



City of Grand Island

Tuesday, August 23, 2022

Council Session

Item G-6

#2022-220 - Approving Final Plat and Subdivision Agreement for Grand Island Plaza Third Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: August 23, 2022
Subject: Grand Island Plaza Third Subdivision- Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located south of Capital Avenue east of U.S Highway 281. (3 Lots, 11.32 Acres) This adds a previously unplatted piece of property at the corner of Capital and U.S. 281 to the plat and reconfigures the lot lines. This property is zoned B2 and all lots have access to sewer and water.

Discussion

The final plat for Grand Island Plaza Third Subdivision was considered at the Regional Planning Commission at the August 3, 2022 meeting on the consent agenda.

A motion was made by Rainforth and second by Hendricksen to approve all items the consent agenda.

The motion was carried with eleven members voting in favor (Nelson, Allan, O'Neill, Ruge, Olson, Robb, Monter, Rainforth, Hendricksen, Doane and Randone) and no members 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

Gordman Grand Island, LLC
444 Regency Parkway STE 202
Omaha, NE 68114

To create 3 lots from four tracts of property at 281 and Capital

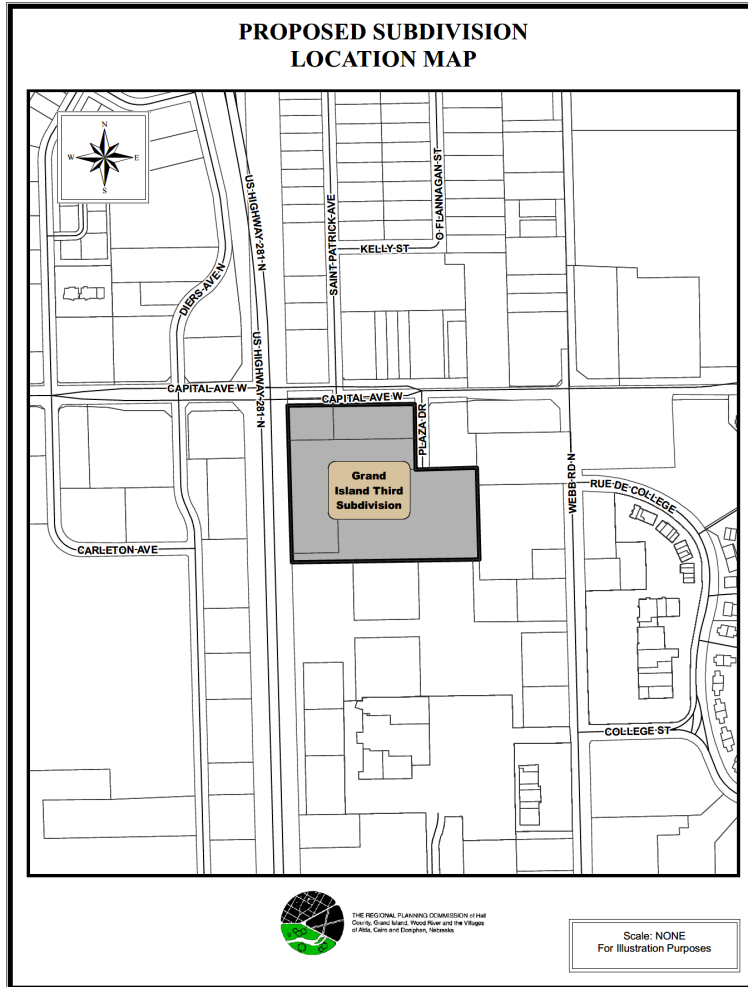
Size: Final Plat 3 lots, 11.32 Acres

Zoning: B2

Road Access: Capital Avenue and Plaza Drive are paved city streets. No additional access to be allowed from Capital.

Water: City water is available to the subdivision.

Sewer: City sewer is available to the subdivision.



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

GRAND ISLAND PLAZA THIRD SUBDIVISION

Lots 1, 2 and 3 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, GORDMAN GRAND ISLAND L.L.C., 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:

Lots 2 and 3 of Grand Island Plaza Subdivision, Except that parcel in Lot 3 conveyed to the City of Grand Island in Warranty Deed recorded as Instrument No. 200610513 and Except that parcel in that certain Report of Appraisers recorded as Instrument No. 201501848.

Tract 2:

A tract of land comprising a part of the East Half of the Northeast Quarter (E1/2NE1/4) of Section Twelve (12), Township Eleven

(11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska, more particularly described as follows: Commencing at a point Seventy Five (75) feet east of the Northwest corner of said E1/2NE1/4 on the North line of said E1/2NE1/4; thence continuing easterly along the north line of said E1/2NE1/4 a distance of Two Hundred (200) feet; thence southerly and parallel to the Westerly line of said E1/2NE1/4 a distance of Two Hundred Seventeen and Eight Tenths (218.8) feet; thence Westerly and parallel to the North line of said E1/2NE1/4 a distance of Two Hundred (200) feet to a point on the Easterly right of way of U.S. Highway No. 281; thence Northerly along and upon the East right of way line of U.S. Highway No. 281 a distance of Two Hundred Seventeen and Eight Tenths (217.8) feet to the point of beginning. Except that parcel conveyed to the City of Grand Island in Warranty Deed recorded as Instrument No. 200610513 and Except that parcel in that certain Report of Appraisers recorded as Instrument No. 201501848.

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 GRAND ISLAND PLAZA 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 GRAND ISLAND PLAZA 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 Capital Avenue or Plaza Drive 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.

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.** 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
Plaza Drive		X	NO

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

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. **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.

7. **Access.** Access from Capital Avenue shall be limited to the existing access across from St. Patrick Avenue. No additional drive access shall be permitted onto Capital Avenue.

8. **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.

9. **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.

10. **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 GRAND ISLAND PLAZA 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.

11. **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.

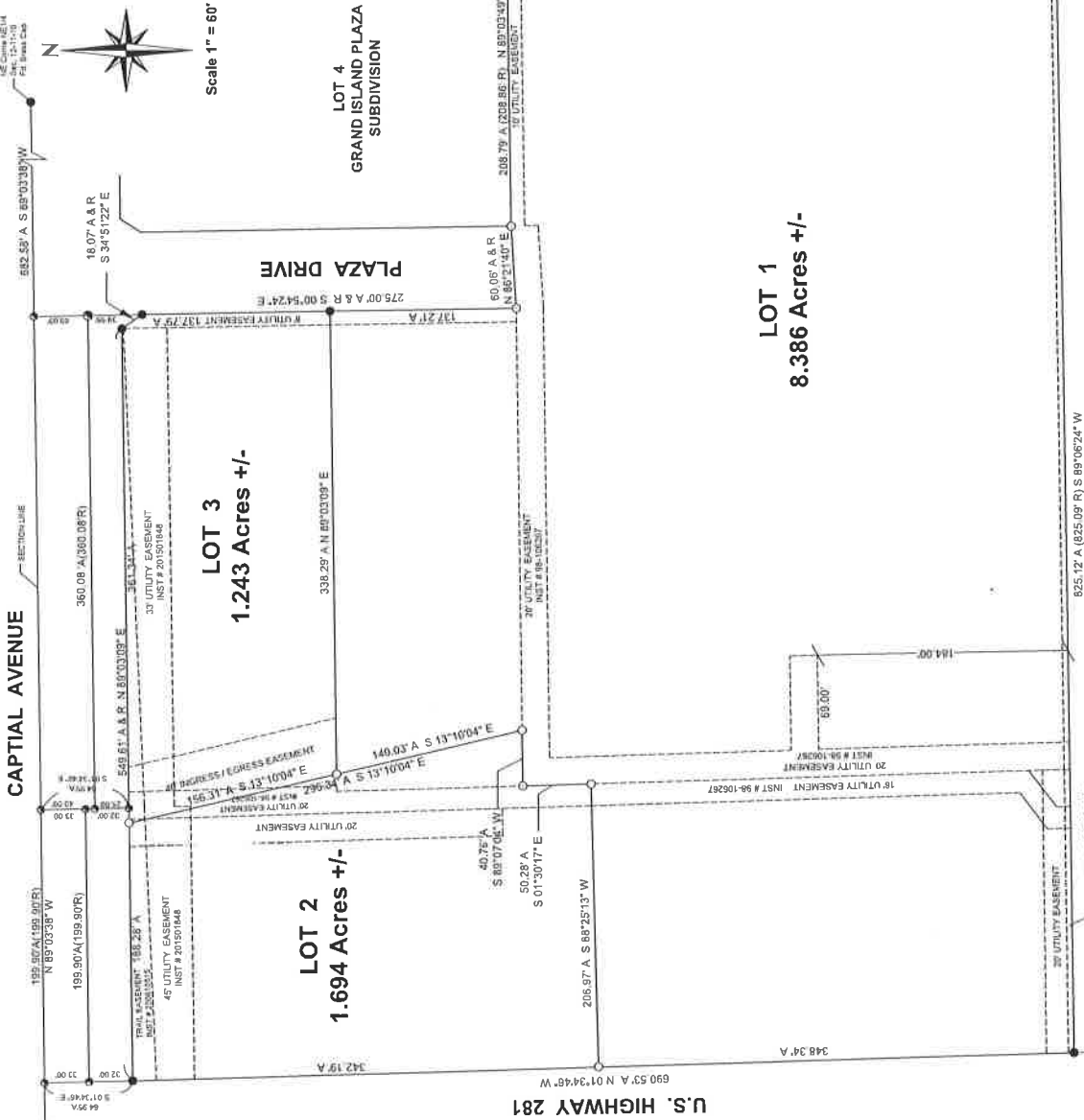
GORDMAN GRAND ISLAND, L.L.C.,
Subdivider

By: _____
Jerry Gordman

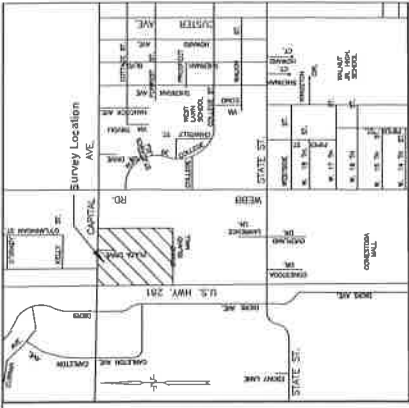
STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2022, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jerry Gordman, Member of Gordman Grand Island, L.L.C., known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and

GRAND ISLAND PLAZA THIRD SUBDIVISION CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA FINAL PLAT



Vicinity Map



Legend

- - Corner Found 1/2" Pipe Unless Otherwise Noted
- - 1/2" Rebar Placed W/Survey Cap Unless Otherwise Noted
- - Proposed Survey
- - All Distances on Curves are Chord Distances
- R - Recorded Distance
- A - Actual Distance
- P - Proposed Distance

INTL. SURV. & ENG. LLC 101 S. 15th St., Suite 204 Grand Island, NE 68802 402-333-1100 2025-2026-2027	
GRAND ISLAND PLAZA THIRD SUBDIVISION/FINAL PLAT 11-1-2022 11-1-2022 11-1-2022	

GRAND ISLAND PLAZA THIRD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

Legal Description

Tract 1:

Replat of Lots 1, 2 and 3 of Grand Island Plaza Second Subdivision, Except that parcel in Lot 3 conveyed to the City of Grand Island in Warranty Deed recorded as Instrument No. 200610513 and Except that parcel in that certain Report of Appraisers recorded as Instrument No. 201501848.

Tract 2:

A tract of land comprising a part of the East Half of the Northeast Quarter (E1/2NE1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska, more particularly described as follows: Commencing at a point Seventy Five (75) feet east of the Northwest corner of said E1/2NE1/4 on the North line of said E1/2NE1/4; thence continuing easterly along the north line of said E1/2NE1/4 a distance of Two Hundred (200) feet; thence southerly and parallel to the Westerly line of said E1/2NE1/4 a distance of Two Hundred Seventeen and Eight Tenths (218.8) feet; thence Westerly and parallel to the North line of said E1/2NE1/4 a distance of Two Hundred (200) feet to a point on the Easterly right of way of U.S. Highway No. 281; thence Northerly along and upon the East right of way line of U.S. Highway No. 281 a distance of Two Hundred Seventeen and Eight Tenths (217.8) feet to the point of beginning. Except that parcel conveyed to the City of Grand Island in Warranty Deed recorded as Instrument No. 200610513 and Except that parcel in that certain Report of Appraisers recorded as Instrument No. 201501848. Containing 0.701 Acres more or less.

SURVEYORS CERTIFICATE

I hereby certify that on July 13, 2022, I completed an accurate survey of 'GRAND ISLAND PLAZA THIRD SUBDIVISION', in the city of Grand Island, 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 iron markers were placed at all lot corners; that the dimensions of each lot are as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

 Brent D Cyboron
 Nebraska Professional Registered Land Surveyor No. 727

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
 Approved and accepted by the City of Grand Island, Hall County, Nebraska this _____
 Day of _____, 2022

 Mayor

 City Clerk

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that GORDMAN GRAND ISLAND, L.L.C., a Nebraska Limited Liability Company, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as GRAND ISLAND PLAZA THIRD SUBDIVISION in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, 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 obstructions upon, over, along or underneath the surface of such easements; and that 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 owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

 GORDMAN GRAND ISLAND L.L.C. TITLE

Date _____

ACKNOWLEDGEMENT

State of Nebraska
 County of Hall

On the _____ day of _____, 2022, before me _____ a Notary Public within and for said County, personally appeared _____ (Title) and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge the execution thereof to be his voluntary act and deed and the voluntary act and deed of said Company, and that he was empowered to make the above dedication for and in behalf of said Company.

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

My commission expires _____, 20____.

 Notary Public

INITIAL POINT SURVEYING LLC 108 S. Wacker Drive, Suite 209 Grand Island, NE 68803 309-324-7572 Cell 309-324-7572 Office	
GRAND ISLAND PLAZA THIRD SUBDIVISION PLAT NO. 2022-114 FILED IN G. I. 218 F	FILED IN GRAND ISLAND PLAZA THIRD SUBDIVISION PLAT NO. 2022-114 FILED IN G. I. 218 F

RESOLUTION 2022-220

WHEREAS know all men by these presents, Gordman Grand Island, LLC., A Nebraska Limited Liability Company, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "GRAND ISLAND PLAZA THIRD SUBDIVISION", Lots 1, 2 and 3 of Grand Island Plaza Subdivision, Except that parcel in Lot 3 conveyed to the City of Grand Island in Warranty Deed recorded as Instrument No. 200610513 along with a part of the East Half of the Northeast Quarter (E ½ of the NE ¼) of Section Twelve (12), Township Eleven (11) north, Range Ten (10) west of the 6th. 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 GRAND ISLAND PLAZA 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, August 23, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
August 19, 2022	☒ City Attorney