



# City of Grand Island

Tuesday, March 22, 2022

Council Session

## Item G-3

**#2022-63 - Approving Final Plat for Twin Lakes Third Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** March 22, 2022

**Subject:** Twin Lakes Third Subdivision – Final Plat

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

## **Background**

This property is located south of Bismark Road and west of Austin Avenue in Hall County, Nebraska. (2 lot, 9.517 acres). This property is zoned LLR – Large Lot Residential.

## **Discussion**

The final plat for Twin Lakes Third Subdivision was considered at the Regional Planning Commission at the March 2, 2022 meeting.

A motion was made by Ruge and second by Rainforth to approve final plat for Twin Lakes Third Subdivision.

A roll call vote was taken and the motion passed

The motion was carried with nine members voting in favor (Nelson, Allan, O'Neill, Ruge, Olson, Robb, Monter, Rainforth 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**

Travis Lilienthal  
4419 E. Bismark Road  
Grand Island, NE 68801

To create

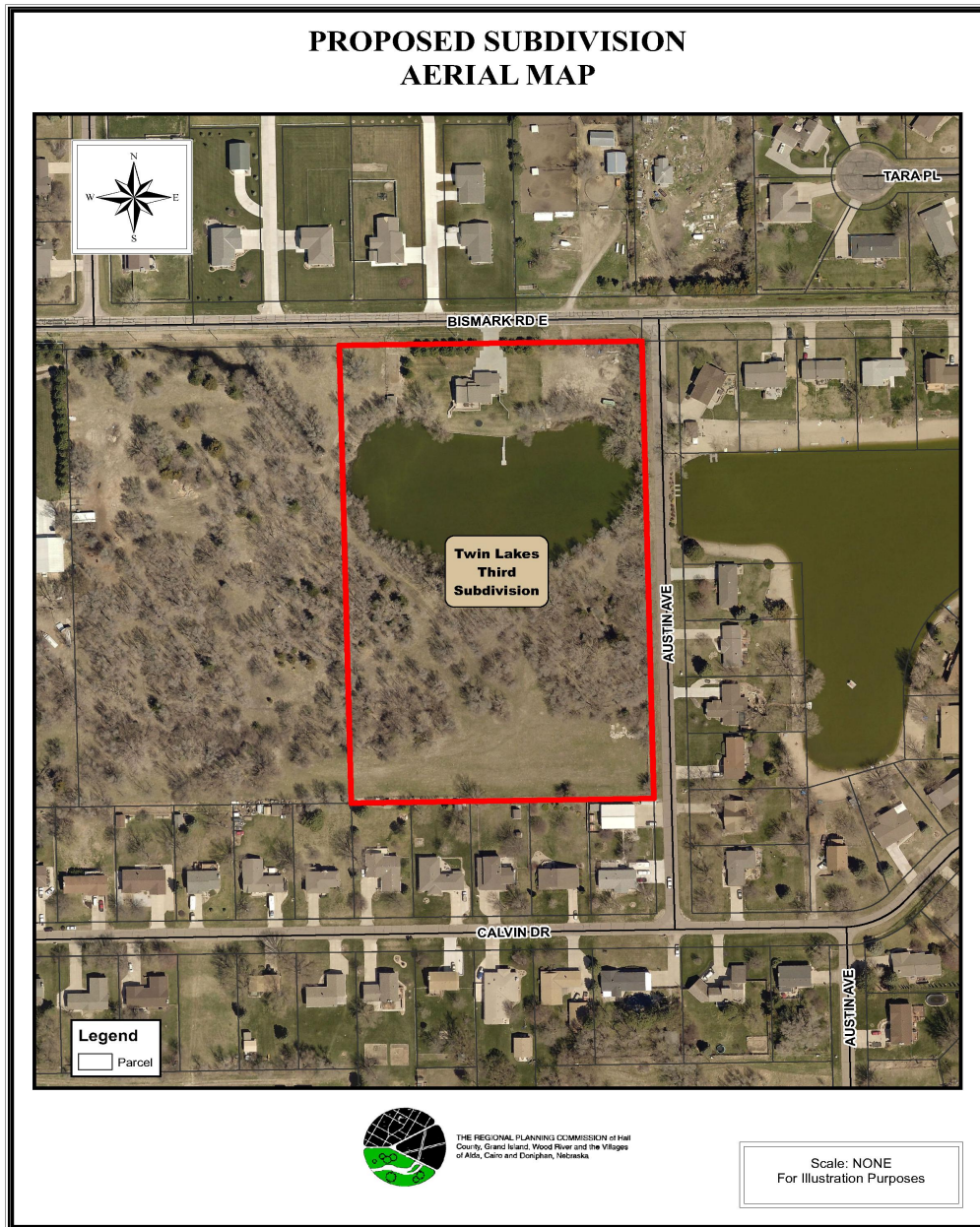
**Size: Final Plat 2** lots, 9.517 Acres

**Zoning:** LLR - Large Lot Residential

**Road Access:** Bismark Road and Austin Avenue are both rural section paved county roads.

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

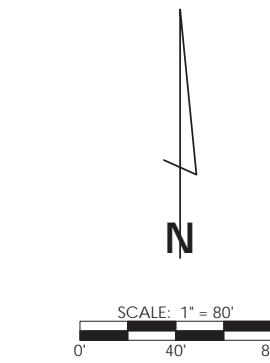
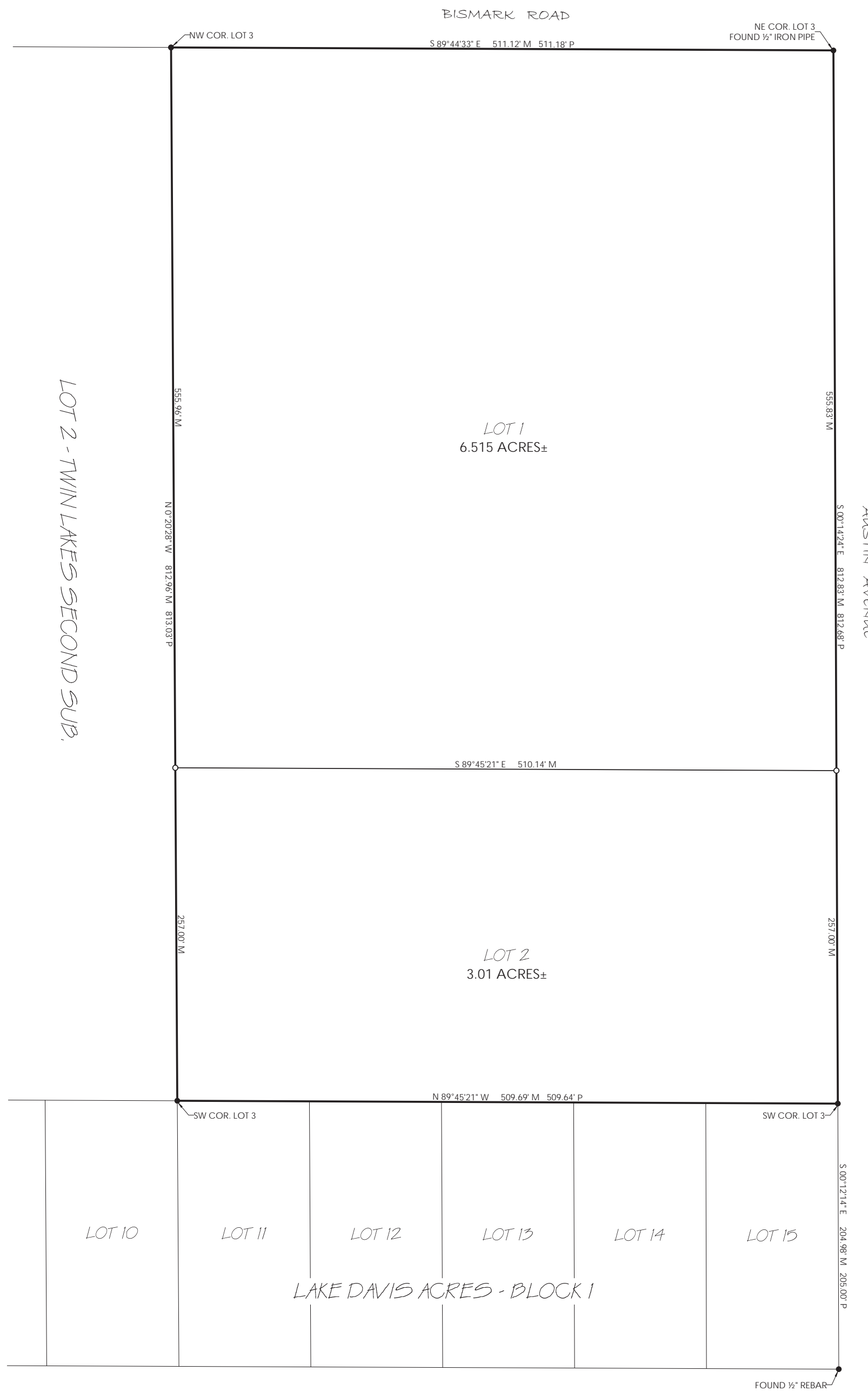
**Sewer:** City Sewer is not available to the subdivision.



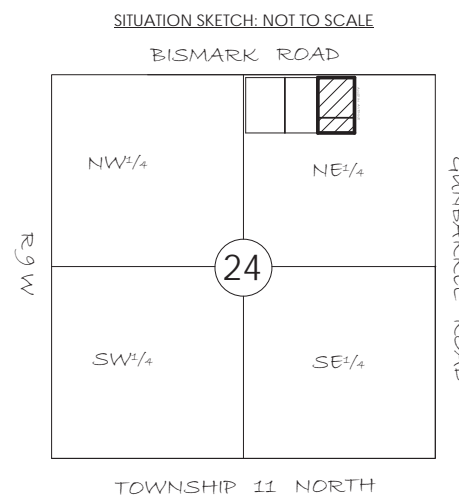
# TWIN LAKES THIRD SUBDIVISION

A REPLAT OF LOT 3, TWIN LAKES SECOND SUB.,  
Pt. N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> SEC. 24 - T11N - R9W, HALL COUNTY, NEBRASKA

## FINAL PLAT



LEGEND  
M = MEASURED DISTANCE  
P = PLATTED DISTANCE (TWIN LAKES SECOND SUB.)  
X = TEMPORARY POINT  
○ = 1/2" REBAR w/ LS #776 PLASTIC CAP PLACED  
● = 1/2" REBAR FOUND UNLESS NOTED



OWNERS  
- TRAVIS R. LILIENTHAL  
SUBDIVIDER  
- HARRY LILIENTHAL  
SURVEYOR  
- JASNOWSKI SURVEYING LLC  
NUMBER OF LOTS  
- 2



LEGAL DESCRIPTION  
All of Lot Three (3), Twin Lakes Second Subdivision, a part of the North Half of the Northeast Quarter (N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>), Section Twenty Four (24), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska. Said tract contains 9.525 acres more or less.

SURVEYOR'S CERTIFICATE  
I, Evan A. Jasnowski, Nebraska Registered Land Surveyor #776, duly registered under the Land Surveyor's Regulation Act, do hereby state that at the request of Harry Lilienthal, I have caused to be made a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct, and in accordance with the Minimum Standards for Surveys in effect at the time of this survey.

*Evan A. Jasnowski*  
Evan A. Jasnowski

02/02/2022  
Date

DEDICATION  
KNOW ALL MEN BY THESE PRESENTS, that Travis R. Lilienthal and Stephanie M. Lilienthal, husband and wife, owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "Twin Lakes Third Subdivision", Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the road right-of-way as shown thereon to the public for their use forever, and the easements, 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 obstruction upon, over, along or underneath the surface of such easements; and that foregoing subdivision as more particularly described in the description as appears on this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietors.

IN WITNESS WHEREOF, I have affixed my signature hereto at \_\_\_\_\_, Nebraska, this \_\_\_\_ day of \_\_\_\_\_, 2022.

Travis R. Lilienthal

Stephanie M. Lilienthal

ACKNOWLEDGEMENT  
State of Nebraska

County of \_\_\_\_\_ ss  
On this, the \_\_\_\_ day of \_\_\_\_\_, 2022, before me \_\_\_\_\_, a Notary Public within and for said County, personally appeared Travis R. Lilienthal and Stephanie M. Lilienthal, husband and wife, owners of the land, to me personally known to be the identical person whose signature is affixed hereto, and that they did acknowledge the execution thereof to be their voluntary act and deed, and that they are empowered to make the above dedication for and in behalf of said "Twin Lakes Third Subdivision".

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

My commission expires \_\_\_\_\_.

Notary Public

APPROVALS  
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.

Chairperson \_\_\_\_\_ Date \_\_\_\_\_

Approved and accepted by the Hall County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2022.

Chairperson \_\_\_\_\_ County Clerk \_\_\_\_\_

Approved and accepted by the City of Grand Island this \_\_\_\_ day of \_\_\_\_\_, 2022.

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



PROJECT NUMBER 21-LS-172 - DATE 02/02/2022  
DRAWN BY E.A.J. - CHECKED BY E.B.J.  
1205 1st STREET, AURORA, NE 68818  
PHONE 402-694-8703 - EMAIL ejasnowski@gmail.com

\* This Space Reserved for Register of Deeds \*

## SUBDIVISION AGREEMENT

### **TWIN LAKES THIRD SUBDIVISION**

Lots 1 and 2 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, TRAVIS R. LILIENTHAL and STEPHANIE M.LILIENTHAL, HUSBAND AND WIFE, 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:

All of Lot Three (3), Twin Lakes Second Subdivision, a part of the North Half of the Northeast Quarter (N  $\frac{1}{2}$ NE $\frac{1}{4}$ ), Section Twenty Fourth (24), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., 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 TWINS LAKES THIRD 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 TWIN LAKES THIRD 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 Austin Avenue and Bismark Road where they abut 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 Bismark Road and Austin Avenue 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.     **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 floodproofed and certified as such by a qualified engineer or architect.

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 TWIN LAKES THIRD 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 \_\_\_\_\_, 2022.

TRAVIS R. and STEPHANIE M.  
LILIENTHAL , Subdivider

By: \_\_\_\_\_  
Travis R. Lilienthal

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By: \_\_\_\_\_  
Stephanie M. Lillienthal

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 Travis R. Lilienthal, 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 \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Stephanie M. Lilienthal, 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



RESOLUTION 2022-63

WHEREAS know all men by these presents, that Travis R. Lilienthal and Stephanie M. Lilienthal, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "TWIN LAKES THIRD SUBDIVISION", All of Three (3), Twin Lakes Second Subdivision, a part of the North Half of the North Half of the Northeast Quarter (N1/2NE1/4), Section Twenty Four (24), Township Eleven (11) North, Range Nine (9) West of 6<sup>th</sup> P.M., Hall County, Nebraska; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in 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 TWIN LAKES THIRD 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, March 22, 2022.

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

Attest:

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

Approved as to Form	☐ _____
March 18, 2022	☐ City Attorney