



City of Grand Island

Tuesday, August 23, 2022

Council Session

Item G-7

**#2022-221 - Approving Final Plat and Subdivision Agreement for
Shafer Acres Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: August 23, 2022
Subject: Shafer Acres Subdivision- Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is generally located north of One-R Road and east of St. Paul Road in the jurisdiction of the city of Grand Island, Nebraska. (1 lot, 3.202 acres). This property is zoned AG-2 Secondary Agriculture.

Discussion

The final plat for Shafer Acres 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

Wieck Realty & Auction
5901 Airport Road
Grand Island, NE 68803

To create

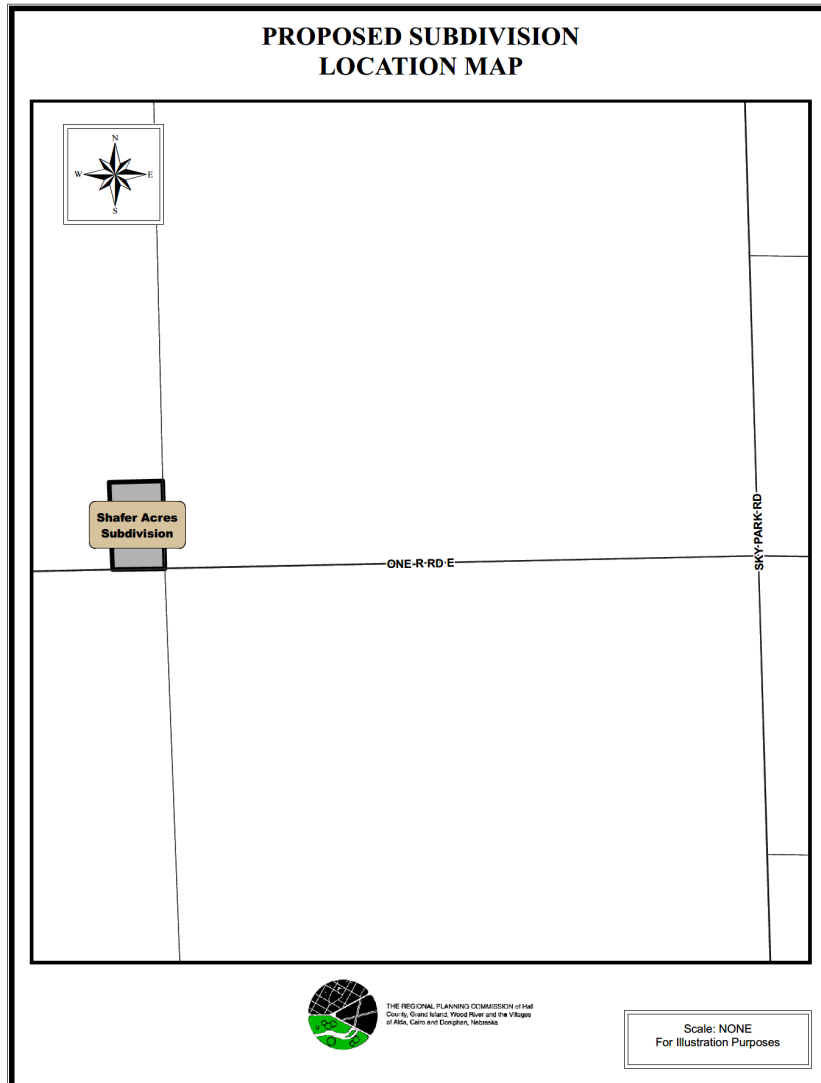
Size: Final Plat 1 lots, 3.302 Acres

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.



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

SHAFER ACRES SUBDIVISION

Lot 1 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, Michael A. Shafer and Debra J. Shafer, 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 THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4, SW1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER (S1/4) CORNER OF SECTION 15-T12N-R9W, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°46'31"W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 15, T12N, R9W, A DISTANCE OF 220.00 FEET; THENCE N00°17'30"W A DISTANCE OF 634.00 FEET; THENCE N89°46'31"E A DISTANCE OF 220.00 FEET TO A POINT ON THE EAST LINE OF THE SE1/4, SW1/4; THENCE

S00°17'30"E, ON SAID EAST LINE, A DISTANCE OF 634.00 TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 139480.77 SQUARE FEET OR 3.202 ACRES MORE OR LESS OF WHICH 0.202 ACRES ARE 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 SHAFER 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 SHAFER 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 One R 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 One R 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. **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. **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

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 Debra J. Shafer, 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: _____

SHAFER ACRES SUBDIVISION

HALL COUNTY, NEBRASKA

FINAL PLAT

LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4, SW1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTH QUARTER (S1/4) CORNER OF SECTION 15-T12N-R9W, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S89°46'31"W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 15, T12N, R9W, A DISTANCE OF 220.00 FEET; THENCE N00°17'30"W A DISTANCE OF 634.00 FEET; THENCE N89°46'31"E A DISTANCE OF 220.00 FEET TO A POINT ON THE EAST LINE OF THE SE1/4, SW1/4; THENCE S00°17'30"E, ON SAID EAST LINE, A DISTANCE OF 634.00 TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 139480.77 SQUARE FEET OR 3.202 ACRES MORE OR LESS OF WHICH 0.202 ACRES ARE DEDICATED ROAD RIGHT-OF-WAY.

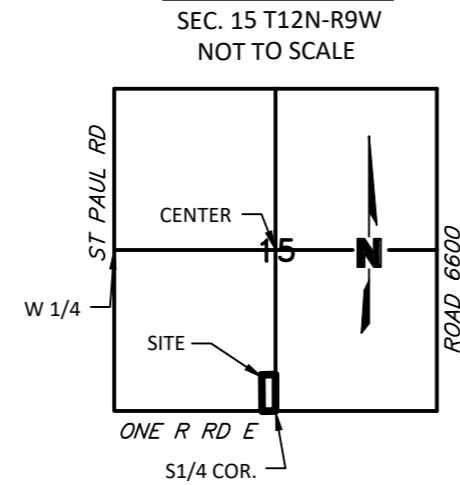
SECTION CORNER TIES

SOUTHWEST CORNER, SECTION 15 T12N R9W
 FOUND SQUARE BOLT IN 1/2" PIPE 1.5' BELOW GRAVEL SURFACE ON CENTERLINE N-S AND E-W COUNTY ROADS
 SE 53.58' TO DUPLEX NAIL AND WASHER IN BRACE POST
 SW 44.22' TO NAIL IN POWER POLE
 NW 52.79' TO RED HEAD NAIL IN CUT OFF POWER POLE
 WNW 68.81' TO DUPLEX NAIL AND WASHER IN POWER POLE

SOUTH 1/4 CORNER SECTION 15 T12 R9W
 FOUND SQUARE BOLT IN 1/2" PIPE 0.5' BELOW GRADE SURFACE ON CENTERLINE OF E-W COUNTY ROAD
 W 1.00' TO CENTERLINE OF OVERHEAD POWER
 S 31.61' TO REDHEAD IN POWER POLE
 SW 38.72' TO REDHEAD IN BRACE POLE
 N 33.96' TO DUPLEX NAIL IN POWER POLE
 NW 42.22' TO NEAR CORNER OF BRICK PILLAR

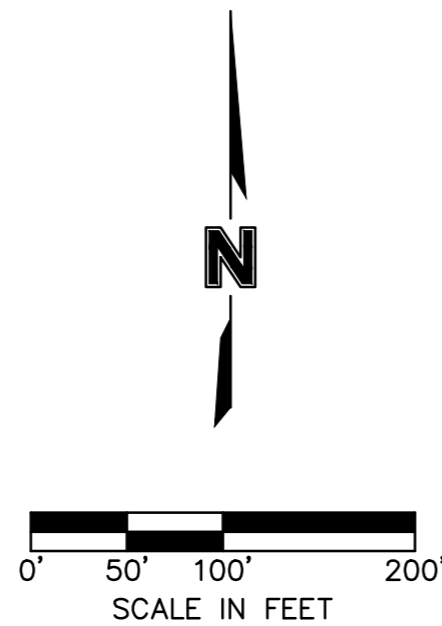
CENTER 1/4 CORNER SECTION 15 T12N R9W
 FOUND 1/2" PIPE 0.5' BELOW GRADE
 N 4.07' TO DUPLEX NAIL IN WOOD POST
 S 14.14' TO MAG NAIL AND WASHER ON TOP OF 8" CMP
 SW 19.32' TO 5/8" REBAR

LOCATION MAP

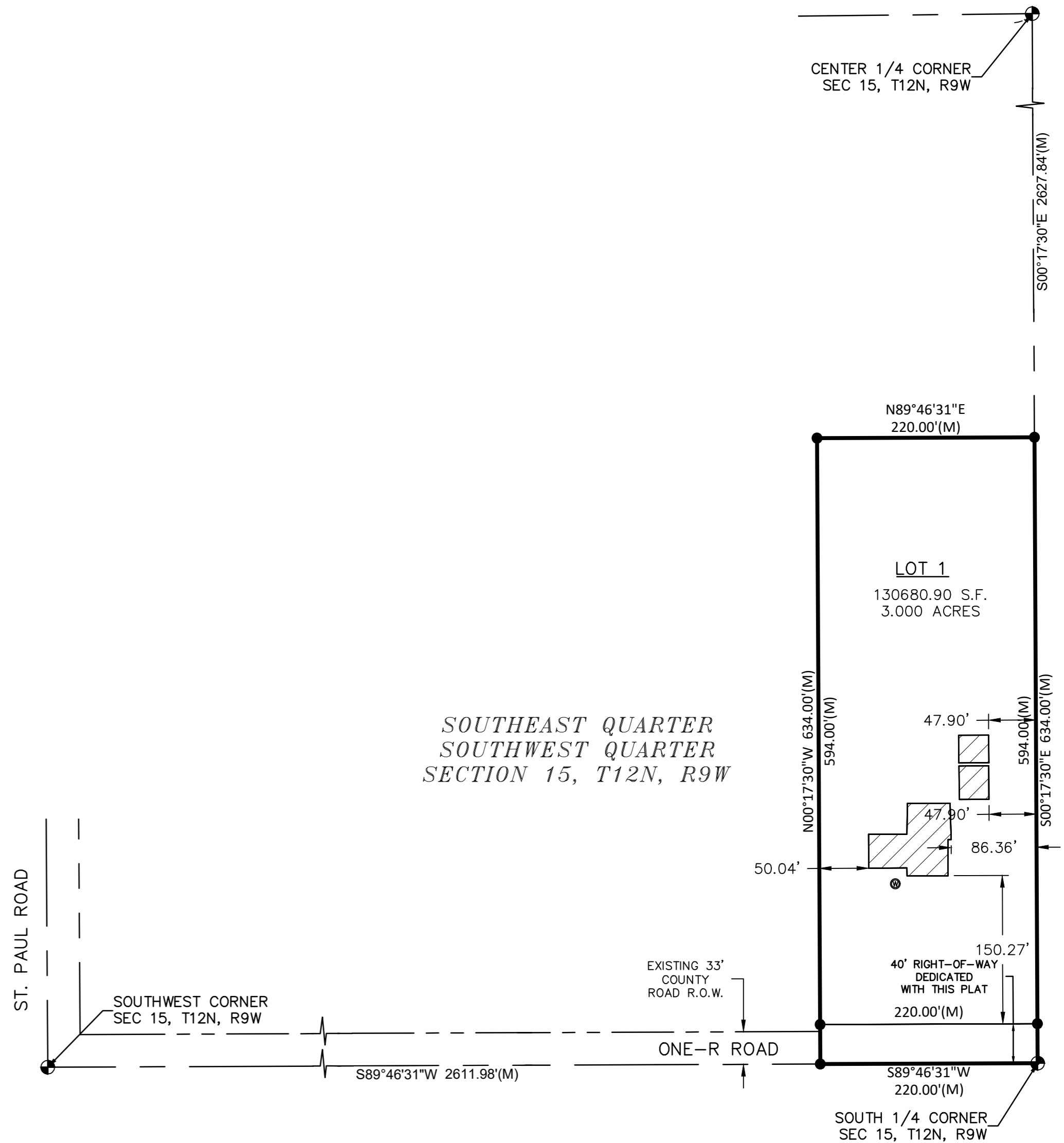


LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (1/2" IRON PIPE OR AS NOTED)
- EXISTING PROPERTY LINE
- NEW SUBDIVISION LINE
- NEW PROPERTY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- M MEASURED DISTANCE
- ⊙ WATER WELL
- ▨ BUILDING LINE



*SOUTHEAST QUARTER
 SOUTHWEST QUARTER
 SECTION 15, T12N, R9W*



NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

USLR: jjimenez

DWG: F:\2022\03001-03500\022-0322\40-Design\Survey\SRVY\Sheets\V_FPL1 SHAHER_0220322.dwg
 DATE: Jul 18, 2022 8:33am XREFS: V_XTOPO_LDP_0220322



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

PROJECT NO. 022-03227
 Wieck Auction
 Shafer Survey
 FB GI 2022 2

SHAFER ACRES SUBDIVISION

HALL COUNTY, NEBRASKA

FINAL PLAT

LEGAL DESCRIPTION

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SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2022, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4, SW1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

 JESSE E. HURT, REGISTERED LAND SURVEYOR NUMBER, LS-674

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- FOUND CORNER (1/2" IRON PIPE OR AS NOTED)
- EXISTING PROPERTY LINE
- NEW SUBDIVISION LINE
- NEW PROPERTY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- M MEASURED DISTANCE

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT MICHAEL A. SHAFER AND DEBRA J. SHAFER, HUSBAND AND WIFE, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**SHAFER ACRES SUBDIVISION**" IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4, SW1/4) OF SECTION FIFTEEN (15), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., 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 THAT THE FOREGOING ADDITION 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, I HAVE AFFIXED MY SIGNATURE HERETO,
 AT _____, NEBRASKA, AT _____, NEBRASKA,
 THIS ____ DAY OF _____, 2022 THIS ____ DAY OF _____, 2022

 MICHAEL A. SHAFER

 DEBRA J. SHAFER

ACKNOWLEDGMENT

STATE OF NEBRASKA SS
 COUNTY OF HALL
 ON THIS ____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED MICHAEL A. SHAFER, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS 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

ACKNOWLEDGMENT

STATE OF NEBRASKA SS
 COUNTY OF HALL
 ON THIS ____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED DEBRA J. SHAFER, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS 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

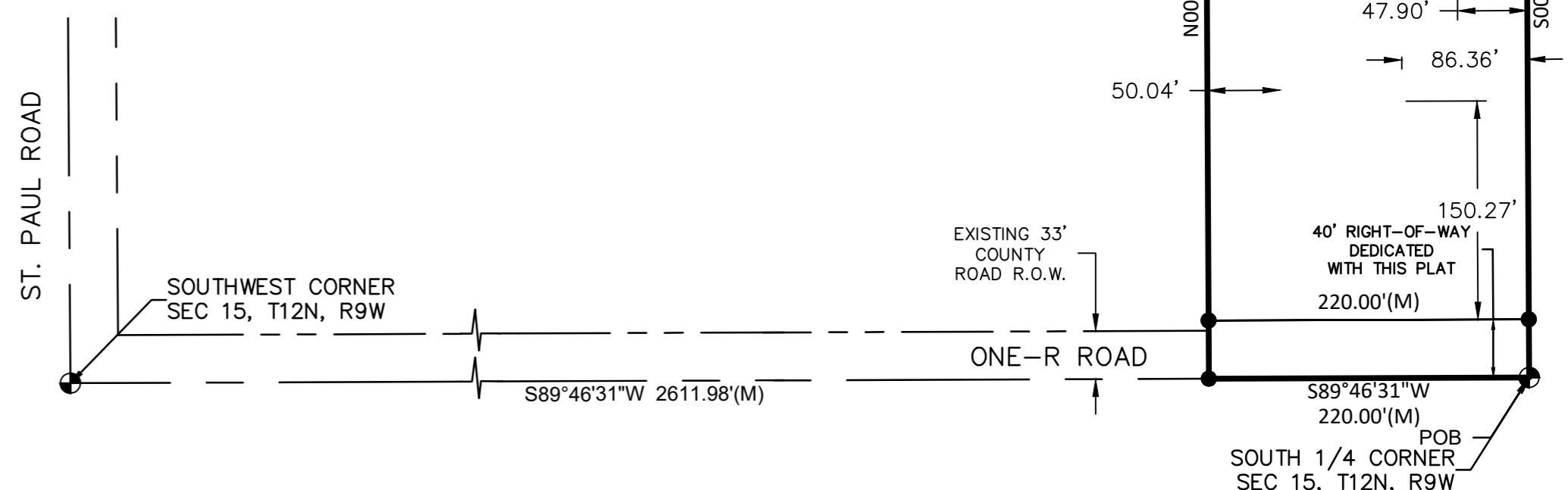
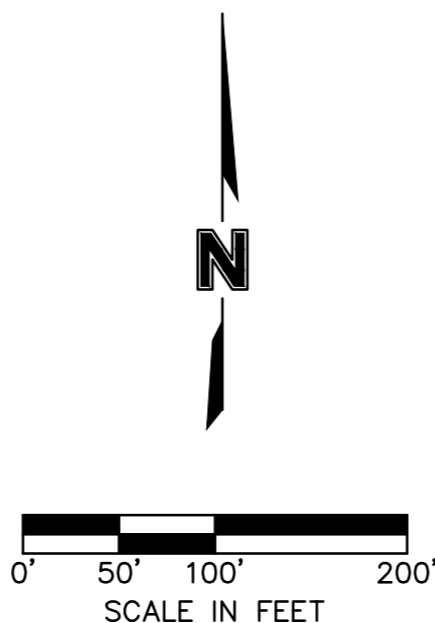
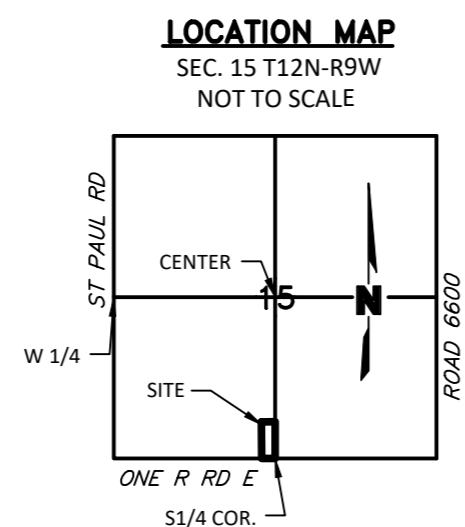
APPROVALS

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, 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 COMMISSIONERS
 THIS ____ DAY OF _____, 2022.

 CHAIRPERSON COUNTY CLERK



*SOUTHEAST QUARTER
 SOUTHWEST QUARTER
 SECTION 15, T12N, R9W*

DWG: F:\2022\03001-03500\022-03227\40-Design\Survey\SRVY\Sheets\V_FPLAT_SHAFA_02203227.dwg
 USER: jjimenez
 DATE: Jul 18, 2022 8:35am
 XREFS: V_XTOPO_LDP_02203227



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

PROJECT NO. 022-03227
 Wieck Auction
 Shafer Survey
 FB GI 2022 2

RESOLUTION 2022-221

WHEREAS know all men by these presents, Michael A. Shafer and Debra J. Shafer, Husband and Wife, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "SHAFER ACRES SUBDIVISION", part of the Southeast Quarter of the Southwest Quarter (SE ¼ of the SW ¼) of Section Fifteen (15), Township Twelve (12) north, Range Nine (9) west of the 6th PM in the zoning jurisdiction of 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 SHAFER 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, August 23, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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