



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-10

#2021-136 - Approving Final Plat and Subdivision Agreement for Bolanos Second Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP, Regional Planning Director

Meeting: June 8, 2021

Subject: Bolanos Second Subdivision – Final Plat

Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located south of 4th Street and west of St. Paul Road in Grand Island, Nebraska. (5 lots, 2.799 acres). This property is zoned M-2 Heavy Manufacturing.

Discussion

The final plat for Bolanos Second Subdivision was considered at the Regional Planning Commission at the March 3, 2021 meeting.

A motion was made by Rainforth and second by Ruge to approve final plat for Bolanos Second Subdivision.

The motion was carried with eight members voting in favor (O'Neill, Ruge, Randone, Robb, Olson, Monter, Rubio 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
Edwin Bolanos
711 East 4th Street
Grand Island, NE 68801

To create

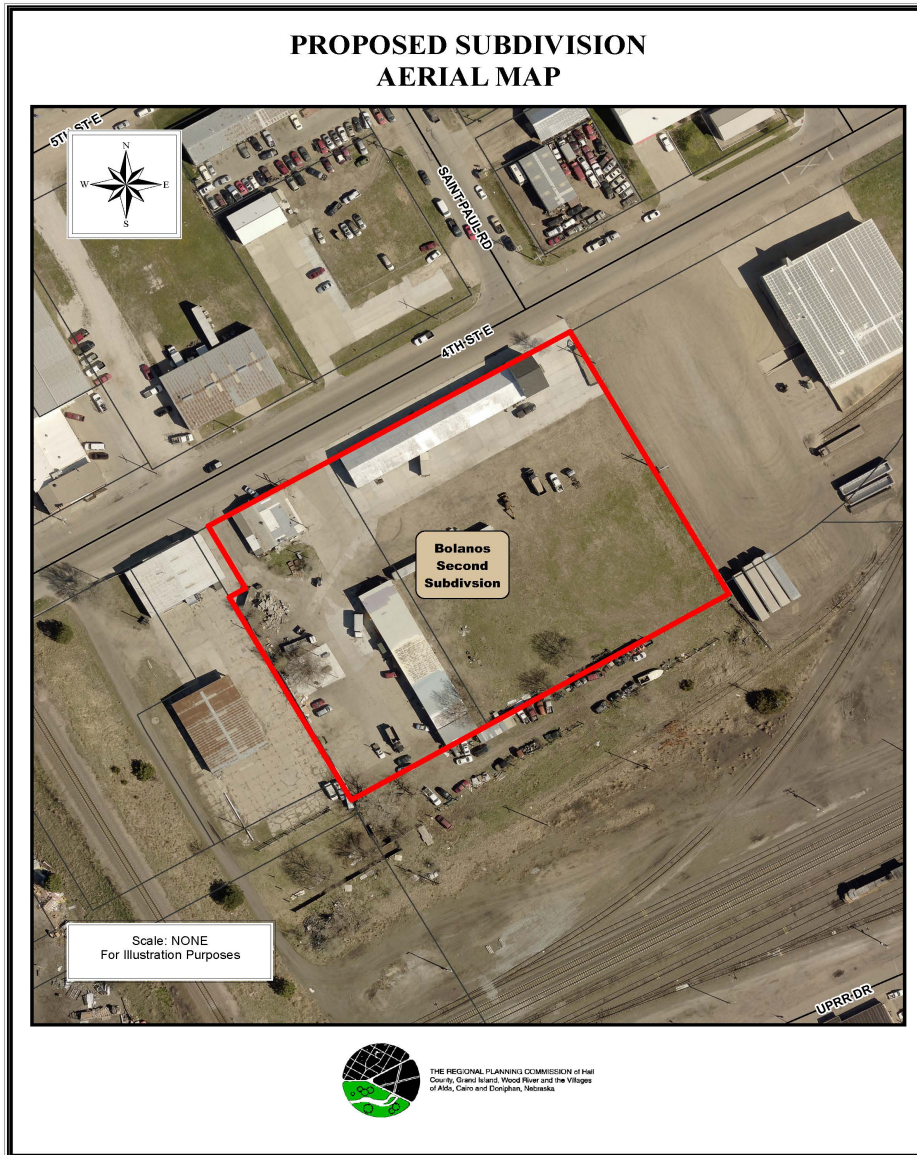
Size: Final Plat 5 lots, 2.799 Acres

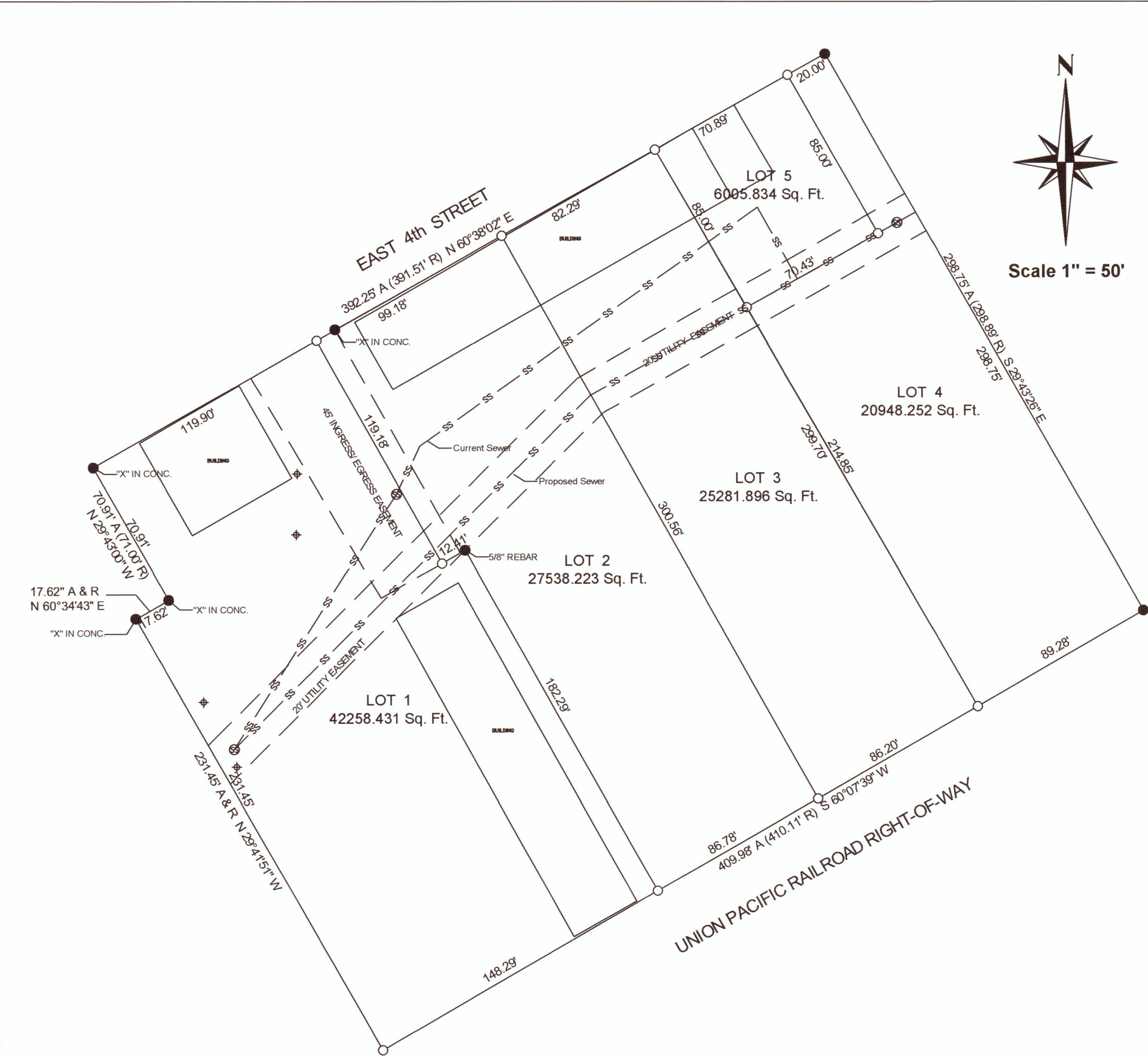
Zoning: M-2 Heavy Manufacturing

Road Access: 4th Street concrete curb and gutter city street.

Water: Water is available to the subdivision on the north side of 4th Street

Sewer: Sewer is available to the subdivision and will be extended to all lot.





BOLANOS SECOND SUBDIVISION

GRAND ISLAND, NEBRASKA

UTILITES

LEGAL DESCRIPTION

A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, in the City of Grand Island, Hall County, Nebraska containing 2.799 Acres More or Less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Edwin Danilo Bolanos, a single person, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as BOLANOS SECOND SUBDIVISION' in City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, 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 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 owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

Edwin Danilo Bolanos
Date_____

ACKNOWLEDEGERMENT

State of Nebraska

County of Hall

On the ____day of _____, 2020, before me _____ a Notary Public within and for said County, personally appeared Edwin Danilo Bolanos, and to me personally known to be the identical persons whose signature is affixed hereto, and that he did acknowledge 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 _____, on the date last above written.

My commission expires _____, 20__

Notary Public

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and The Villages of Alda, Cairo, and Doniphan, Nebraska

Chairman

Date

Approved and accepted by the City of Grand Island, Hall County, Nebraska this _____
Day of _____, 2020

Mayor

City Clerk

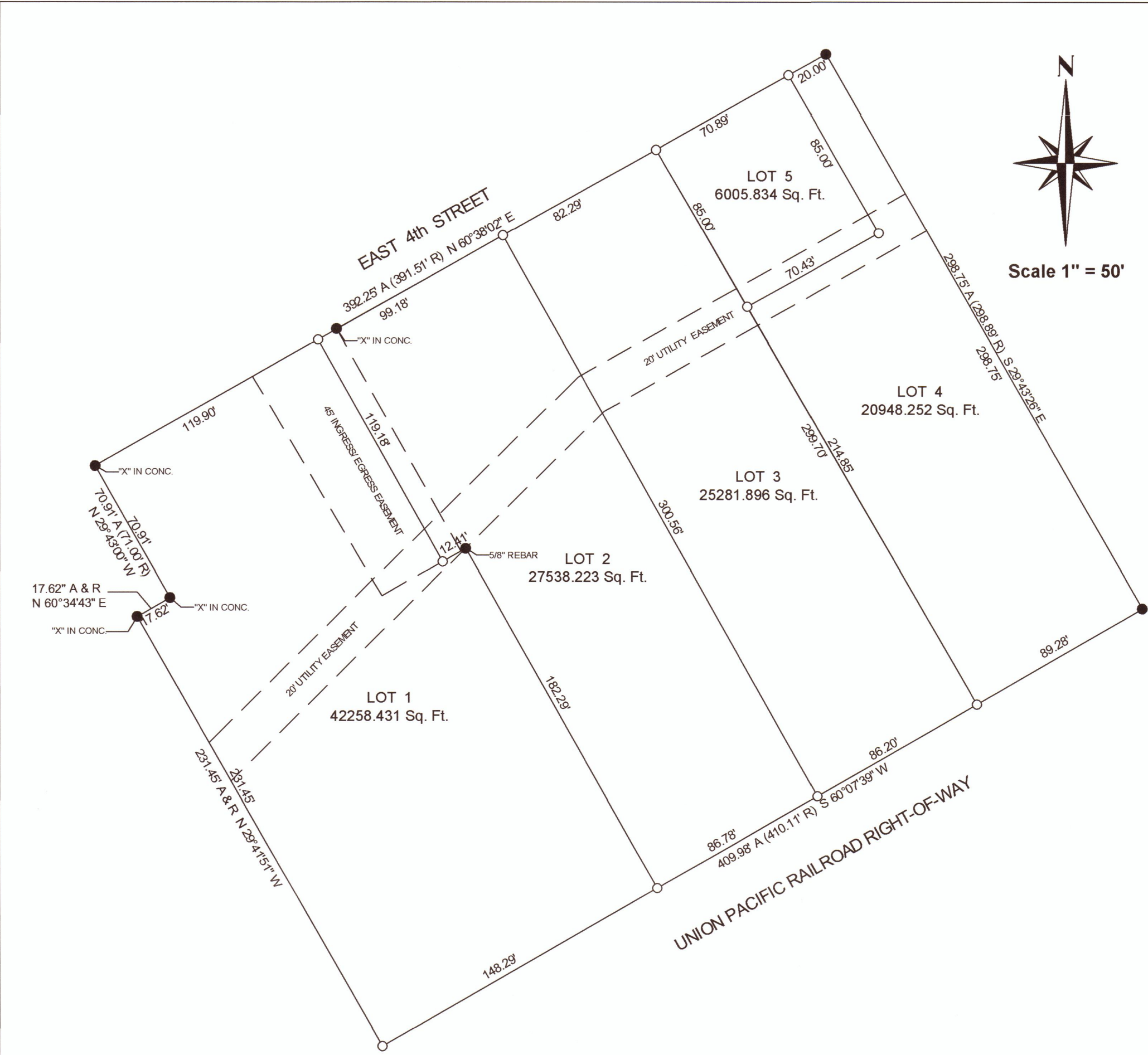
SURVEYORS CERTIFICATE

I hereby certify that on September 13, 2020, I completed an accurate survey of 'BOLANOS SECOND SUBDIVISION', in 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 iron markers were placed at all lot corners; that the dimensions of each lot are as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

Brent D Cyboron
Nebraska Professional Registered Land Surveyor No. 727

BOLANOS SECOND
SUBDIVISION

LOCATION: GRAND ISLAND, NEBRASKA			
TITLE: 711 E. 4th Street			
SCALE: AS SHOWN 1" = 50'	DATE: 9/14/2020	DRAWN: BRENT C	PAGE: 1 OF 1
BENESCH PROJECT NO:	DRAWING NO: 20-104	REVISION:	1/27/2021



BOLANOS SECOND SUBDIVISION

GRAND ISLAND, NEBRASKA

LEGAL DESCRIPTION

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DEDICATION

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Edwin Danilo Bolanos

Date _____

ACKNOWLEDEGETMENT

State of Nebraska

County of Hall

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IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at _____, on the date last above written.

My commission expires _____, 20__

Notary Public

APPROVALS

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Chairman

Date

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Day of _____, 2020

Mayor

City Clerk

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Brent D Cyboron

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BOLANOS SECOND
SUBDIVISION

LOCATION: GRAND ISLAND, NEBRASKA			
TITLE: 711 E. 4th Street			
SCALE: AT A3: 1' = 50'	DATE: 9/14/2020	DRAWN: BRENT C	PAGE: 1 OF 1
REVISION: PROJECT NO: 20-104	DRAWING NO: 1/27/2021		

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

BOLANOS SECOND SUBDIVISION
LOTS 1-5 INCLUSIVE

In the City of Grand Island, Hall County Nebraska

The undersigned, EDWIN BOLANOS, 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 Lot One (1) and Lot Two (2), Bolanos Subdivision, 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 BOLANOS SECOND 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 BOLANOS SECOND 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 4th Street 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 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. Landscaping may be waived for Lots 2, 3 and 5 due to the location of the existing structures.

7. **Existing Structure.** The Subdivider acknowledges that an existing roofed open wall structure crosses Lots 2, 3 and 5. It is the responsibility of the Subdivider to meet all fire and building codes with respect to this structure in the event that Lots 2, 3 and 5 are no longer under common ownership. This will include but may not be limited to building firewalls on the property lines between Lot 2 and 3 and Lots 3 and 5.

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 BOLANOS SECOND 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 _____, 2021.

EDWIN BOLANOS, Subdivider

By: _____
Edwin Bolanos

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 Edwin Bolanos, 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.

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____
Roger G. Steele, Mayor

RaNae Edwards, City Clerk

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.

Notary Public

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RESOLUTION 2021-136

WHEREAS know all men by these presents, that Edwin Danilo Bolanos, single person, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as “BOLANOS SECOND SUBDIVISION”, A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, 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; and

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 BOLANOS SECOND 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, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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