



City of Grand Island

Tuesday, November 24, 2020

Council Session

Item G-9

**#2020-299 - Approving Final Plat and Subdivision Agreement for
NCC-1701B Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 24, 2020
Subject: NCC – 1701B Subdivision – Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located west of Webb Road and north of Capital Avenue in Grand Island, Nebraska. (2 lots, 1.07 acres). This property is zoned R1 Suburban Density Residential. A tract of land being Lot 2 of NCC-1701A Subdivision and a part of the southeast quarter (SE ¼) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., all in the City of Grand Island, Hall County, Nebraska.

Discussion

The final plat for NCC – 1701B Subdivision were considered at the Regional Planning Commission at the November 4, 2020 meeting.

A motion was made by Maurer and second by Rainforth to approve NCC – 1701B 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

Clarice A. Shaw
2648 North Webb Road
Grand Island, NE 68803

To create

Size: Final Plat 2 lots 1.07 acres

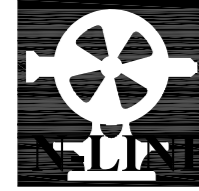
Zoning: R1 –Suburban Density Residential

Road Access: Webb Road is a rural section city street.

Water: City water is available.

Sewer: City Sewer is available.





LAND SURVEYING

P.O. BOX 173
Central City, NE 68826
Phone: 308-946-3601

South 50' of Lot 6
North 60' of Lot 5
(Not Part of Plat)

South 100' of Lot 5
(Not Part of Plat)

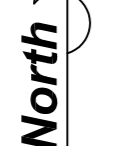
North 110' of Lot 4
(Not Part of Plat)

BLOCK 3
DICKY SECOND
SUBDIVISION

South 50' of Lot 4
North 50' of Lot 4
(Not Part of Plat)

Legend

- O = Corner Set 1/2" x 24" Rebar w/ Cap #610
● = Corner Found
▲ = Section Corner
X = Calculated Corner
(M) = Measured Distance
(R) = Recorded Distance
(P) = Platted Distance
(D) = Deeded Distance



Scale: 1" = 30'

EAST QUARTER CORNER OF SEC. 1 (T. 11 N, R 10 W)
Found Survey Spike
SE 75.45' R.R. Spike in Cut Pole
W 33.40' Nail in Corner Post
E 34.32' Nail in Lone Post

40.00' (M)
76.00' (M) & (P)

Fnd Conc. Nail

LOT 1
NCC-1701B SUBDIVISION
(Not Part of Plat)

N 89°45'26" W
224.05' (M)

Lot 1
32845.0 SQ. FT.

S 00°23'56" E
146.82' (M)

N 00°27'35" W
158.50' (M)

16'

Existing 16' Utility Easement

223.90'

S 89°40'25" E 263.88' (M)

Lot 2
13977.7 SQ. FT.

S 00°23'56" E
49.91' (M)

62.05'

N 00°27'35" W
50.84' (M)

62.84'

223.82'
N 89°52'32" W
263.82' (M) 254.0' (R)

Part of the SE1/4
Instrument No. 96-105516
(Not Part of Plat)

7.0'

Fnd 1/2" Pipe

SOUTHEAST CORNER OF THE SOUTHEAST CORNER SEC. 1 (T. 11 N, R 10 W)
Found Brass Cap
NNW 84.20' MAG Nail in Power Pole
NE 69.73' MAG Nail in Power Pole
SE 83.91' Center of Sanitary Manhole
SW 77.58' Center of Elect. Manhole

NORTH WEBB ROAD

1/2 Mile = 2640.75' (M)
N 00°23'56" W
1124.39' (M) 1125.0' (R)

DEDICATION OF PLAT

Know all Men by these presents, Clarice A Shaw, a single person, and Timothy L. Grandon a single person, being the owner of land described hereon, have caused the same to be surveyed, subdivided, platted and designated as the NCC-1701B SUBDIVISION in the City of Grand Island, Hall County, Nebraska and said sole owners hereby ratify and approve the deposition of their property as shown on the above plat, and hereby dedicate for the use and benefit of the public, the streets and utility easements (if any) as shown upon said plat, and acknowledge said subdivision to be made with the free consent and in accordance with the desires of the undersigned owners and proprietors.

in witness thereof I have affixed my signature hereto at _____, Nebraska on, _____, 20__

Clarice A Shaw

Timothy L. Grandon

ACKNOWLEDGMENT

State of Nebraska)
County of _____) SS
Acknowledgment of Notary

on this _____ Day of _____, 20__ before me, a Notary Public in and for said County and State, came Clarice A. Shaw to me personally known to be the same identical persons, acknowledged the execution of the same in testimony thereof, I have hereunto set my hand and affixed my Notary Seal the Day and Year above written.

Notary Public

My Comm. Expires:

ACKNOWLEDGMENT

State of Nebraska)
County of _____) SS
Acknowledgment of Notary

on this _____ Day of _____, 20__ before me, a Notary Public in and for said County and State, came Timothy L. Grandon to me personally known to be the same identical persons, acknowledged the execution of the same in testimony thereof, I have hereunto set my hand and affixed my Notary Seal the Day and Year above written.

Notary Public

My Comm. Expires:

NCC - 1701B SUBDIVISION DESCRIPTION:

Lot Two (2), NCC - 1701A Subdivision, in the City of Grand Island, Hall County, Nebraska,

and

A tract of land being part of the Southeast Quarter (SE1/4) of Section 1, Township 11 North, Range 10 West of the 6th P.M., Hall County, Nebraska more particularly described as follows:

Commencing at the Southeast Corner of the said Southeast Quarter (SE1/4) thence North 00°23'56" West on the easterly line of the said Southeast Quarter (SE1/4) a distance of 1124.39 feet to the Southeast Corner of a tract of land recorded and described in Instrument Number 82-004367 of the Hall County Register of Deeds Office and also being the POINT OF BEGINNING; thence North 89°52'32" West on the southerly line of said record tract a distance of 263.82 feet to the southwesterly corner of said record tract; thence North 00°27'35" West on the westerly line of said record tract a distance of 50.84 feet to the northwesterly corner of said record tract; thence South 89°40'25" East on the northerly line of said record tract a distance of 263.89 feet to the northeasterly corner of said record tract and the easterly line of said Southeast Quarter (SE1/4); thence South 00°23'56" East on said easterly section line a distance of 49.91 feet to the point of beginning

APPROVAL

Approved and Accepted by the Regional Planning Commission of Hall County, Cities of Grand Island, Wood River, and the Villages of Alda, Cairo, and Doniphan, Nebraska this _____, 20__

Chairman

Approved and Accepted by the City of Grand Island, Nebraska

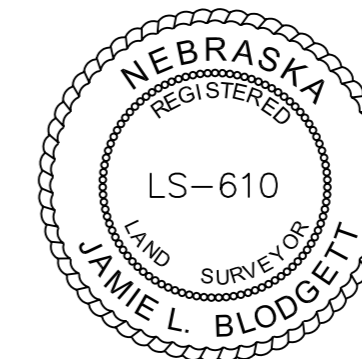
this _____, 20__

City Mayor

City Clerk

SURVEYOR'S CERTIFICATE

I hereby certify that this _____, 20__, I completed an accurate survey of NCC - 1701B 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 and placed at all property corners, the dimensions of the property are shown on the plat, and that the Subdivision Survey was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.



Jamie L. Blodgett
License Number 610
N-Line Land Surveying
P.O. Box 173
Central City, NE
1-308-946-3601

DATE OF SURVEY 10/14/2020 JOB NUMBER 20104

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

NCC-1701B SUBDIVISION

2 LOTS

In the City of Grand Island, Hall County Nebraska

The undersigned CLARICE A. SHAW and TIMOTHY L. GRANDON, 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:

Lot Two (2), NCC-1701A Subdivision, in the City of Grand Island, Hall County, Nebraska, and A tract of land being part of the Southeast Quarter (SE1/4) of Section 1, Township 11 North, Range 10 West of the 6th P.M., Hall County, Nebraska more particularly described as follows: Commencing at the Southeast Corner of the said Southeast Quarter (SE1/4) thence North 00°23'56" West on the easterly line of the said Southeast Quarter (SE1/4) a distance of 1124.39 feet to the Southeast Corner of a tract of land recorded and described in Instrument Number 82-004367 on the Hall County Register of Deeds Office and also being the POINT OF BEGINNING; thence North 89°52'32" West on the southerly line of said record tract a distance of 263.83 feet to the southwesterly corner of said record tract; thence North 00°27'35" West on the westerly line of said record tract a distance of 50.84 feet to the northwesterly corner of said record tract; thence South 89°40'25" East on the northerly line of said record tract a distance of 263.89 feet to the northeasterly corner of said record tract and the easterly line of Southeast Quarter (SE1/4);

thence South 00°23'56" East on said easterly section line a distance of 49.91 feet to the point of beginning.

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 NCC-1701B 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 NCC-1701B 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 Webb Road where it abuts the subdivision.
2. **Water.** Public water supply is available to the subdivision, and all new structures requiring service shall be connected to such water supply.
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.** Immediate sidewalk construction adjacent to Webb 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. **Accessory Structures on Lot 1.** The Subdivider agrees to build a house or other permitted principal use on lot 1 within 1 year of approval of this subdivision or remove the accessory buildings and return the lot to a vacant state.

8. **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.

9. **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 NCC-1701B 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.

10. **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

CLARICE A. SHAW, Subdivider

TIMOTHY L. GRANDON, Subdivider

By: _____
Clarice A. Shaw

By: _____
Timothy L. Grandon

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 Clarice A. Shaw, landowner, 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 Timothy L. Grandon, landowner, 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 2020-299

WHEREAS know all men by these presents, that Clarice A Shaw, a single person, and Timothy L. Grandon, a single person, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "NCC-1701B SUBDIVISION", A tract of land being Lot 2 of NCC-1701A Subdivision and a part of the Southeast Quarter (SE ¼) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., all in the 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 NCC-1701B 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, November 24, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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