIFTH SUBDIVISION, HALL COUNTY NEBRASKA SAID TRACT CONTAINS A CALCULATED AREA OF 721,946.40 SQUARE FEET OR 16.574 ACRES MORE OR LESS OF WHICH 1.353 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY;

desires to have subdivided as a subdivision the foregoing tract of land located within the jurisdiction 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 BOSELVILLE SIXTH 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 BOSSEVILLE SIXTH 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 Bosselman Avenue 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 Bosselman Avenue, 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 U.S. Highway 281 and Wood River Road 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. Sanitary sewer connections for all lots are subject to assessments. The existing lots, Lots 2 and 3 of Bosselville Fifth Subdivision, have combined assessments of \$127,452.91. Public Works will propose that the Grand Island City Council, acting as the Board of Equalization, reapportion the \$127,452.91 due for the assessments based the number and size of the lots.

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.

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
Wood River Road		x	NO
Bosselman Avenue		x	NO
			NO

6. **Flood Plain.** Since all of the subdivision is within a delineated flood plain, all structures within areas identified as a special flood hazard area constructed shall have

the lowest floor elevation to a minimum of one foot above the elevation of the 100-year flood as determined by the building permit received by the Subdivider or successors from the Building Department under the provisions of applicable Federal, State, or local laws and regulations. No basement shall be constructed in connection with any structure in the flood plain unless such basement is floodproofed and certified as such by a qualified engineer or architect.

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. **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 BOSSELVILLE SIXTH 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 _____, 2020.

BOSSELMAN, INC., A NEBRASKA CORPORATION, Subdivider

By: _____
Charles D. Bosselman, Jr., Chairman &

CEO

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 Charles D. Bosselman, Jr., 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 Bosselman, Inc.

WITNESS my hand and notarial seal the date above written.

My commission expires: _____

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 2020-297

WHEREAS know all men by these presents, that Bosselman, INC., A Nebraska Corporation, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as “BOSELVILLE SIXTH SUBDIVISION”, A replat of all of Lots 2 and 3, Bosselville Fifth Subdivision, in the jurisdiction of City of Grand Island, Hall County, Nebraska; 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 BOSELVILLE SIXTH 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, November 24, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 23, 2020	☐ City Attorney