



City of Grand Island

Tuesday, April 26, 2022

Council Session

Item G-7

#2022-108 - Approving Final Plat and Subdivision Agreement for Eynetich Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 26, 2022

Subject: Eynetich Acres Subdivision- Final Plat

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

Background

This property is generally located south of Abbott Road and east of North Road in Grand Island, Nebraska. (1 lot, 3 acres). This property is zoned AG-2 Secondary Agriculture.

Discussion

The final plat for Eynetich Acres Subdivision was considered at the Regional Planning Commission at the April 6, 2022 meeting.

A motion was made by Ruge and second by Monter to approve all items on the consent agenda.

The motion carried with eleven members voting in favor (Nelson, Allan, O'Neill, Ruge, Olson, Robb, Monter, Rubio, Randone, and Randone) 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

Tony & Camalla Eynetich
3601 N. North Road
Grand Island, NE 68803

To create

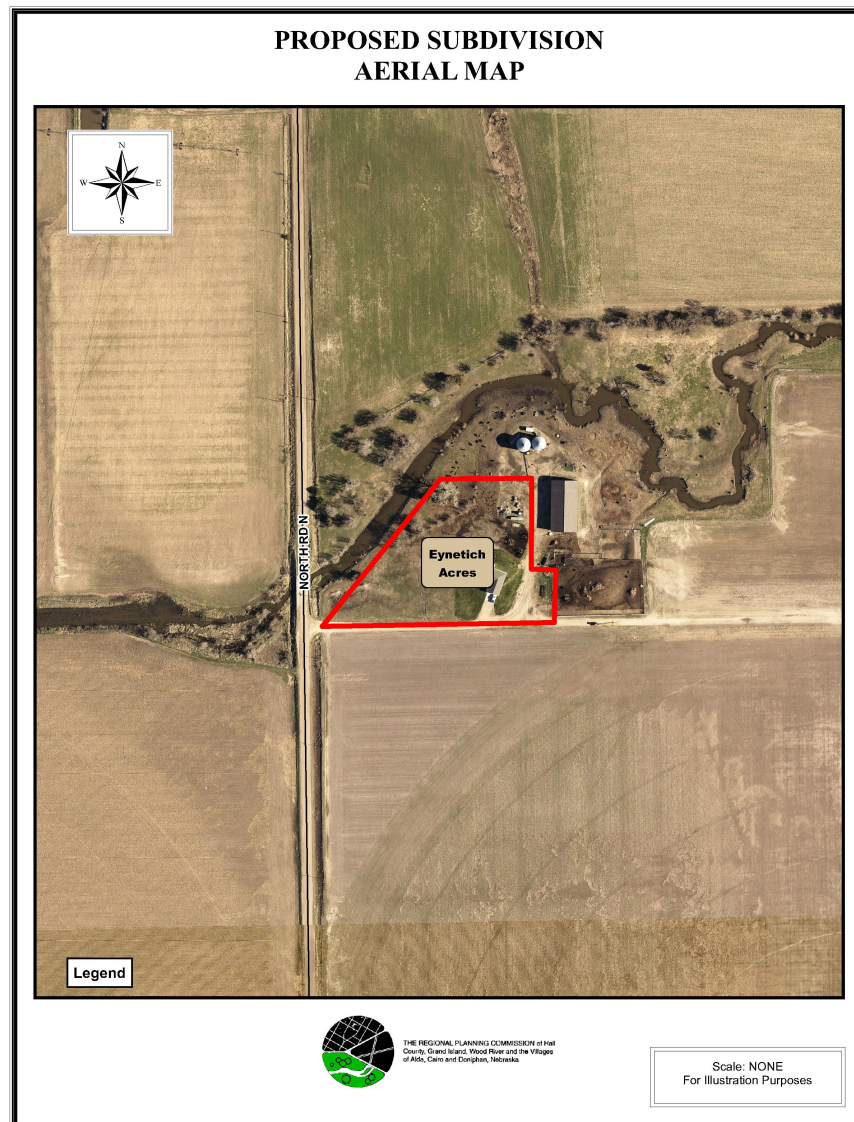
Size: Final Plat 1 lots, 3 Acres

Zoning: AG-2 Secondary Agriculture

Road Access: Existing County Road

Water: City water is not available to the subdivision.

Sewer: City sewer is not available to the subdivision.



EYNETICH ACRES

A SUBDIVISION LOCATED IN THE
S.1/2 OF THE NW 1/4 OF SECTION
36-T12N-R10W, HALL COUNTY, NEBRASKA.

APPROVALS:

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

THIS_____ DAY OF _____, 2022.

CHAIRMAN_____

APPROVED AND ACCEPTED BY THE HALL COUNTY BOARD OF COMMISSIONERS

THIS_____ DAY OF _____, 2022.

CHAIRMAN OF THE BOARD_____ COUNTY CLERK_____

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

THIS_____ DAY OF _____, 2022.

MAYOR_____ CITY CLERK_____

SURVEYOR’S CERTIFICATE:

I CERTIFY THAT ON _____, 2022, I COMPLETED AN ACCURATE SURVEY (MADE BY ME

OR UNDER MY SUPERVISION) OF“EYNETICH ACRES” A SUBDIVISION LOCATED 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 A 1/2”x24” REBAR WITH AN AFFIXED BLUE CAP, STAMPED GRUMMERT, LS-783, 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.

SEAL

JOSHUA E. GRUMMERT, LS-783

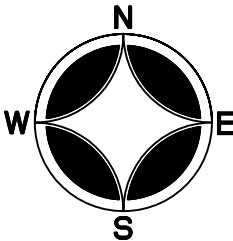
GRUMMERT PROFESSIONAL SERVICES, LLC

PO BOX 37, KENESAW NE, 68956

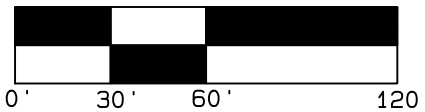
PHONE-402-879-5701 EMAIL- jmgrummert@yahoo.com

WEBSITE- www.grummertsurveying.com

G. P. S. PROJECT # 018-2022



ALL BEARINGS ARE ASSUMED
SCALE: 1"=60'



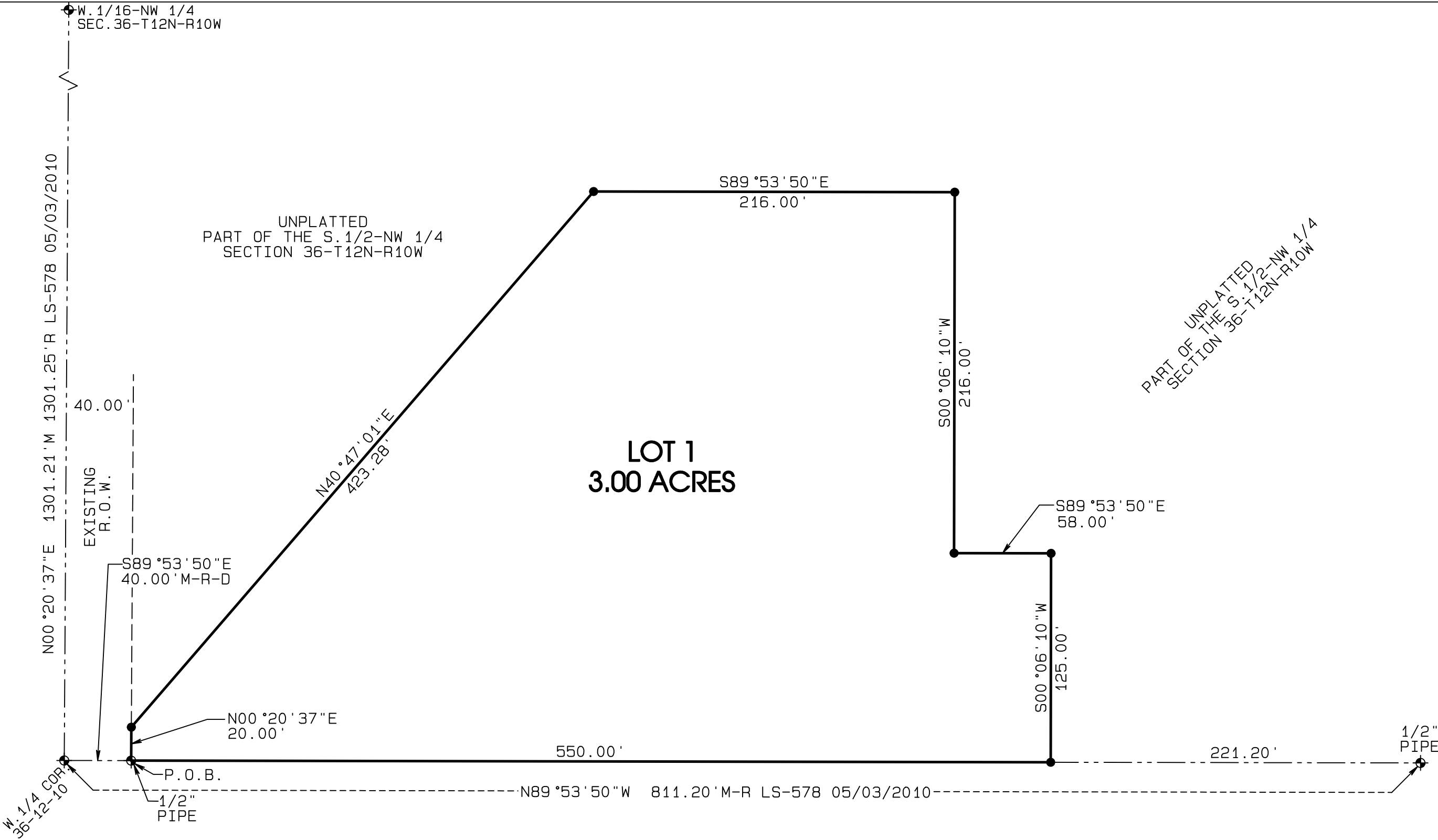
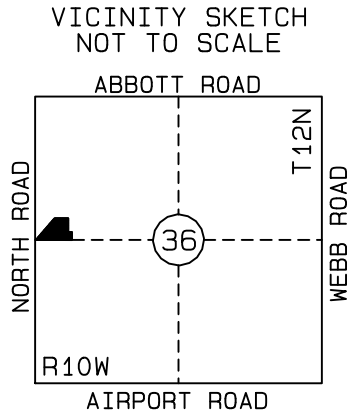
LEGEND :

D-DEED DISTANCE
M-MEASURED DISTANCE
R-RECORD DISTANCE
G-GOVERNMENT DISTANCE
P-PLATTED DISTANCE

FOUND CORNER

CALCULATED POINT

SET 1/2" X 24" REBAR
WITH BLUE LS-783 CAP
UNLESS NOTED OTHERWISE



DEDICATION:

KNOWN ALL MEN BY THESE PRESENTS, THAT TONY T. EYNETICH AND CAMALLA M. EYNETICH HUSBAND AND WIFE BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS EYNETICH ACRES, A SUBDIVISION, IN HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANING 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 (TONY T.EYNETICH AND CAMMALA M.EYNETICH AT GRAND ISLAND, NEBRASKA) THIS _____ DAY OF _____, 2022.

TONY T. EYNETICH

CAMALLA M. EYNETICH

ACKNOWLEDGEMENT:

STATE OF NEBRASKA, SS
COUNTY OF ADAMS

ON THE _____ DAY OF _____, 20____, BEFORE ME, _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY,

PERSONALLY TONY T. EYNETICH AND CAMALLA M. EYNETICH HUSBAND AND WIFE TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURES ARE AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

IN WITNESS WHEREOF, I HAVE HEREUTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA,
ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____, 20____.

NOTARY PUBLIC

(SEAL)

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTH ONE HALF OF THE NORTHWEST QUARTER (S.1/2-NW 1/4) OF SECTION THIRTY-SIX (36) TOWNSHIP TWELVE (12) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH ONE HALF OF THE NORTHWEST QUARTER (WEST 1/4 CORNER), THENCE S89°53'50"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTH ONE HALF OF THE NORTHWEST QUARTER A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING AND THIS BEING THE EAST RIGHT OF WAY LINE OF A COUNTY ROAD, THENCE N00°20'37"E ON SAID EAST RIGHT OF WAY LINE A DISTANCE OF 20.00 FEET, THENCE N40°47'01"E A DISTANCE OF 423.28 FEET, THENCE S89°53'50"E A DISTANCE OF 216.00 FEET, THENCE S00°06'10"W A DISTANCE OF 216.00 FEET, THENCE S89°53'50"E A DISTANCE OF 50.00 FEET, THENCE S00°06'10"W A DISTANCE OF 125.00 FEET TO SAID SOUTH LINE OF THE SOUTH ONE HALF OF THE NORTHWEST QUARTER S.1/2-NW 1/4), THENCE N89°53'50"W ON SAID SOUTH LINE A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.00 ACRES MORE OR LESS.

CORNER TIES:

WEST 1/4 CORNER SEC.36-T12N-R10W
FOUND 2.5" ALUMINUM CAP
E. 40.00' FOUND 1/2" PIPE
NE 44.80' SET 1/2" REBAR LS-783 CAP
NNW 51.36' SW BOLT BASE OF S. GAURD RAIL
POST ON BRIDGE DECK

WEST 1/16-NW 1/4 SEC.36-T12N-R10W
FOUND 1/2" PIPE
SW 66.70' 1/2" PIPE

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

EYNETICH ACRES SUBDIVISION

LOT 1 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, TONY and CAMALLA EYNETICH, 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:

A PARCEL OF LAND LOCATED IN THE SOUTH ONE HALF OF THE NORTHWEST QUARTER (S.1/2-NW ¼) OF SECTION THIRTY-SIX (36) TOWNSHIP TWELVE (12) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH ONE HALF OF THE NORTHWEST QUARTER (WEST ¼ CORNER), THENCE S89°53'50"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SOUTH ONE HALF OF THE NORTHWEST QUARTER A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING AND THIS BEING THE EAST RIGHT OF WAY LINE OF A COUNTY ROAD, THENCE N00°20'37"E ON SAID EAST RIGHT OF WAY LINE A

DISTANCE OF 20.00 FEET, THENCE N40°47'01"E A
DISTANCE OF 423.28 FEET, THENCE S89°53'50"E A
DISTANCE OF 216.00 FEET, THENCE S00°06'10"W A
DISTANCE OF 216.00 FEET, THENCE S89°53'50"E A
DISTANCE OF 50.00 FEET, THENCE S00°06'10"W A
DISTANCE OF 125.00 FEET TO SAID SOUTH LINE OF THE
SOUTH ONE HALF OF THE NORTHWEST QUARTER S.1/2-
NW ¼), THENCE N89°53'50"W ON SAID SOUTH LINE A
DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 3.00 ACRES MORE OR LESS.

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 EYNETICH ACRES 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 EYNETICH ACRES 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 North Road where it abuts 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 North 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.

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

6. **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.

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 floodproofed and certified as such by a qualified engineer or architect.

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 EYNETICH ACRES

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.

TONY and CAMALLA EYNETICH,
Subdivider

By: _____
Tony Eynetich

By: _____
Camalla Eynetich

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 Tony Eynetich, 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 Camalla Eynetich, 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

Attest: _____

RaNae Edwards, City Clerk

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2022, 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 2022-____, 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 2022-108

WHEREAS know all men by these presents, that Tony T. Eynetich and Camalla M. Eynetich, husband and wife, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "EYNETICH ACRES SUBDIVISION", A parcel of land located in the South one half of the Northwest Quarter (S ½ - NW ¼) of Section Thirty-Six (36) Township Twelve (12) North, Range Ten (10) West of the 6th P.M., 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 EYNETICH ACRES 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, April 26, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 22, 2022	☐ City Attorney