



City of Grand Island

Tuesday, April 27, 2021

Council Session

Item G-7

#2021-93 - Approving Final Plat and Subdivision Agreement for J. Mader Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: April 27, 2021
Subject: J. Mader Subdivision – Final Plat
Presenter(s): Chad Naby, AICP, Regional Planning Director

Background

This property is located south of Airport Road and east of North Road in Grand Island, Nebraska (1 lot, 4.314 acres). This property is zoned AG 2 Secondary Agriculture and Council will consider a request to rezone the property to LLR-Large Lot Residential.

Discussion

The final plat for Farrell Second Subdivision were considered at the Regional Planning Commission at the April 7, 2021 meeting.

A motion was made by Ruge and second by Robb to approve final plat for J. Mader Subdivision subject to approval of the rezoning application.

A roll call vote was taken and the motion passed

The motion was carried with eleven members voting in favor (O'Neill, Ruge, Allan, Nelson, Doane, Olson, Monter, Hendricksen, Randone, Robb and Rubio) and no members present voting no or abstaining.

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
Todd A. Mader
3930 N. Webb Road
Grand Island, NE 68803

To create

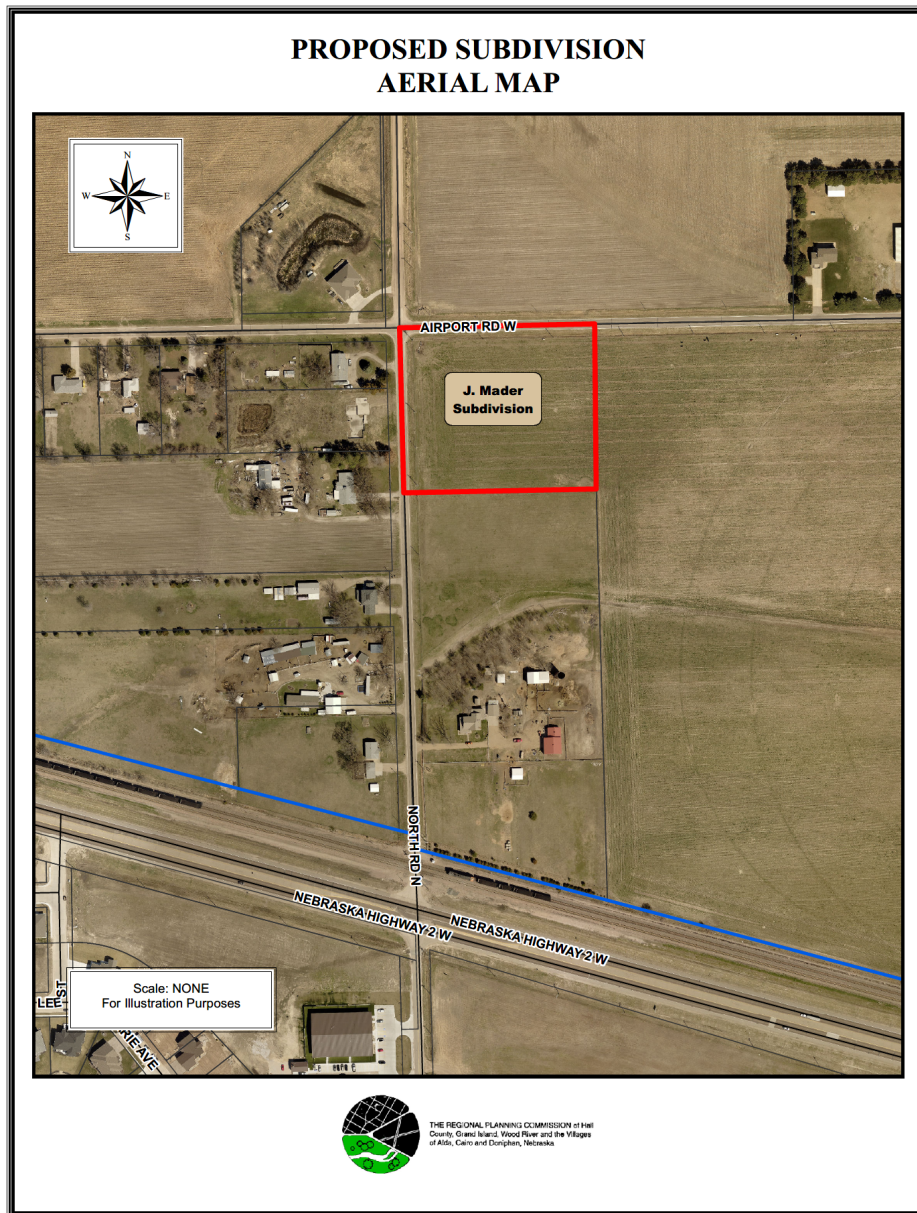
Size: Final Plat 1 lot, 4.314 Acres

Zoning: Proposed LLR Large Lot Residential

Road Access: City street access is available from both Airport Road and North Road they are 24' asphalt rural section roads.

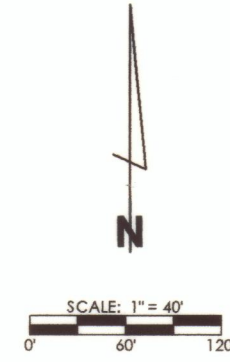
Water: City Water is not available to the subdivision.

Sewer: City Sewer is not available to the subdivision.



J. MADER SUBDIVISION

Pt. NW¹/₄, SECTION 1 - T11N - R10W
HALL COUNTY, NEBRASKA



LEGEND
M = MEASURED DISTANCE
R = RECORDED DISTANCE (LS #178 SURVEY - 09/21/1995)
X = PLACED MAG NAIL IN ASPHALT
O = 1/2" REBAR w/ LS #776 PLASTIC CAP PLACED
● = 1/2" IRON PIPE w/ LS #557 CAP FOUND UNLESS NOTED

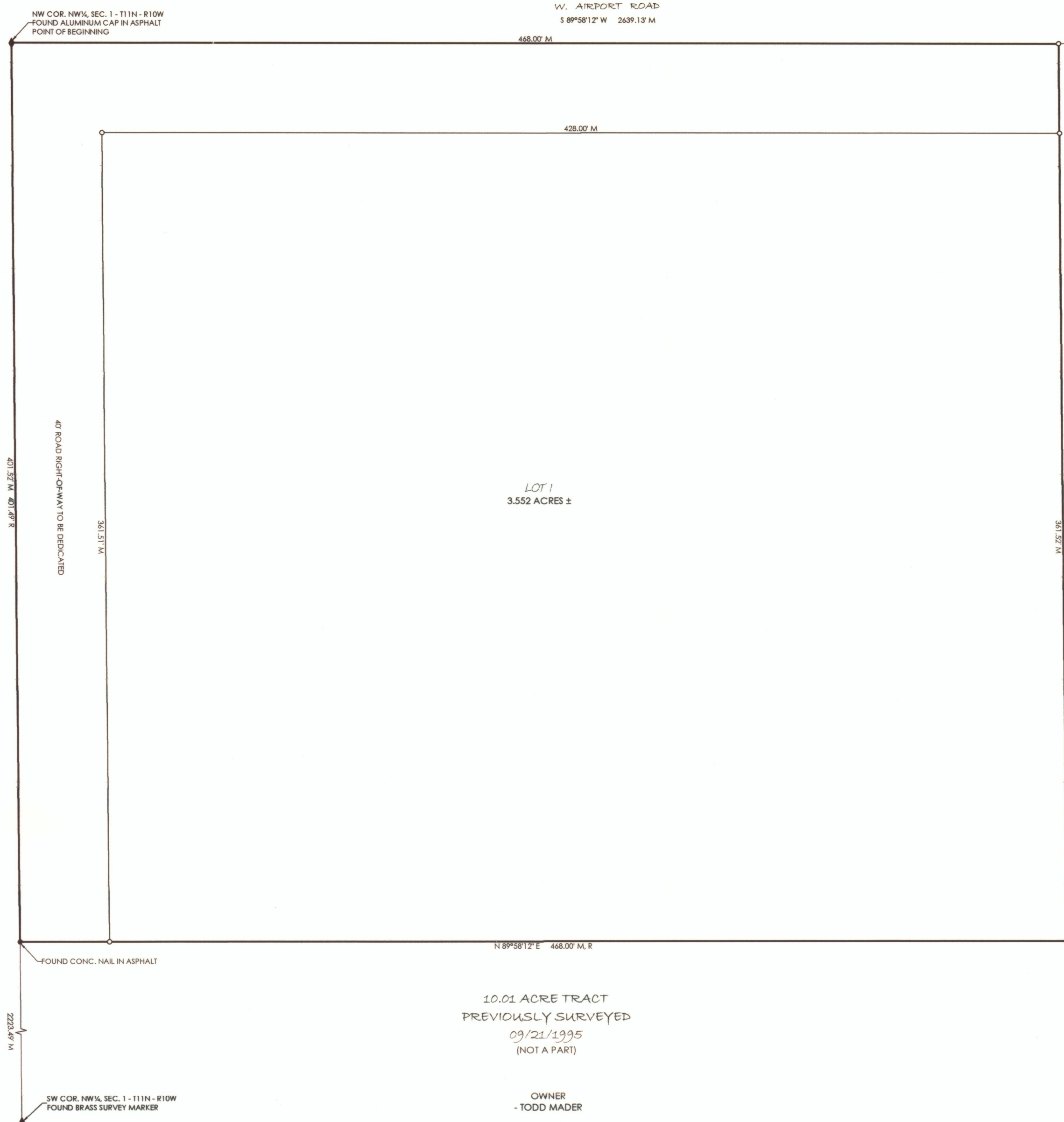
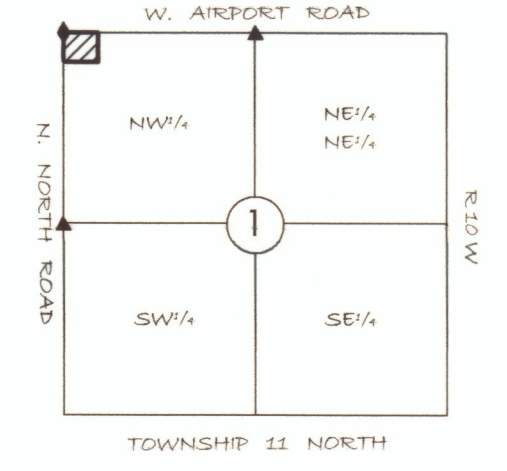
CORNER TIES

SW COR. NW¹/₄, SEC. 1 - T11N - R10W
FOUND BRASS SURVEY MARKER
47.87' NE to NAIL IN POWER POLE
28.00' ENE to CENTER OF STORM INLET MANHOLE LID
87.89' SE to NAIL POWER POLE
32.94' W to 1/2" IRON PIPE

NW COR. NW¹/₄, SEC. 1 - T11N - R10W
FOUND ALUMINUM CAP IN ASPHALT
46.07' NNE to MAG NAIL POWER POLE
56.79' SE to 1/2" REBAR w/ LS #776 PLASTIC CAP
45.52' SW to NAIL IN POWER POLE
38.46' NW to SOUTHEASTERN MOST 1" HOLE OF METAL PLATE GRATE COVER

NE COR. NW¹/₄, SEC. 1 - T11N - R10W
FOUND ALUMINUM CAP IN ASPHALT
83.87' ESE to NAIL IN POWER POLE
61.43' SE to NW COR. CONC. WELL PAD
32.92' S to 1/2" IRON PIPE
84.97' WSW to NAIL IN POWER POLE

SITUATION SKETCH - NOT TO SCALE



LEGAL DESCRIPTION

A tract of land comprising a part of the Northwest Quarter (NW¹/₄), Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska. More particularly described as follows:
Beginning at the northwest corner of said NW¹/₄; thence S 00°28'28" E on and upon the west line of said NW¹/₄ a distance of 401.52 feet to a point; thence N 89°58'12" E and parallel with the north line of said NW¹/₄ a distance of 468.00 feet to a point; thence N 00°28'28" W and parallel with the west line of said NW¹/₄ a distance of 401.52 feet to a point on the north line of said NW¹/₄; thence S 89°58'12" W on and upon the north line of said NW¹/₄ a distance of 468.00 feet the Point of Beginning. Said tract contains 4.314 acres more or less, of which 0.762 acres is road right-of-way to be dedicated.

SURVEYOR'S CERTIFICATE

I, Evan A. Jasnowski, Nebraska Registered Land Surveyor #776, duly registered under the Land Surveyor's Regulation Act, do hereby state that at the request of Jeff Reed, I have caused to be made a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct, and in accordance with the Minimum Standards for Surveys in effect at the time of this survey.

Evan A. Jasnowski Date: 03/10/2021
Evan A. Jasnowski



DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Todd A. Mader, owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "J. Mader Subdivision"; in a part of the Northwest Quarter (NW¹/₄), Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., 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 the easements, 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 obstruction upon, over, along or underneath the surface of such easements; and that foregoing subdivision as more particularly described in the description as appears on this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietors.

IN WITNESS WHEREOF, I have affixed my signature hereto at _____, Nebraska, this _____ day of _____, 2021.

Todd A. Mader

ACKNOWLEDGEMENT

State of Nebraska ss
County of Hall
On this, the _____ day of _____, 2021, before me _____, a Notary Public within and for said County, personally appeared Todd A. Mader, owner of the land, to me personally known to be the identical person whose signature is affixed hereto, and that they did acknowledge the execution thereof to be their voluntary act and deed, and that they are empowered to make the above dedication for and in behalf of said "J. Mader Subdivision".

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

APPROVALS

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.

[Signature] Chairperson Date: April 7, 2021

Approved and accepted by the Hall County Board of Supervisors this _____ day of _____, 2021.

Chairperson County Clerk

Approved and accepted by the City of Grand Island this _____ day of _____, 2021.

Mayor City Clerk

10.01 ACRE TRACT
PREVIOUSLY SURVEYED
09/21/1995
(NOT A PART)

OWNER - TODD MADER
SUBDIVIDER - JEFF REED
SURVEYOR - JASNOWSKI SURVEYING LLC
NUMBER OF LOTS - 1

PROJECT NUMBER 21-LS-24 - DATE 03/10/2021
DRAWN BY E.A.J. - CHECKED BY E.P.J.
1205 1st STREET, AURORA, NE 68818
PHONE 402-694-8103 - EMAIL ejasnowski@gmail.com



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

J. MADER SUBDIVISION

LOT 1

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

The undersigned Todd A. Mader hereinafter called the Subdivider, as owner of a tract of land in the jurisdiction of the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

A tract of land comprising a part of the Northwest Quarter (NW1/4), Section One (1). Township Eleven (11) North. Range Ten (10) West of the 6th P.M Hall County, Nebraska;

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 J. MADER 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 J. MADER 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 North Road and Airport Road where they abut 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 North Road and Airport 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 J. MADER 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 _____, 2021.

Todd A. Mader, Subdivider

By: _____
Todd A. Mader

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Todd A. Mader, 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.

RESOLUTION 2021-93

WHEREAS know all men by these presents, that Todd A. Mader being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "J. MADER SUBDIVISION", A part of the northwest quarter of the northwest quarter (NW 1/4, NW 1/4) of Section 1, Township 11 North, Range 10 West of the 6th P.M. in 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 J. MADER 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, April 27, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 23, 2021	☐ City Attorney