



# City of Grand Island

Tuesday, July 12, 2022

Council Session

## Item G-9

**#2022-173 - Approving Preliminary Plat, Final Plat and Subdivision Agreement for Trinity Heights Subdivision**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission  
**Meeting:** July 12, 2022  
**Subject:** Trinity Heights Subdivision- Preliminary and Final Plat  
**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## Background

This property is generally located north of State Street (Blessed Sacrament Church) and 18<sup>th</sup> Street and west of Wheeler Avenue in Grand Island, Nebraska. (53 lots, 14.18 acres). This property is zoned R3-SL Medium Density Small Lot Residential Zone. City staff is recommending that we try a new street width with this subdivision. Staff is suggesting that this would be an ideal location to try a 34 foot wide street that would allow parking on both sides, fit within a 60' right of way and work for fire codes as well as utility installation. If this is successful staff would consider recommending changes to city code to allow this a replacement or alternate for the 37' street in a 62' right of way.

## Discussion

The final plat for Trinity Heights Subdivision was considered at the Regional Planning Commission at the June 1, 2022 meeting.

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

The motion carried with seven members voting in favor (O'Neill, Ruge, Olson, Rainforth, Rubio, Hendricksen, 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**  
Mesner Development Company  
Central City

To create

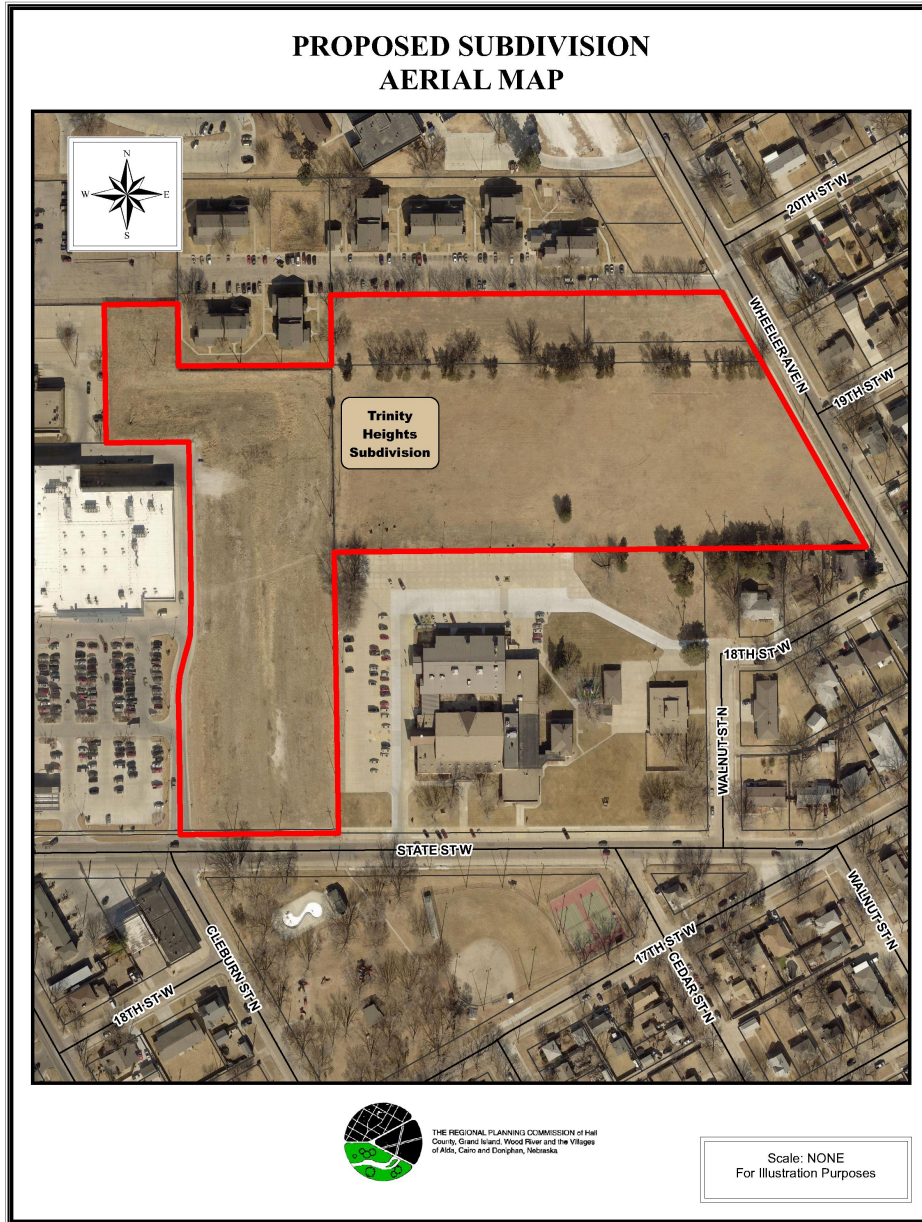
**Size: Final Plat** 53 lots, 14.18 Acres

**Zoning:** R3-SL Medium Density Small Lot Residential Zone.

**Road Access:** Planned 34' concrete curb and gutter streets with parking allowed on both sides.

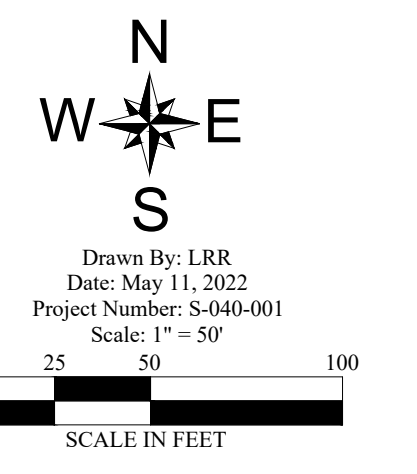
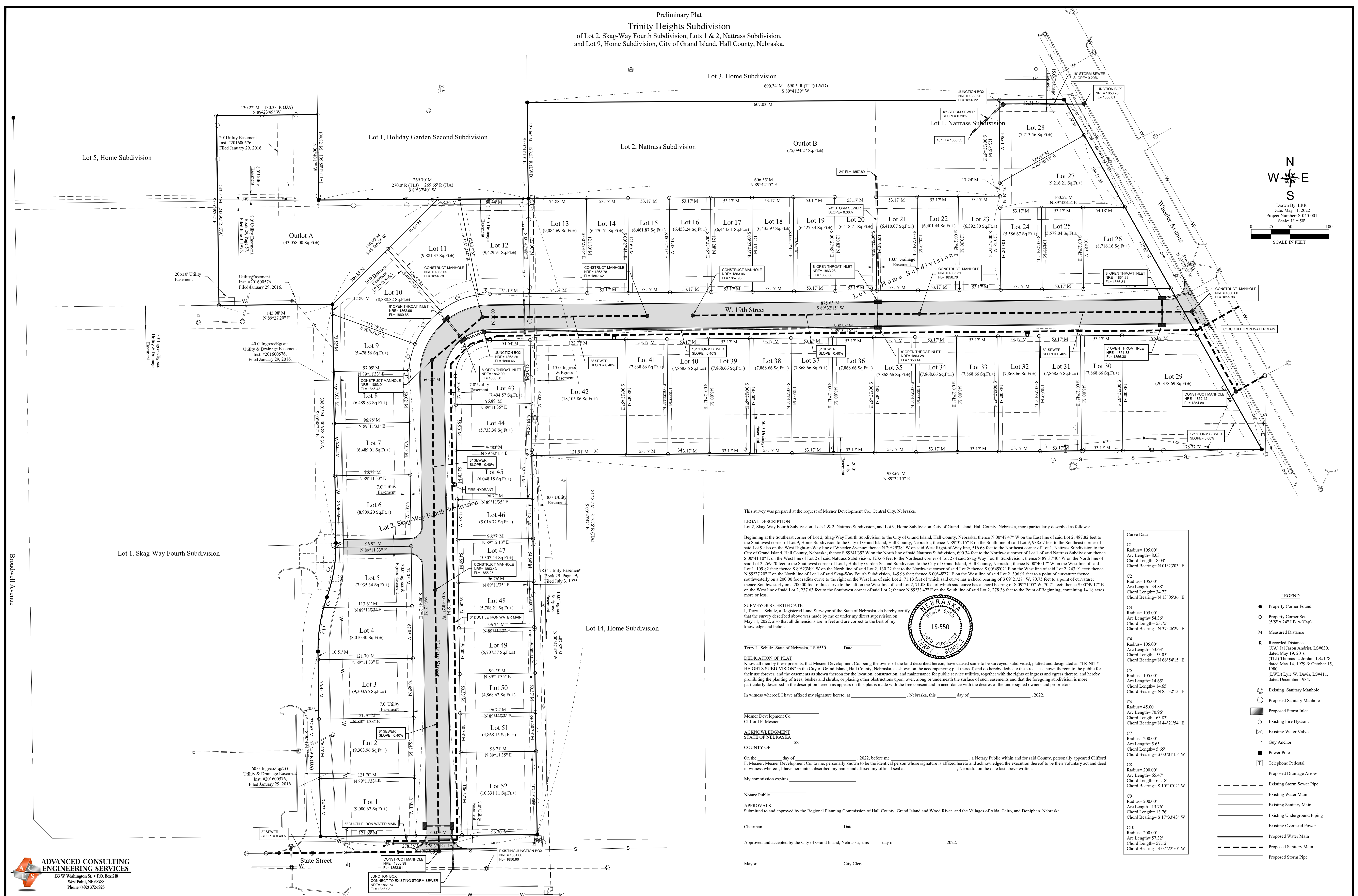
**Water:** City water is available to the subdivision and will be extended to all new lots.

**Sewer:** City sewer is available to the subdivision and will be extended to all new lots.





Preliminary Plat  
**Trinity Heights Subdivision**  
of Lot 2, Skag-Way Fourth Subdivision, Lots 1 & 2, Natrass Subdivision,  
and Lot 9, Home Subdivision, City of Grand Island, Hall County, Nebraska.



This survey was prepared at the request of Mesner Development Co., Central City, Nebraska.

**LEGAL DESCRIPTION**  
Lot 2, Skag-Way Fourth Subdivision, Lots 1 & 2, Natrass Subdivision, and Lot 9, Home Subdivision, City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot 2, Skag-Way Fourth Subdivision to the City of Grand Island, Hall County, Nebraska; thence N 00°47'47" W on the East line of said Lot 2, 487.82 feet to the Southwest corner of Lot 9, Home Subdivision to the City of Grand Island, Hall County, Nebraska; thence N 89°32'15" E on the South line of said Lot 9, 938.67 feet to the Southeast corner of said Lot 9 also on the West Right-of-Way line of Wheeler Avenue; thence N 29°29'38" W on said West Right-of-Way line, 516.68 feet to the Northeast corner of Lot 1, Natrass Subdivision to the City of Grand Island, Hall County, Nebraska; thence S 89°41'39" W on the North line of said Natrass Subdivision, 690.34 feet to the Northwest corner of Lot 1 of said Natrass Subdivision; thence S 00°41'10" E on the West line of Lot 2 of said Natrass Subdivision, 123.66 feet to the Northeast corner of Lot 2 of said Skag-Way Fourth Subdivision; thence N 89°11'35" W on the North line of said Lot 2, 269.70 feet to the Southwest corner of Lot 1, Holiday Garden Second Subdivision to the City of Grand Island, Hall County, Nebraska; thence N 00°40'17" W on the West line of said Lot 1, 109.82 feet; thence S 89°23'49" W on the North line of said Lot 2, 130.22 feet to the Northwest corner of said Lot 2; thence S 00°49'02" E on the West line of said Lot 2, 243.91 feet; thence N 89°27'00" E on the North line of Lot 1 of said Skag-Way Fourth Subdivision, 145.98 feet; thence S 00°48'27" E on the West line of said Lot 2, 306.91 feet to a point of curvature; thence southwesterly on a 200.00 foot radius curve to the right on the West line of said Lot 2, 71.13 feet of which said curve has a chord bearing of S 09°21'27" W, 70.75 feet to a point of curvature; thence Southwesterly on a 200.00 foot radius curve to the left on the West line of said Lot 2, 71.08 feet of which said curve has a chord bearing of S 09°21'05" W, 70.71 feet; thence S 00°49'17" E on the West line of said Lot 2, 237.63 feet to the Southwest corner of said Lot 2; thence N 89°33'47" E on the South line of said Lot 2, 278.38 feet to the Point of Beginning, containing 14.18 acres, more or less.

**SURVEYOR'S CERTIFICATE**  
I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me or under my direct supervision on May 11, 2022; also that all dimensions are in feet and are correct to the best of my knowledge and belief.



Terry L. Schulz, State of Nebraska, LS #550 Date \_\_\_\_\_

**DEDICATION OF PLAT**  
Know all men by these presents, that Mesner Development Co. being the owner of the land described herein, have caused same to be surveyed, subdivided, platted and designated as "TRINITY HEIGHTS SUBDIVISION" in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the easements as shown thereon for the location, construction, and maintenance for public service utilities, together with the rights 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 is more particularly described in the description herein 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, I have affixed my signature hereto, at \_\_\_\_\_, Nebraska, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Mesner Development Co.  
Clifford F. Mesner

**ACKNOWLEDGMENT**  
STATE OF NEBRASKA  
COUNTY OF \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me \_\_\_\_\_, a Notary Public within and for said County, personally appeared Clifford F. Mesner, Mesner Development Co. to me, personally known to be the identical person whose signature is affixed hereto and acknowledged the execution thereof to be their voluntary act and deed 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, 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, Nebraska, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

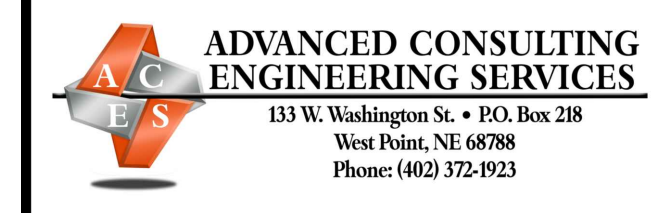
Mayor \_\_\_\_\_ City Clerk \_\_\_\_\_

**Curve Data**

C1	Radius= 105.00 Arc Length= 8.03 Chord Length= 8.03 Chord Bearing= N 01°23'03" E
C2	Radius= 105.00 Arc Length= 34.88 Chord Length= 34.72 Chord Bearing= N 13°05'36" E
C3	Radius= 105.00 Arc Length= 54.36 Chord Length= 53.75 Chord Bearing= N 37°26'29" E
C4	Radius= 105.00 Arc Length= 53.63 Chord Length= 53.05 Chord Bearing= N 66°54'15" E
C5	Radius= 105.00 Arc Length= 14.65 Chord Length= 14.65 Chord Bearing= N 85°32'13" E
C6	Radius= 45.00 Arc Length= 70.96 Chord Length= 63.83 Chord Bearing= N 44°21'54" E
C7	Radius= 200.00 Arc Length= 5.65 Chord Length= 5.65 Chord Bearing= S 00°01'15" W
C8	Radius= 200.00 Arc Length= 45.47 Chord Length= 65.18 Chord Bearing= S 10°10'02" W
C9	Radius= 200.00 Arc Length= 13.76 Chord Length= 13.76 Chord Bearing= S 17°33'43" W
C10	Radius= 200.00 Arc Length= 57.32 Chord Length= 57.12 Chord Bearing= S 07°22'50" W

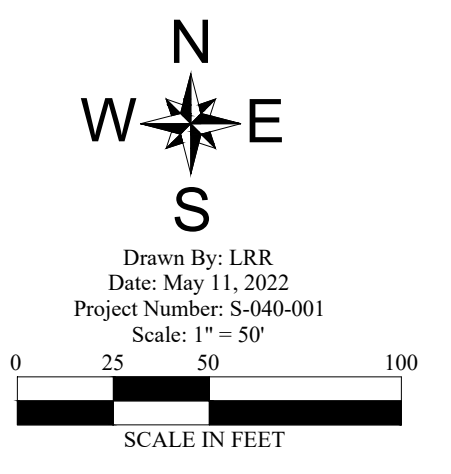
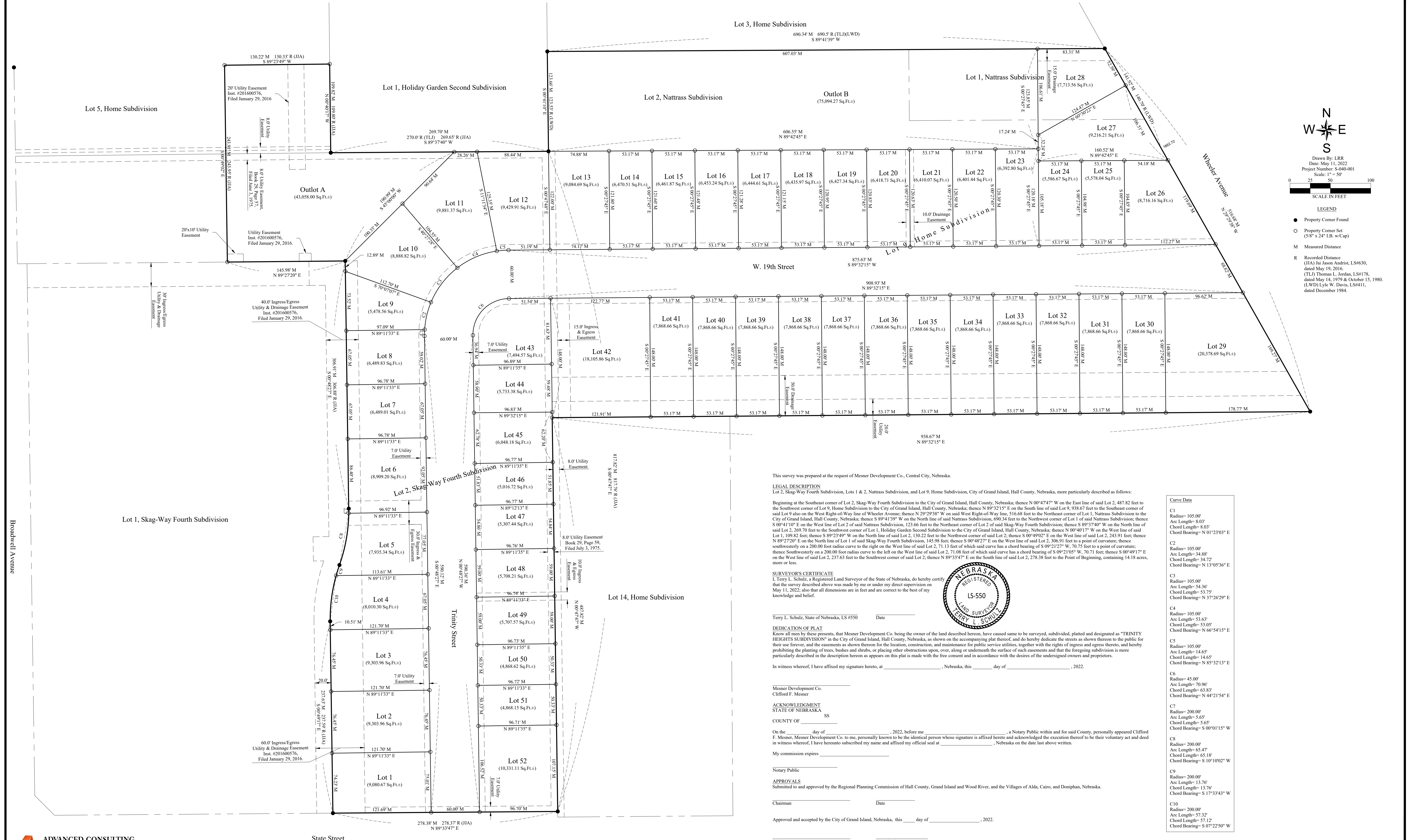
**LEGEND**

- Property Corner Found
- Property Corner Set (5/8" x 24" I.B. w/Cap)
- M Measured Distance
- R Recorded Distance (JJA) Jason Andrist, LS#630, dated May 19, 2016, (TLJ) Thomas L. Jordan, LS#178, dated May 14, 1979 & October 15, 1980, (LWD) Lyle W. Davis, LS#411, dated December 1984.
- Existing Sanitary Manhole
- Proposed Sanitary Manhole
- Existing Storm Inlet
- Existing Fire Hydrant
- Existing Water Valve
- Guy Anchor
- Power Pole
- ⊥ Telephone Pedestal
- Proposed Drainage Arrow
- == Existing Storm Sewer Pipe
- Existing Water Main
- Existing Sanitary Main
- Existing Underground Piping
- Existing Overhead Power
- Proposed Water Main
- Proposed Sanitary Main
- Proposed Storm Pipe





Final Plat  
**Trinity Heights Subdivision**  
of Lot 2, Skag-Way Fourth Subdivision, Lots 1 & 2, Nattross Subdivision,  
and Lot 9, Home Subdivision, City of Grand Island, Hall County, Nebraska.



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In witness whereof, I have affixed my signature hereto, at \_\_\_\_\_, Nebraska, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Mesner Development Co.  
Clifford F. Mesner

**ACKNOWLEDGMENT**  
STATE OF NEBRASKA  
COUNTY OF \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me \_\_\_\_\_, a Notary Public within and for said County, personally appeared Clifford F. Mesner, Mesner Development Co. to me, personally known to be the identical person whose signature is affixed hereto and acknowledged the execution thereof to be their voluntary act and deed 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, Grand Island and Wood River, and the Villages of Alda, Cairo, and Doniphan, Nebraska.

Chairman \_\_\_\_\_ Date \_\_\_\_\_

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

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	Chord Bearing= S 17°33'43" W
C10	Radius= 200.00'
	Arc Length= 57.32'
	Chord Length= 57.12'
	Chord Bearing= S 07°22'50" W

\* This Space Reserved for Register of Deeds \*

SUBDIVISION AGREEMENT

**TRINITY HEIGHTS SUBDIVISION**

Lots 1-52 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, MESNER DEVELOPMENT COMPANY, 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:

Lot 2, Skag-Way Fourth Subdivision, Lots 1 & 2, Natrass Subdivision, and Lot 9, Home Subdivision, City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot 2, Skag-Way Fourth Subdivision to the City of Grand Island, Hall County, Nebraska; thence N 00°47'47" W on the East line of said Lot 2, 487.82 feet to the Southwest corner of Lot 9, Home Subdivision to the City of Grand Island, Hall County, Nebraska;

thence N 89°32'15" E on the South line of said Lot 9, 938.67 feet to the Southeast corner of said Lot 9 also on the West Right-of-Way line of Wheeler Avenue; thence N 29°29'38" W on said West Right-of-Way line, 516.68 feet to the Northeast corner of Lot 1, Natrass Subdivision to the City of Grand Island, Hall County, Nebraska; thence S 89°41'39" W on the North line of said Natrass Subdivision, 690.34 feet to the Northwest corner of Lot 1 of said Natrass Subdivision; thence S 00°41'10" E on the West line of Lot 2 of said Natrass Subdivision, 123.66 feet to the Northeast corner of Lot 2 of said Skag-Way Fourth Subdivision; thence S 89°37'40" W on the North line of said Lot 2, 269.70 feet to the Southwest corner of Lot 1, Holiday Garden Second Subdivision to the City of Grand Island, Hall County, Nebraska; thence N 00°40'17" W on the West line of said Lot 1, 109.82 feet; thence S 89°23'49" W on the North line of said Lot 2, 130.22 feet to the Northwest corner of said Lot 2; thence S 00°49'02" E on the West line of said Lot 2, 243.91 feet; thence N 89°27'20" E on the North line of Lot 1 of said Skag-Way Fourth Subdivision, 145.98 feet; thence S 00°48'27" E on the West line of said Lot 2, 306.91 feet to a point of curvature; thence southwesterly on a 200.00 foot radius curve to the right on the West line of said Lot 2, 71.13 feet of which said curve has a chord bearing of S 09°21'27" W, 70.75 feet to a point of curvature; thence Southwesterly on a 200.00 foot radius curve to the left on the West line of said Lot 2, 71.08

feet of which said curve has a chord bearing of S 09°21'05" W, 70.71 feet; thence S 00°49'17" E on the West line of said Lot 2, 237.63 feet to the Southwest corner of said Lot 2; thence N 89°33'47" E on the South line of said Lot 2, 278.38 feet to the Point of Beginning, containing 14.18 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 TRINITY HEIGHTS 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 TRINITY HEIGHTS 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 19<sup>th</sup> Street and Trinity Street 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 19<sup>th</sup> Street and Trinity Street, 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 State Street and Wheeler Avenue, where they abut 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. This subdivision may be served initially by a private lift station at the developer’s expense for purchase, installation and maintenance until such time as planned improvements to the sewer line in State Street are complete.

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 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
19 <sup>th</sup> Street		Yes	NO
Trinity Street		Yes	NO

The Subdivider shall maintain all public sidewalks along State Street and Wheeler Avenue as required by the City of Grand Island.

6. **Limited Access.** No drive access shall be permitted from State Street to Lots 1 and 52. No drive access shall be permitted from Wheeler Avenue to Lots 26 and 29.

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 TRINITY HEIGHTS



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.

MESNER DEVELOPMENT COMPANY,  
Subdivider

By: \_\_\_\_\_  
Clifford F. Mesner, Managing Member

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 Clifford F. Mesner, Managing Member of Mesner Development Company, 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 Mesner Development Company.

WITNESS my hand and notarial seal the date above written.

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

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

CITY OF GRAND ISLAND, NEBRASKA  
A Municipal Corporation





RESOLUTION 2022-173

WHEREAS know all men by these presents, that Mesner Development Company, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "TRINITY HEIGHTS SUBDIVISION", All of lot 2 Skag-Way Fourth Subdivision, Lot 1 and 2 of Natrass Subdivision and Lot 9 of Home Subdivision 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 TRINITY HEIGHTS 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, July 12, 2022.

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

Attest:

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

Approved as to Form	☐ _____
July 11, 2022	☐ City Attorney