



# City of Grand Island

Tuesday, May 25, 2021

Council Session

## Item G-10

**#2021-121 - Approving Final Plat and Subdivision Agreement for Norman Acres Subdivision**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Chad Nabity, AICP, Regional Planning Director  
**Meeting:** May 25, 2021  
**Subject:** Norman Acres Subdivision – Final Plat  
**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## Background

This property is located south of F Road and east of Gunbarrel Road in the jurisdiction of the City of Grand Island, in Merrick County, Nebraska. (1 lot, 3.02 acres) This property is zoned AG-1 Primary Agriculture. The subdivision splits an existing farmstead from a tract of 20 acres or more.

## Discussion

The final plat for Norman Acres Subdivision was considered at the Interjurisdictional Planning Commission at the May 5, 2021 meeting.

A motion was made by Randone and second by Rubio to approve final plat for Norman Acres Subdivision.

A roll call vote was taken and the motion passed.

The motion was carried with six members voting in favor (Hendricksen, Randone, Rubio, Gamblin, Wiegert and Riblett) 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**

William & Jessica Norman  
5615 North Gunbarrel Road  
Grand Island, NE 68801

To create

**Size: Final Plat** 1 lot, 3.02 Acres

**Zoning:** AG-1 Primary Agriculture

**Road Access:** Existing county highway

**Water:** City Water is not available to the subdivisions.

**Sewer:** City Sewer is not available to the subdivision.





# NORMAN ACRES

A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 19,  
TOWNSHIP 12 NORTH, RANGE 8 WEST MERRICK COUNTY, NEBRASKA

## DEDICATION OF PLAT

Know to all Men by these presents, Clarence Danielski, General Partner of Danielski Harvesting & Farming, LLC, and Betty Danielski, General Partner of Danielski Harvesting & Farming, LLC, being the owners of the land described hereon, has caused the same to be Surveyed, Platted, and designated as the **NORMAN ACRES**, Merrick County, Nebraska as shown on the accompanying Plat thereof and that the foregoing Administrative Plat is more particularly described in the description hereon, and is made with the free consent and in according with the desires of the undersigned owners.

I have affixed my signature hereto at \_\_\_\_\_, State of Nebraska on \_\_\_\_\_, 20\_\_\_\_.

Clarence Danielski, General Partner of Danielski Harvesting & Farming, LLC.

Betty Danielski, General Partner of Danielski Harvesting & Farming, LLC.

## 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 Clarence Danielski and Betty Danielski, 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: \_\_\_\_\_

## GRAND ISLAND 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\_\_\_\_

\_\_\_\_\_  
Mayor

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

## ACCEPTANCE OF THE INTERJURISDICTIONAL PLANNING COMMISSION

The Dedications shown on this plat are accepted by the Interjurisdictional Planning Commissioners of the City of Grand Island and Merrick County, Nebraska on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chairman

## MERRICK COUNTY BOARD ACCEPTANCE

The **NORMAN ACRES**, Merrick County, Nebraska was approved and accepted by the Merrick County Board of Supervisors on this \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chair

## MERRICK COUNTY TREASURERS CERTIFICATE

I hereby certify that on this \_\_\_\_\_, 20\_\_\_\_ The record on my office show no taxes due or delinquent upon the property described in the legal description of this plat.

\_\_\_\_\_  
Merrick County Treasurer

## REGISTER OF DEEDS CERTIFICATE

State of Nebraska )  
County of Merrick ) SS

This is to certify that this instrument was filed for record in the Register of Deeds office

this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ O'clock

and is duly recorded in Plat Book \_\_\_\_\_, page \_\_\_\_\_, Instrument \_\_\_\_\_.

\_\_\_\_\_  
Merrick County Clerk

\_\_\_\_\_  
Merrick Deputy County Clerk

## SURVEYOR'S CERTIFICATE

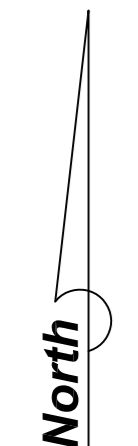
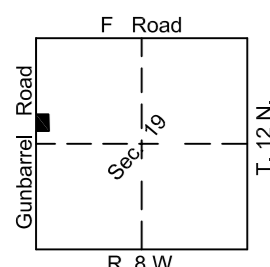
I hereby certify that this \_\_\_\_\_, 20\_\_\_\_, I completed an accurate survey of the Subdivision shown hereon, in the County of Merrick, Nebraska, as shown on the accompanying plat thereof; that iron markers, except where indicated were found and placed at all property corners, the dimensions of 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

Northwest Corner of  
Sec. 19, (T. 12 N, R. 8 W.)  
Found 1-1/4" Pipe  
SW 59.81' Nail in Power Pole  
NW 53.12' Nail in Power Pole  
SE 47.08' Nail in Power Pole

### Location Map



Scale: 1" = 50'

### Legend

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

**GUNBARREL ROAD**

N 00°21'27" E  
413.79' (M)

231.00'

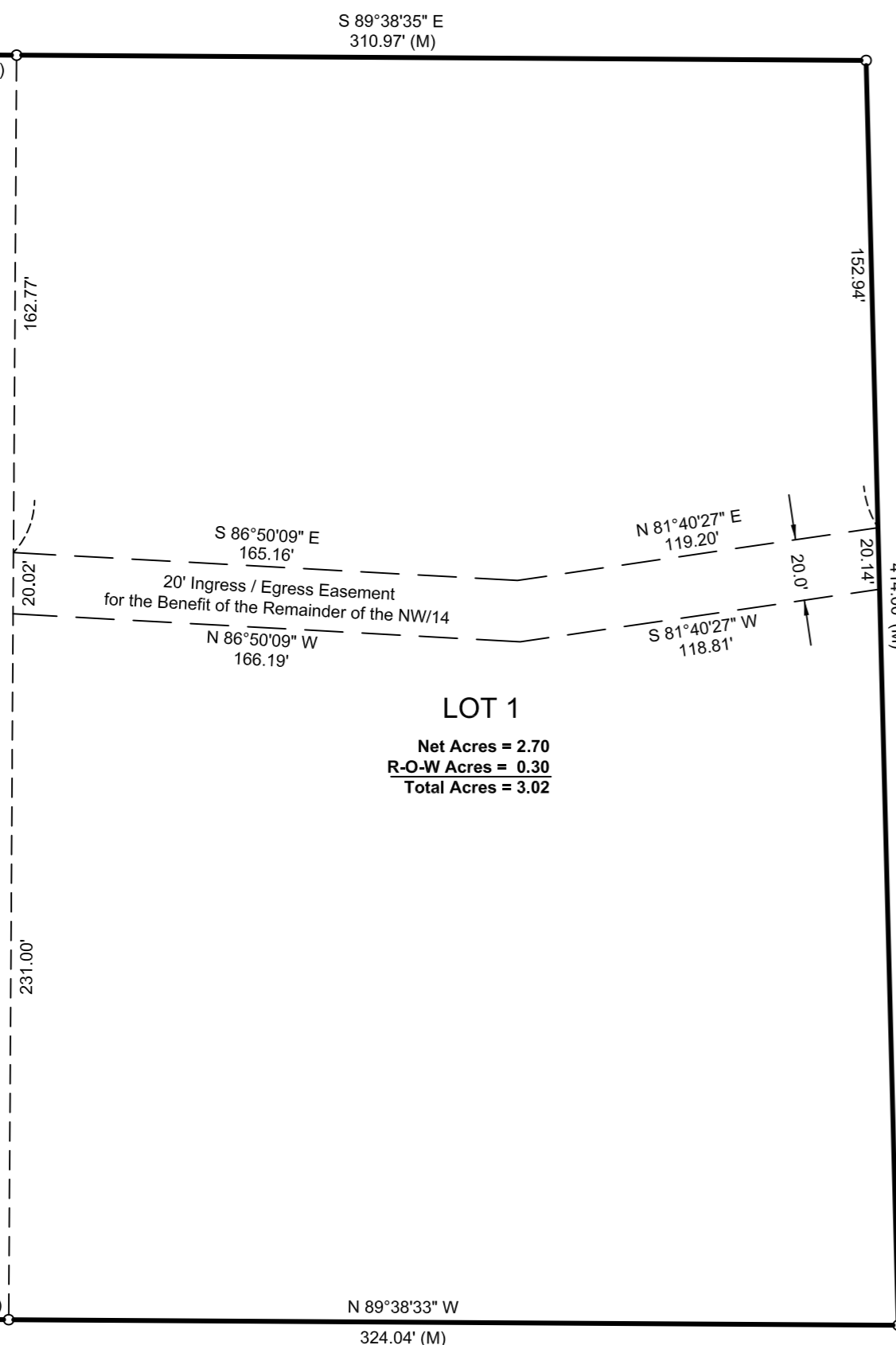
322.59' (M)

N 00°21'27" E  
322.59' (M)

33.00' (M)

413.79' (M)

33.00' (M)



S 89°38'35" E  
310.97' (M)

33.00' (M)

162.77'

20.00'

20.00'

231.00'

33.00' (M)

33.00' (M)

S 86°50'09" E  
165.16'  
20' Ingress / Egress Easement  
for the Benefit of the Remainder of the NW1/4  
N 86°50'09" W  
166.19'

N 81°40'27" E  
119.20'  
20.00'  
S 81°40'27" W  
118.81'

152.94'

S 01°27'08" E  
414.00' (M)

**LOT 1**  
Net Acres = 2.70  
R-O-W Acres = 0.30  
Total Acres = 3.02

N 89°38'33" W  
324.04' (M)

## NORMAN ACRES DESCRIPTION:

A Plat located in part of the Northwest Quarter (NW1/4) of Section 19, Township 12 North, Range 8 West of the 6th P.M., Merrick County, Nebraska more particularly described as follows:

Commencing at the Southwest Corner of said Northwest Quarter (NW1/4); thence on an assigned bearing of North 00°21'27" East on the westerly section line of the said Northwest Quarter (NW1/4) a distance of 322.59 feet to the Point of Beginning; thence continuing North 00°21'27" East on said westerly section line a distance of 413.79 feet; thence South 89°38'35" East a distance of 310.97 feet; thence South 01°27'08" East a distance of 414.00 feet; thence North 89°38'33" West a distance of 324.04 feet to the point of beginning containing a calculated area of 3.02 Acres, more or less.

Southwest Corner of the  
Northwest Quarter (NW1/4)  
(West 1/4 Corner)  
Sec. 19, (T. 12 N, R. 8 W.)  
Found 1" Pipe  
NE 40.16' Nail in Power Pole  
E 33.75' Nail in Power Pole  
WNW 34.13' Nail in Fence Post

\* This Space Reserved for Register of Deeds \*

SUBDIVISION AGREEMENT

**NORMAN ACRES SUBDIVISION**  
LOT 1 INCLUSIVE

In Merrick County, Nebraska

The undersigned, JESSICA NORMAN and WILLIAM NORMAN, hereinafter called the Subdivider, as owner of a tract of land in Merrick County, Nebraska, more particularly described as follows:

A tract of land in part of the Northwest Quarter (NW1/4) of Section 19, Township 12 North, Range 8 West of the 6<sup>th</sup> P.M., Merrick County, Nebraska;

desires to have subdivided as a subdivision the foregoing tract of land located within the extraterritorial 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 NORMAN ACRES 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 NORMAN ACRES 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 Gunbarrel 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 Gunbarrel 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 NORMAN ACRES 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.

JESSICA NORMAN and WILLIAM  
NORMAN, Subdivider

By: \_\_\_\_\_  
Jessica Norman

By: \_\_\_\_\_  
William Norman

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 Jessica Norman, 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 \_\_\_\_\_, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared William Norman, 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 \_\_\_\_\_, 2021, 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 2021-\_\_\_\_, 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 2021-121

WHEREAS know all men by these presents, that Clerence Danielski, General Partner of Danielski Harvest & Farming, LLC, and Betty Danielski, General Partner, Partner of Danielski Harveting & Farming, LLC, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "NORMAN ACRES SUBDIVISION", in part of the Northwest Quarter (NW ¼) of Section Nineteen (19), Township Twelve (12) North, Range Eight (8) West of the 6<sup>TH</sup> P.M., in Merrick County, Nebraska.

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 and Merrick 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 NORMAN ACRES 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, May 25, 2021.

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

Attest:

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

Approved as to Form	☐ _____
February 3, 2021	☐ City Attorney