



City of Grand Island

Tuesday, January 25, 2022

Council Session

Item G-3

#2022-19 - Approving Final Plat for WWTP Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: January 25, 2022
Subject: WWTP Subdivision – Final Plat
Presenter(s): Chad Naby, AICP, Regional Planning Director

Background

This property is located west of Shady Bend Road south of Seedling Mile Road in Grand Island, Nebraska. This property is zoned M2 Heavy Manufacturing and TA Transitional Agriculture. (2 lots, 87.415 acres).

Discussion

The final plat for WWTP Subdivision was considered at the Regional Planning Commission at the January 5, 2022 meeting.

A motion was made by Rainforth and second by Randone to approve final plat for Nikodym Third Subdivision.

A roll call vote was taken and the motion passed.

The motion was carried with nine members voting in favor (O'Neill, Ruge, Olson, Robb, Monter, Rainforth, Randone, Doane and Hendricksen) 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
City of Grand Island
100 East 1st Street
Grand Island, NE 68801

To create

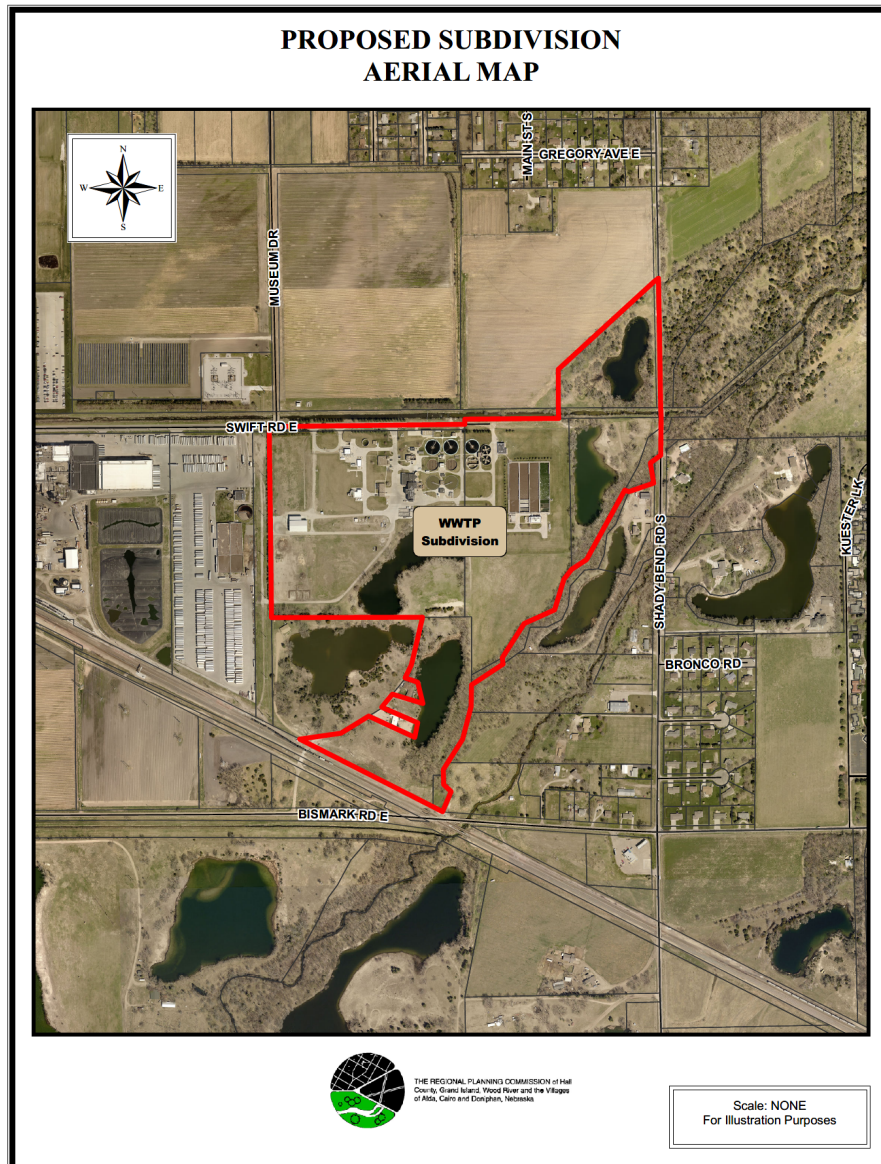
Size: Final Plat 2 lots, 87.415 Acres

Zoning: M2 Heavy Manufacturing and TA Transitional Agricultural

Road Access: Existing rural section city street (Shady Bend Road)

Water: City Water is available to the subdivisions.

Sewer: City Sewer is available to the subdivision.



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

WWTP SUBDIVISION

LOTS 1 and 2 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, CITY OF GRAND ISLAND, 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 LOTS 57-61 AND 85-92, ALL IN INDUSTRIAL ADDITION; PART OF LOTS 1 AND 2, ON THE MAINLAND; PART OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION FOURTEEN (14), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S01°37'37"W, ALONG THE AMENDED SECTION LINE PER SURVEY BY L.R. RUDD, SURVEY BOOK 2, PAGE 254, A DISTANCE OF 253.58 FEET TO A NORTHERLY CORNER OF B & T SUBDIVISION; THENCE

S54°01'27"W A DISTANCE OF 87.60 FEET TO A WESTERLY CORNER OF LOT 1, BILLY POE SUBDIVISION; THENCE S08°43'13"E, ALONG A WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 139.33 FEET; THENCE S72°49'17"W A DISTANCE OF 219.06 FEET; THENCE S29°49'59"W A DISTANCE OF 508.12 FEET; THENCE S57°52'36"W A DISTANCE OF 121.40 FEET; THENCE S38°18'03"W A DISTANCE OF 84.76 FEET; THENCE S38°18'03"W A DISTANCE OF 84.76 FEET; THENCE S18°29'46"W A DISTANCE OF 213.57 FEET; THENCE S66°36'27"W A DISTANCE OF 224.89 FEET; THENCE S33°31'07"W A DISTANCE OF 273.91 FEET; THENCE S04°17'33"E A DISTANCE OF 41.60 FEET TO A POINT ON THE WESTERLY LINE OF LOT 1, ADVENT SUBDIVISION; THENCE S57°21'23"W, ALONG SAID WESTERLY LINE OF LOT 1, ADVENT SUBDIVISION, A DISTANCE OF 253.36 FEET; THENCE S02°02'06"W, ALONG SAID WESTERLY LINE OF LOT 1, A DISTANCE OF 145.85 FEET; THENCE S16°06'01"W, ALONG SAID WESTERLY LINE OF LOT 1, A DISTANCE OF 40.32 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, ADVENT SUBDIVISION AND ALSO BEING THE NORTHWEST CORNER OF LOT 3, B & T SUBDIVISION; THENCE S16°06'01"W, ALONG THE WESTERLY LINE OF SAID LOT 3, B & T SUBDIVISION, A DISTANCE OF 190.32 FEET; THENCE S33°30'57"W, ALONG SAID WESTERLY LINE OF LOT 3, B & T SUBDIVISION AND THE WESTERLY LINE OF LOT 1, SHADY LANE SECOND SUBDIVISION, A DISTANCE OF 243.16 FEET; THENCE S00°48'20"E, ALONG SAID WESTERLY LINE OF LOT 1, SHADY LANE SECOND SUBDIVISION, A DISTANCE OF 100.21 FEET; THENCE S46°23'43"E, ALONG SAID WESTERLY LINE OF LOT 1, A DISTANCE OF 67.10 FEET; THENCE S23°26'17"W, ALONG SAID WESTERLY LINE OF LOT 1, A DISTANCE OF 146.70 FEET TO A POINT ON THE NORTHEASTERLY BNSF RAILROAD RIGHT-OF-WAY LINE; THENCE N62°05'52"W, ALONG SAID NORTHEASTERLY RAILROAD RIGHT-OF-WAY LINE, A DISTANCE OF 1079.81 FEET; THENCE N82°51'38"E A DISTANCE OF 279.19 FEET; THENCE N59°26'37"E A DISTANCE OF 222.59 FEET; THENCE S64°10'31"E A DISTANCE OF 341.27 FEET; THENCE N11°44'22"E A DISTANCE OF 99.34 FEET; THENCE N65°44'34"W A DISTANCE OF 263.71 FEET; THENCE N40°27'27"E A DISTANCE OF 115.54 FEET; THENCE

S72°07'34"E A DISTANCE OF 215.00 FEET; THENCE N13°28'31"W A DISTANCE OF 146.43 FEET; THENCE N69°13'24"W A DISTANCE OF 90.00 FEET; THENCE N27°07'42"E A DISTANCE OF 98.82 FEET; THENCE N14°12'58"E A DISTANCE OF 327.67 FEET TO A POINT ON THE SOUTH LINE OF LOT 89, INDUSTRIAL ADDITION; THENCE N89°08'07"W, ALONG THE SOUTH LINE OF LOTS 89-92, INDUSTRIAL ADDITION, A DISTANCE OF 1018.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 92, INDUSTRIAL ADDITION; THENCE N00°12'33"E ALONG THE WEST LINE OF LOTS 92, 85, 61, AND 54, INDUSTRIAL ADDITION, A DISTANCE OF 1324.58 FEET TO THE NORTHWEST CORNER OF LOT 54 AND ALSO BEING THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 14-T11N-R9W; THENCE S89°29'51"E, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14, A DISTANCE OF 2647.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 3,807,805.17 SQUARE FEET OR 87.415 ACRES MORE OR LESS OF WHICH 0.247 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

AND

LOT 2 A TRACT OF LAND CONSISTING OF PART OF THE NORTHEAST QUARTER (NE1/4) OF SECTION FOURTEEN (14), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER; THENCE ON AN ASSUMED BEARING OF N00°01'43"W, ALONG THE EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE N89°37'51"W, ALONG THE NORTH LINE OF A 66 FT. WIDE OUTFALL DITCH RECORDED IN MISC BOOK R, PAGE 29, DATED 11-27-1925, A DISTANCE OF 674.37 FEET; THENCE N00°07'52"W A DISTANCE OF 252.82 FEET; THENCE N48°29'58"E A DISTANCE OF 900.60 FEET TO A POINT ON SAID EAST LINE; THENCE S00°01'43"E, ALONG SAID EAST LINE, A DISTANCE OF 853.93 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 373,362.92 SQUARE FEET OR 8.571 ACRES MORE OR LESS OF WHICH 0.768 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY;

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 WWTP 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 WWTP 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 Shady Bend Road 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.** Immediate sidewalk construction adjacent to Shady Bend 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. **Electric.** The Subdivider agrees to install all conduit, both primary and secondary, as well as all necessary transformer pads in the subdivision in accordance with plans and specifications approved by the Utilities Department, and subject to the City's inspection.

7. **Flood Plain.** Since portions of the subdivision are within a delineated flood plain, all structures within areas identified as a special flood hazard area constructed shall have the lowest floor elevation to a minimum of one foot above the elevation of the 100-year flood as determined by the building permit received by the Subdivider or successors from the Building Department under the provisions of applicable Federal, State, or local laws and regulations. No basement shall be constructed in connection with any structure in the flood plain unless such basement is flood proofed and certified as such by a qualified engineer or architect.

8. **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.

9. **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.

10. **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.

11. **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 WWTP 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.

12. **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 _____, 2022.

CITY OF GRAND ISLAND, Subdivider

By: _____
Roger G. Steele, Mayor

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2022, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Roger G. Steele 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

WWTP SUBDIVISION

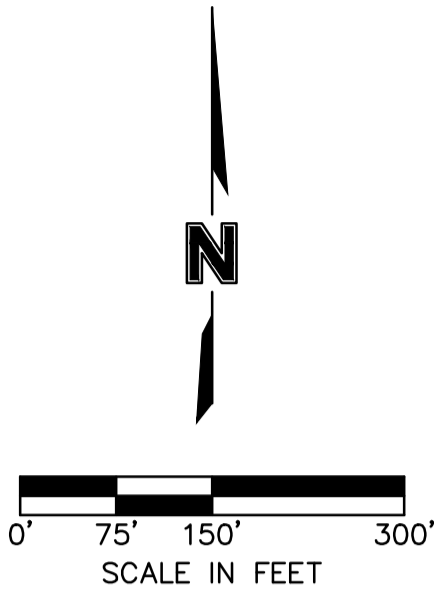
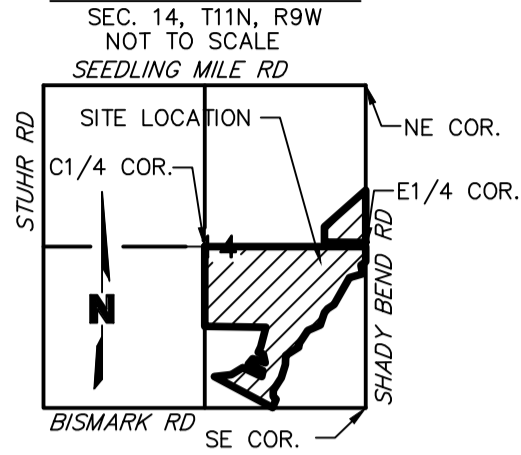
GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

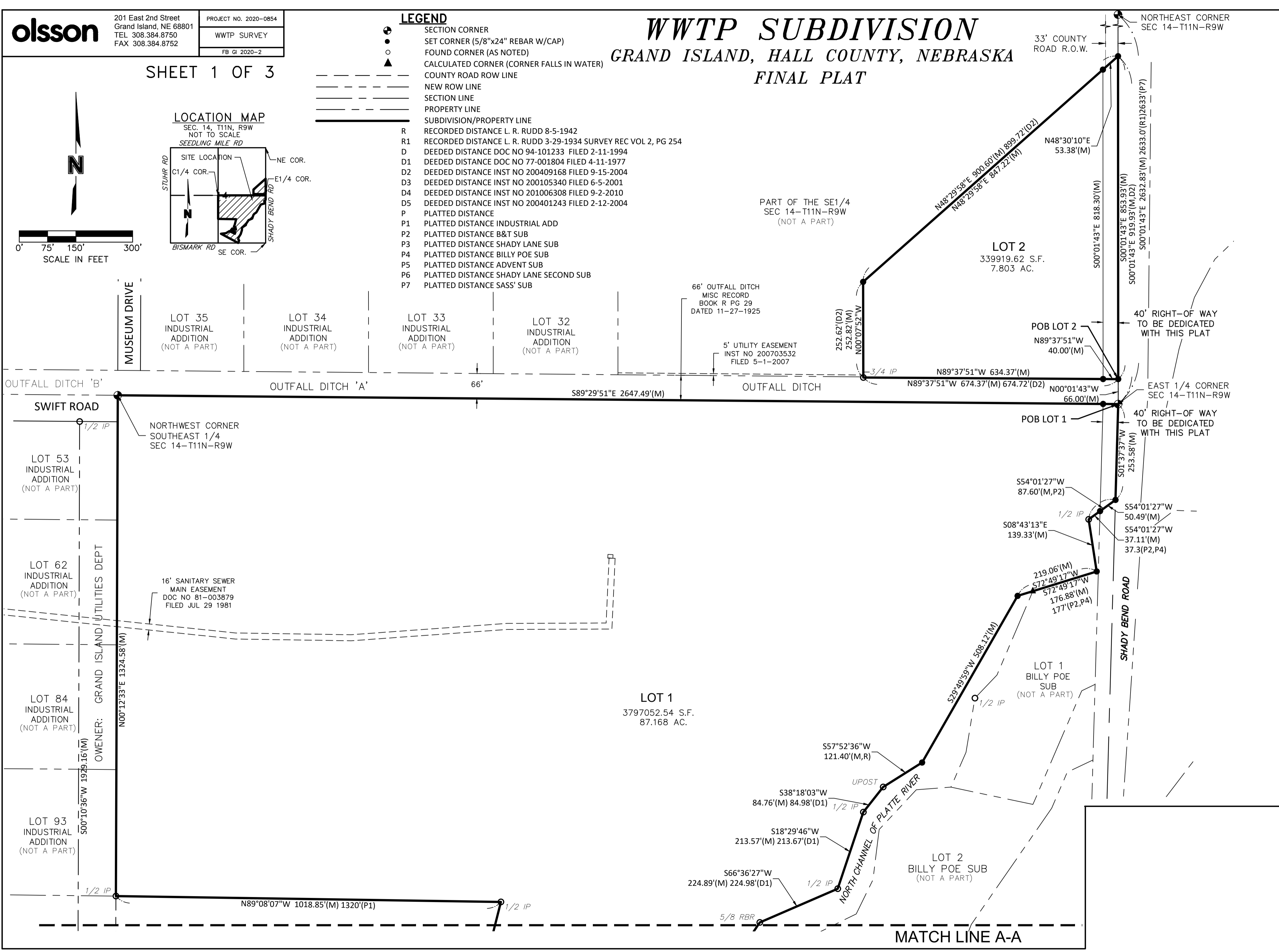
LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- ▲ CALCULATED CORNER (CORNER FALLS IN WATER)
- COUNTY ROAD ROW LINE
- NEW ROW LINE
- SECTION LINE
- PROPERTY LINE
- SUBDIVISION/PROPERTY LINE
- R RECORDED DISTANCE L. R. RUDD 8-5-1942
- R1 RECORDED DISTANCE L. R. RUDD 3-29-1934 SURVEY REC VOL 2, PG 254
- D DEEDED DISTANCE DOC NO 94-101233 FILED 2-11-1994
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- D3 DEEDED DISTANCE INST NO 200105340 FILED 6-5-2001
- D4 DEEDED DISTANCE INST NO 201006308 FILED 9-2-2010
- D5 DEEDED DISTANCE INST NO 200401243 FILED 2-12-2004
- P PLATTED DISTANCE
- P1 PLATTED DISTANCE INDUSTRIAL ADD
- P2 PLATTED DISTANCE B&T SUB
- P3 PLATTED DISTANCE SHADY LANE SUB
- P4 PLATTED DISTANCE BILLY POE SUB
- P5 PLATTED DISTANCE ADVENT SUB
- P6 PLATTED DISTANCE SHADY LANE SECOND SUB
- P7 PLATTED DISTANCE SASS' SUB

LOCATION MAP



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WWTP SUBDIVISION

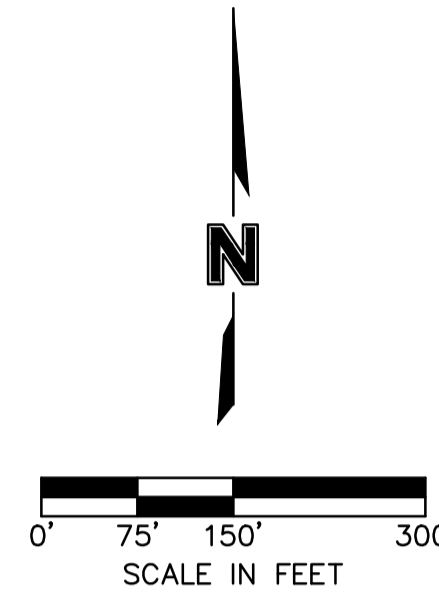
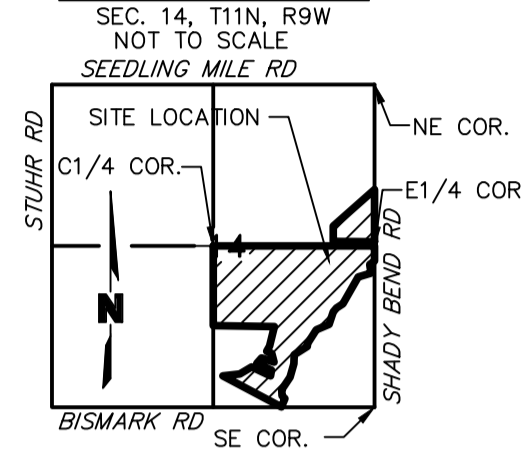
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FINAL PLAT

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- P6 PLATTED DISTANCE SHADY LANE SECOND SUB
- P7 PLATTED DISTANCE SASS' SUB

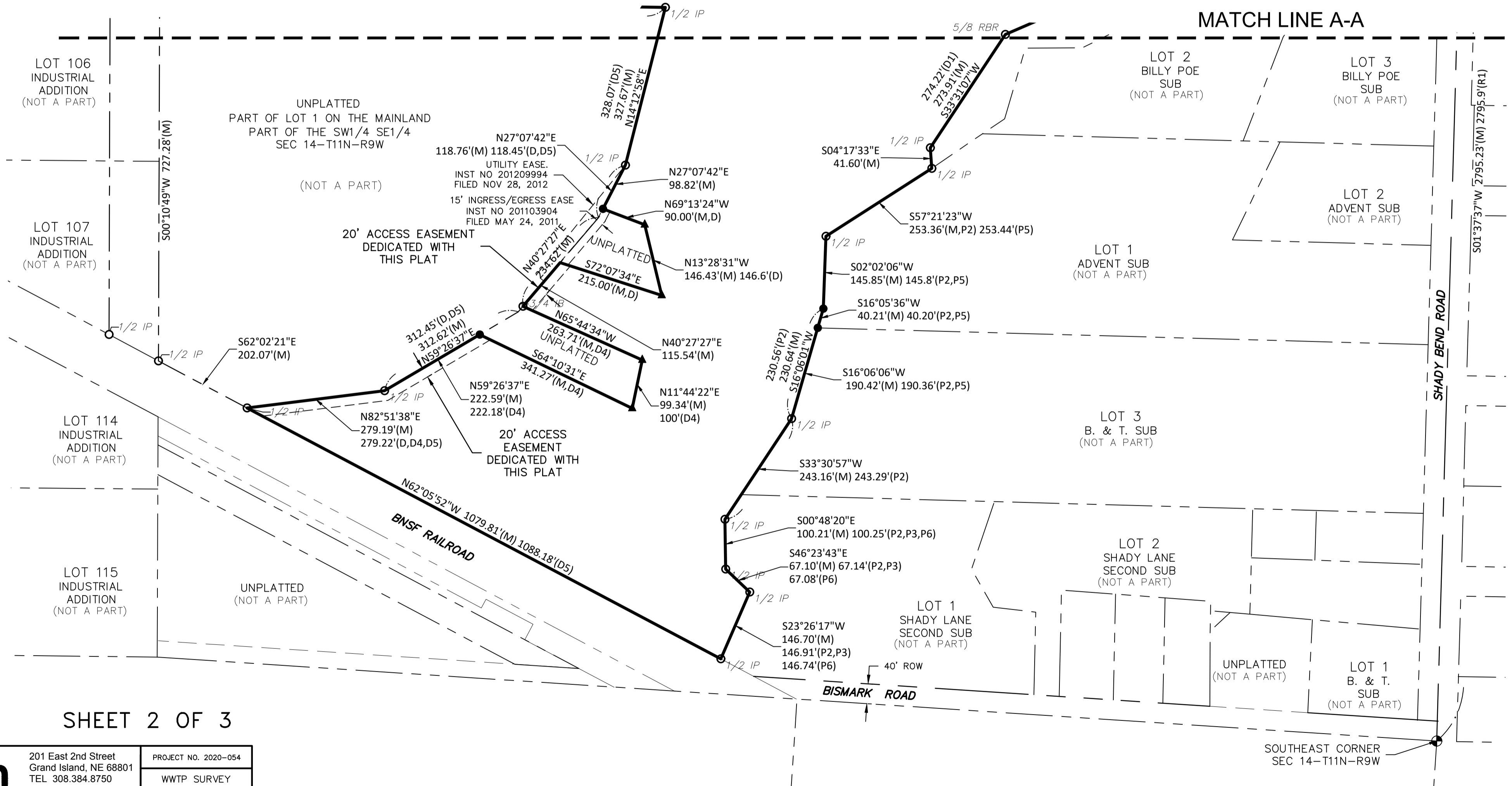
LOCATION MAP



SECTION TIES

- NORTHEAST CORNER, SEC. 14-T11N-R9W**
 FOUND SURVEY SPIKE w/ID WASHER AT GRADE IN CENTERLINE ASPHALT ROAD INTERSECTION
 NW 51.18' TO RED HEAD NAIL IN POWER POLE
 SW 45.08' TO RED HEAD NAIL IN POWER POLE
 SSW 62.05' TO TOP OPERATION NUT ON FIRE HYDRANT
 SE 48.80' TO NEAR FACE OF STEEL CORNER FENCE POST
- NORTHWEST CORNER, SOUTHEAST 1/4, SEC. 14-T11N-R9W**
 FOUND 1/2" IRON PIPE w/PSC, 0.3' BELOW GRADE, SOUTH BANK OF OUTFALL DITCH
 S 14.70' TO BACK OF CURB ON SWIFT ROAD
 SE 66.90' TO 'X' NAIL IN POWER POLE
 ESE 14.72' TO 5/8" REBAR
 NE 47.63' TO CHISELED 'X' NORTH END OF WEST CONCRETE BRIDGE RAIL

- EAST 1/4 CORNER, SEC. 14-T11N-R9W**
 FOUND SURVEY SPIKE w/WASHER AT GRADE IN CENTERLINE NORTH/SOUTH ASPHALT ROAD
 E 22.32' TO CHISELED 'X' IN SE WGW
 W 21.42' TO CHISELED 'X' IN SW WGW
 SW 46.53' TO MAG NAIL IN POWER POLE
 WSW 25.90' TO MAG NAIL IN WOODEN GDR POST
- SOUTH 1/4 CORNER, SEC. 14-T11N-R9W**
 FOUND SURVEY SPIKE AT GRADE IN ASPHALT ROAD INTERSECTION
 N 2.0' TO CENTERLINE EAST/WEST ROAD
 E 4.0' TO CENTERLINE NORTH/SOUTH ROAD
 NW 54.13' TO MAG NAIL w/WASHER IN POWER POLE
 SW 43.81' TO MAG NAIL w/WASHER IN POWER POLE
 SE 51.75' TO MAG NAIL w/WASHER IN POWER POLE



SHEET 2 OF 3



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

PROJECT NO. 2020-054
WWTP SURVEY
FB GI 2020-2

DWG: F:\2020\0501-1000\020-0854\40-Design\Survey\SRVY\Sheets\1_V_FPLAT_0200854.dwg
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RESOLUTION 2022-19

WHEREAS know all men by these presents, that THE CITY OF GRAND ISLAND, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "WWTP SUBDIVISION", A tract of land consisting of part of lots 57-61 and 85-92, all in industrial addition, part of lots 1 and 2, on the Mainland; Part of the Southeast Quarter (SE1/4) of Section Fourteen (14), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., 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 WWTP 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, January 25, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 21, 2022	☐ City Attorney