



# City of Grand Island

Tuesday, October 26, 2021

Council Session

## Item G-9

**#2021-290 - Approving Final Plat and Subdivision Agreement for  
Copper Creek Estates 18th Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** October 26, 2021

**Subject:** Copper Creek Estates 18<sup>th</sup> Subdivision – Final Plat

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

## **Background**

This property is located south of Thomas Street and west of Kenneth Drive in the City of Grand Island, Nebraska. (73 lots, 4.086 acres). This property is zoned R-3SL Medium Density-Small Lot Residential Zone.

## **Discussion**

The final plat for Copper Creek Estates 18<sup>th</sup> Subdivision was considered at the Regional Planning Commission at the October 6, 2021 meeting.

A motion was made by Monter and second by Ruge to approve final plat for Copper Creek Estates 18<sup>th</sup> Subdivision.

A roll call vote was taken and the motion passed

The motion was carried with eight members voting in favor (O'Neill, Ruge, Olson, Monter, Rainforth, Rubio, Robb and Randone) 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**

Guarantee Group LLC  
PO BOX 5916  
Grand Island, NE 68802

To create

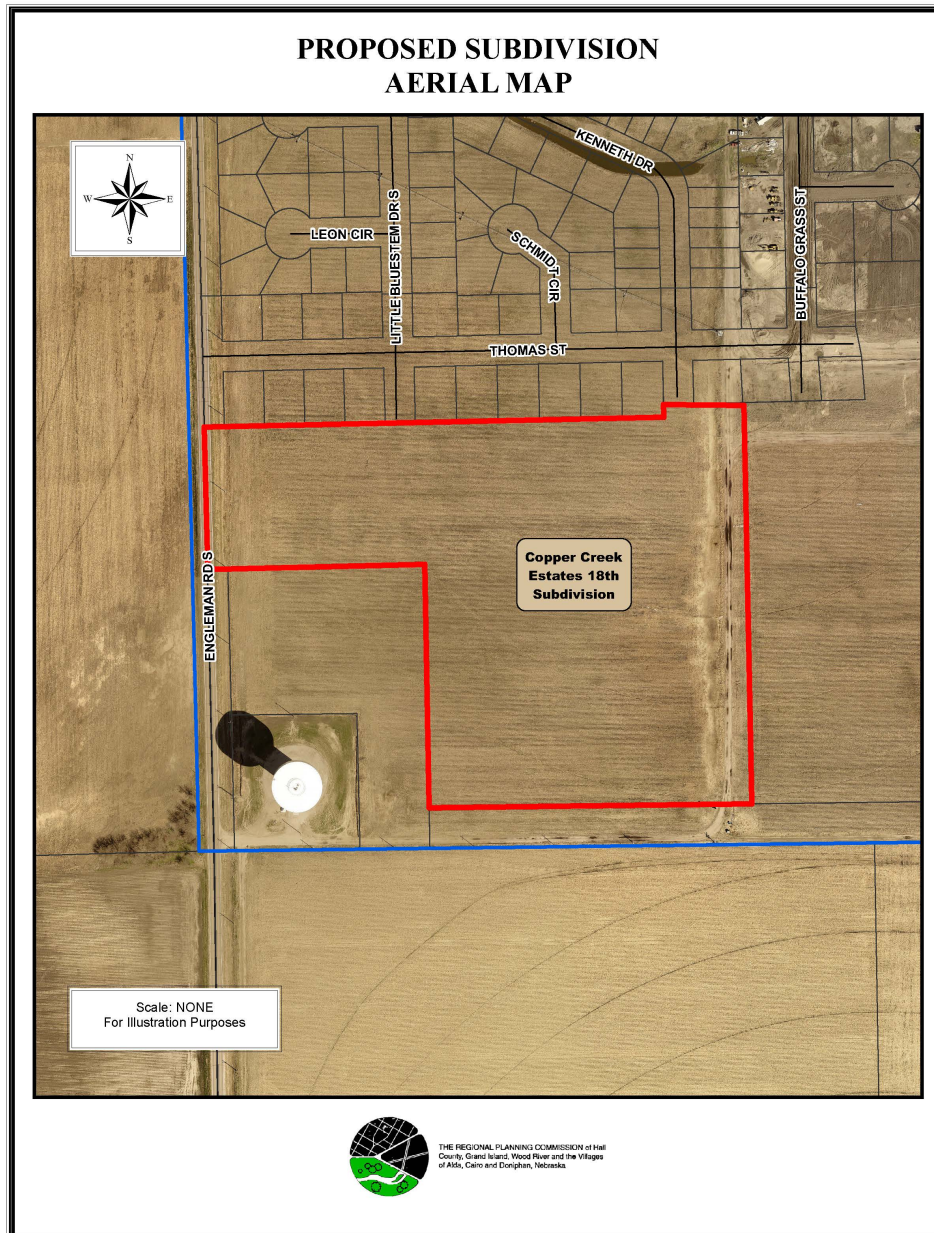
**Size:** Final Plat 74 lot, 4.086 Acres

**Zoning:** R-3SL Medium Density-Small Lot Residential

**Road Access:** All new streets will be 37' concrete curb and gutter.

**Water:** City Water is available to the subdivision.

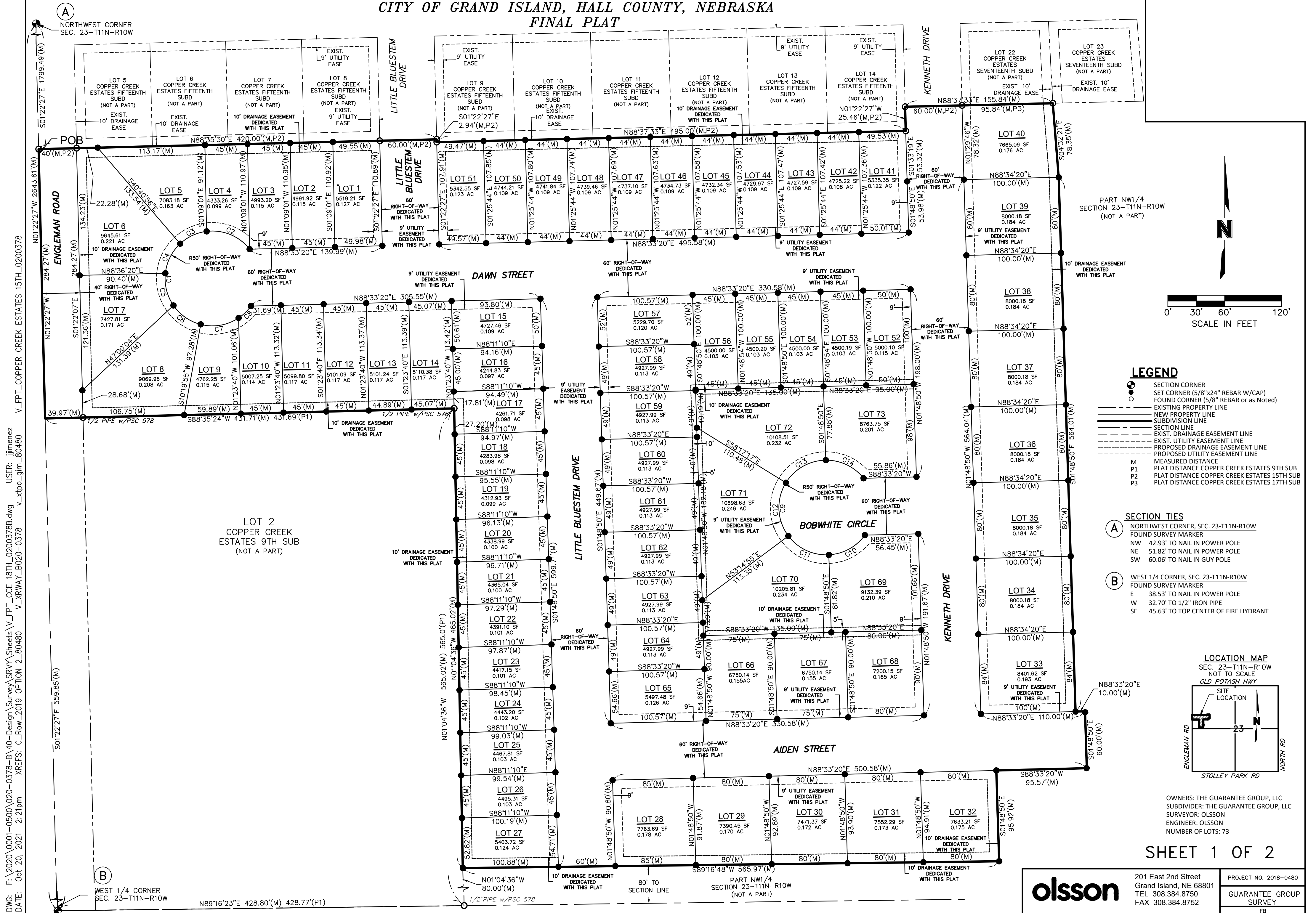
**Sewer:** City Sewer is available to the subdivision.





# COPPER CREEK ESTATES EIGHTEENTH SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



DWG: F:\2020\0001-0500\020-0378-B\40-Design\Survey\SRV\Sheets\V\_FPT\_CCE 18TH\_0200378B.dwg USER: jjimenez  
DATE: Oct 20, 2021 2:21pm XREFS: C.Row\_2019 OPTION 2\_80480 V\_XRWAY\_B020-0378 V\_Xtpo\_gim\_80480 V\_FPI\_COPPER CREEK ESTATES 15TH\_0200378

A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### SURVEYOR'S CERTIFICATE

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

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.

DATE \_\_\_\_\_

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

CITY CLERK

NOTARY PUBLIC

SHEET 2 OF 2

201 East 2nd Street  
Grand Island, NE 68801  
TEL 308.384.8750  
FAX 308.384.8752

PROJECT NO. 2018-0480

GUARANTEE GROUP  
SURVEY  
FB

\* This Space Reserved for Register of Deeds \*

## SUBDIVISION AGREEMENT

### **COPPER CREEK EIGHTEENTH SUBDIVISION**

LOTS 1-73 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned THE GUARANTEE GROUP LLC., 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 TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH 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 COPPER CREEK EIGHTEENTH 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 COPPER CREEK EIGHTEENTH 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 pave Little Bluestem Drive, Dawn Street, Aiden Street, Kenneth Drive, and Bobwhite Circle in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave Little Bluestem Drive, Dawn Street, Aiden Street, Kenneth Drive, and Bobwhite Circle, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for where they abut the subdivision.

The Subdivider agrees to waive the right to object to the creation of any paving or repaving district for Engleman Road where it abuts the subdivision. No drive way access from Engleman Road shall be permitted from Lots 6, 7 and 8.

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 grade all lots in the subdivision in conjunction with the development proposed thereon 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 install and maintain all public sidewalks required by the City of Grand Island when the lots are built upon, and such sidewalk shall be regulated and required with the building permit for each such lot.

The Subdivider must select curb or conventional sidewalk for each street unless the requirement has been waived by Council.

Street Name	Curb sidewalk	Conventional Sidewalk	Sidewalk Requirement Waived by Council
Little Bluestem Drive			NO
Dawn Street			NO
Aiden Street			NO
Kenneth Drive			NO
Bobwhite Circle			NO
Engelman Road			YES

Immediate sidewalk construction adjacent to Engleman 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. **Setbacks.** The front yard setback on lots 70 and 74 at the corner of Kenneth Drive and Bobwhite Circle shall be determined as indicated below:

Street Name	Front Yard Setback	Street Sideyard Setback
Kenneth Drive	Y or N	Y or N
Bobwhite Circle	Y or N	Y or N

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 COPPER CREEK EIGHTEENTH 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.

THE GUARANTEE GROUP, L.L.C.,  
Subdivider

By: \_\_\_\_\_  
Sean O. O'Connor, A Member

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 Sean P. O'Connor Member of Guarantee Group, L.L.C., 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 Guarantee Group, L.L.C.

WITNESS my hand and notarial seal the date above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_





RESOLUTION 2021-290

WHEREAS know all men by these presents, that Guarantee Group, 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 "COPPER CREEK ESTATES EIGHTEENTH SUBDIVISION", in part of the Northwest Quarter (NW1/4) of section twenty-three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>TH</sup> 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 COPPER CREEK ESTATES EIGHTEENTH 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, October 26, 2021.

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

Attest:

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

Approved as to Form	☐ _____
October 22, 2021	☐ City Attorney