



City of Grand Island

Tuesday, May 25, 2021

Council Session

Item G-12

#2021-123 - Approving Final Plat and Subdivision Agreement for Bosselman Business Park Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP, Regional Planning Director
Meeting: May 25, 2021
Subject: Bosselman Business Park Subdivision – Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located south of State Fair Boulevard and east of Locust Street in Grand Island, Nebraska. (3 lots, 10.60 acres) This property is zoned B2-AC General Business with an Arterial Commercial Overlay.

Discussion

The final plat for Bosselman Business Park Subdivision was considered at the Regional Planning Commission at the May 5, 2021 meeting.

A motion was made by Ruge and second by Robb to approve final plat for Bosselman Business Park Subdivision.

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
Bosselman Real Estate, LLC
1607 S. Locust St.
Grand Island, NE 68803

To create

Size: Final Plat 3 lots, 10.60 Acres

Zoning: B2-AC General Business with an Arterial Commercial Overlay.

Road Access: Existing City Street (South Locust)

Water: City Water is available to the subdivision and will be extended to serve all lots.

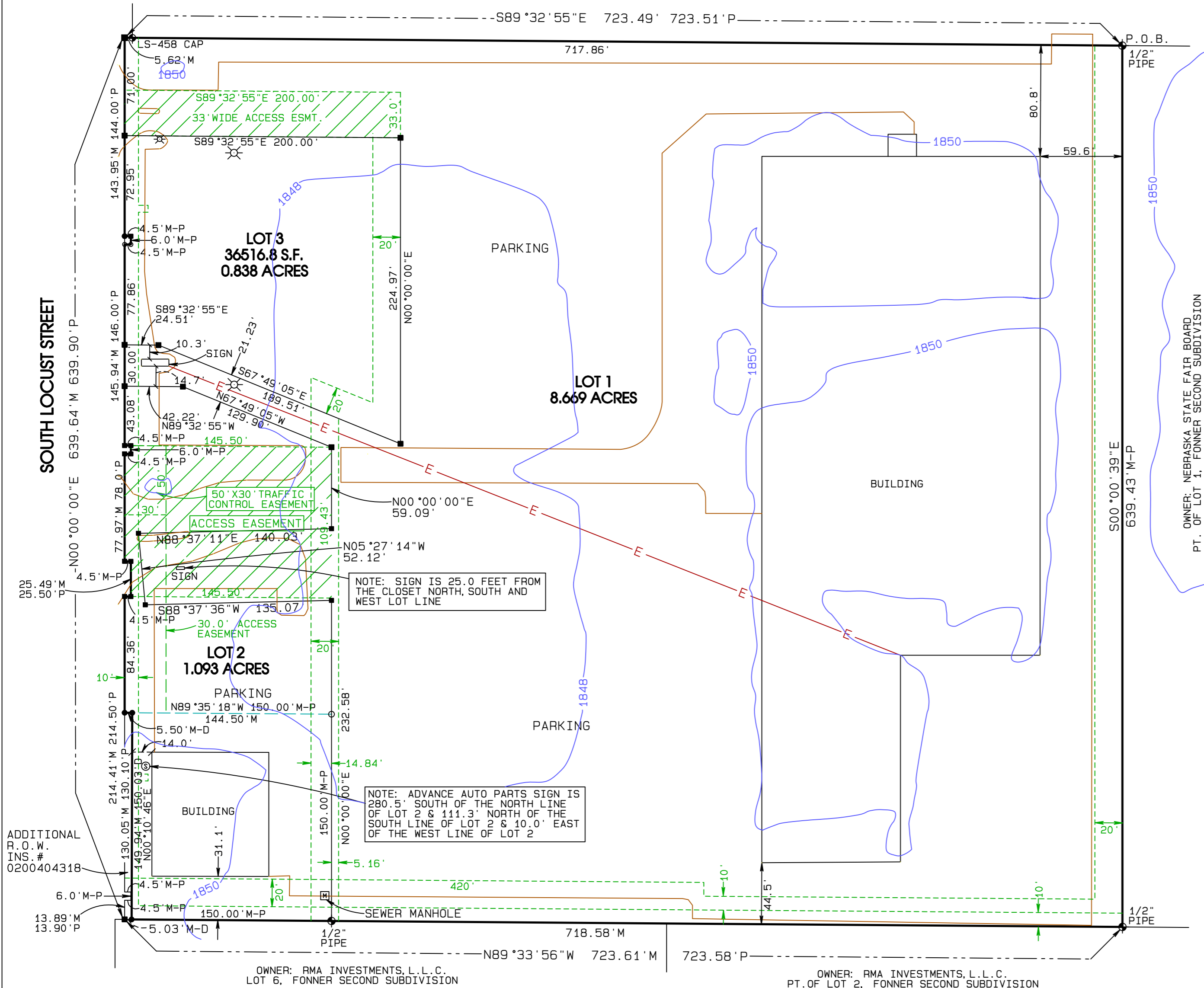
Sewer: City Sewer is available to the subdivision and will be extended to serve all lots.



BOSSELMAN BUSINESS PARK SUBDIVISION

A SUBDIVISION LOCATED IN LOTS 1 AND 2 OF FONNER FOURTH SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

OWNER: HALL COUNTY LIVESTOCK IMPROVEMENT ASSN.
MISC. TRACTS SEC.22-T11N-R9W TO THE CITY OF GRAND ISLAND, NE



DEDICATION:

KNOWN ALL MEN BY THESE PRESENTS, THAT BOSSELMAN REAL ESTATE, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS BOSSELMAN BUSINESS PARK SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, AND DO HEREBY DEDICATE ANY STREETS OR EASEMENTS AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER, AND ANY OTHER EASEMENTS IF ANY FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE OF PUBLIC SERVICE UTILITIES FOREVER, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS THERETO, AND HEREBY PROHIBIT THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING ANY OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS, AND 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, WE HAVE AFFIXED OUR SIGNATURES

AT GRAND ISLAND, NEBRASKA, THIS ____ DAY OF _____, 20__

PRINTED NAME _____ SIGNATURE _____
MANAGING MEMBER
BOSSELMAN REAL ESTATE, L.L.C.

ACKNOWLEDGEMENT:

STATE OF NEBRASKA }
COUNTY OF HALL } SS
ON THE ____ DAY OF _____, 20__, BEFORE ME, _____, A NOTARY

PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED _____

TO BE THE IDENTICAL PERSON(S) WHOSE SIGNATURES ARE AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

IN WITNESS WHEREOF, I HAVE HERETO SUBSCRIBED MY NAME AND

AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA,

ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____, 20__.

NOTARY PUBLIC _____ (SEAL)

APPROVALS:

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CARIO AND DONIPHAN NEBRASKA.

APPROVED THIS ____ DAY OF _____, 20__.

CHAIRMAN _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA.

THIS ____ DAY OF _____, 20__.

MAYOR _____ CITY CLERK _____

LEGAL DESCRIPTION:

A SUBDIVISION OF LAND BEING ALL THAT PART OF LOT 1 AND PART OF LOT 2 FONNER FOURTH SUBDIVISION LOCATED IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 11 NORTH RANGE 10 WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1 THENCE S00°00'39"E (ASSUMED BEARING) ON THE EAST LINE OF SAID LOT 1 A DISTANCE OF 639.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, THENCE N89°33'56"W ON THE SOUTH LINE OF SAID LOT 1 AND SAID LOT 2 A DISTANCE OF 718.58 FEET TO THE EAST RIGHT OF WAY LINE OF LOCUST STREET, THENCE N00°10'46"E ON SAID EAST RIGHT OF WAY LINE A DISTANCE OF 149.94 FEET TO THE NORTH LINE OF SAID LOT 2, THENCE N89°35'18"W ON SAID NORTH LINE AND SAID EAST RIGHT OF WAY LINE A DISTANCE OF 5.50 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, THENCE ON THE WEST LINE OF SAID LOT 1 AND SAID EAST RIGHT OF WAY LINE THE FOLLOWING, N00°00'00"E A DISTANCE OF 84.36 FEET, THENCE S89°32'55"E A DISTANCE OF 4.50 FEET, THENCE N00°00'00"E A DISTANCE OF 25.49 FEET, THENCE N89°32'55"W A DISTANCE OF 4.50 FEET, THENCE N00°00'00"E A DISTANCE OF 6.00 FEET, THENCE N89°32'55"W A DISTANCE OF 4.50 FEET, THENCE N00°00'00"E A DISTANCE OF 145.94 FEET, THENCE S89°32'55"E A DISTANCE OF 4.50 FEET, THENCE N00°00'00"E A DISTANCE OF 6.00 FEET, THENCE N89°32'55"W A DISTANCE OF 4.50 FEET, THENCE N00°00'00"E A DISTANCE OF 143.95 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, THENCE S89°32'55"E ON SAID NORTH LINE OF LOT 1 A DISTANCE OF 723.49 FEET TO THE POINT OF BEGINNING, CONTAINING 10.60 ACRES MORE OR LESS.

HALL COUNTY REGISTER OF DEEDS

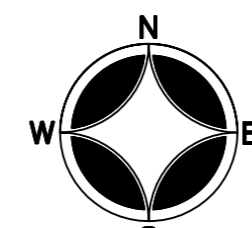
SURVEYOR'S CERTIFICATE:

I CERTIFY THAT ON _____, 2021, I COMPLETED AN ACCURATE SURVEY (MADE BY ME OR UNDER MY SUPERVISION) OF "BOSSELMAN BUSINESS PARK SUBDIVISION", LOCATED IN THE CITY OF GRAND ISLAND, 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 A 1/2"x24" REBAR WITH AN AFFIXED BLUE CAP, STAMPED GRUMMERT, LS-783, UNLESS NOTED OTHERWISE WERE PLACED AT ALL CORNERS AS SHOWN ON THE PLAT; THAT EACH LOT BEARS ITS OWN NUMBER; AND THAT SAID SURVEY WAS MADE IN REFERENCE TO KNOWN AND RECORDED MONUMENTS.

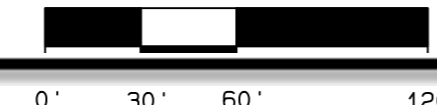
JOSHUA E. GRUMMERT, LS-783

GRUMMERT PROFESSIONAL SERVICES, LLC
2837 W. HWY 6, STE # 206, HASTINGS NE, 68901
PHONE-402-879-5701 EMAIL- jmgrumert@yahoo.com
WEBSITE- www.grummertsurveying.com

SEAL



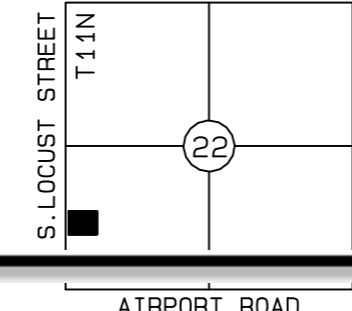
ALL BEARINGS ARE ASSUMED
SCALE: 1"=60'



LEGEND :

- D-DEED DISTANCE
- M-MEASURED DISTANCE
- R-RECORD DISTANCE
- G-GOVERNMENT DISTANCE
- P-PLATTED DISTANCE
- UTILITY EASEMENT UNLESS NOTED:-----
- ◆ FOUND CORNER
- CALCULATED POINT
- SET CHISELED X IN CONCRETE

VICINITY SKETCH NOT TO SCALE



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

BOSELMAN BUSINESS PARK SUBDIVISION
LOTS 1-3 INCLUSIVE

In the City of Grand Island, Hall County Nebraska

The undersigned, BOSELMAN REAL ESTATE, L.L.C., 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 SUBDIVISION OF LAND BEING ALL THAT PART OF LOT 1 AND PART OF LOT 2 FONNER FOURTH SUBDIVISION LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 11 NORTH RANGE 10 WEST OF THE 6 P.M. IN THE CITY OF GRAND ISLAND, 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 BOSSELMAN BUSINESS PARK 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 BOSSELMAN BUSINESS PARK 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 Locust Street where it abuts 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.

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.** The Subdivider shall maintain all public sidewalks required by the City of Grand Island.

6. **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.

7. **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.

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 BOSSELMAN BUSINESS PARK 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 _____, 2021.

BOSSELMAN REAL ESTATE, L.L.C.,
Subdivider

By: _____

COUNTY OF HALL) ss
)

On _____, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared, _____ 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 Real Estate, L.L.C.

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 2021-123

WHEREAS know all men by these presents, that Bosselman Real Estate, L.L.C., A Nebraska Limited Liability Company, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "BOSELMAN BUSINESS PARK SUBDIVISION", All that part of Lot 1 and part of Lot 2 Fonner Fourth Subdivision located in the Southwest Quarter (SW ¼) of Section Twenty Two (22), Township Eleven (11) North, Range Ten (10) West of the 6TH P.M., in the City of Grand Island, Hall 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, 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 BOSELMAN BUSINESS PARK 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, May 25, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 21, 2021	☐ City Attorney