



City of Grand Island

Tuesday, October 25, 2022

Council Session

Item G-7

**#2022-295 - Approving Final Plat and Subdivision Agreement for
Woodland Park 19th Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: October 25, 2022
Subject: Woodland Park Nineteenth Subdivision - Final Plat
Presenter(s): Chad Nabity, AICP, Regional Planning Director

Background

This property is located east Independence Avenue and south of Pennsylvania Avenue. This plat adjusts the property lines in the northeast corner of the subdivision and does not create any additional lots. (2 Lots, 6.979 Acres)

Discussion

The final plat for Woodland Park Nineteenth Subdivision was considered at the Regional Planning Commission at the October 5, 2022 meeting on the consent agenda.

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

The motion was carried with ten members voting in favor (Allan, Nelson, O'Neill, Ruge, Olson, Robb, Monter, Rainforth, Rubio and Randone) and no members abstaining or voting no (Hendricksen and Doane were absent).

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
McKayla Nelson
4147 Pennsylvania Ave
Grand Island, NE 68803

To create no additional lots but adjust lot line boundaries.

Size: Final Plat 2 lots, 6.979 Acres

Zoning: LLR Large Lot Residential and R2 Low Density Residential

Road Access:

Water: City water is available to the subdivision.

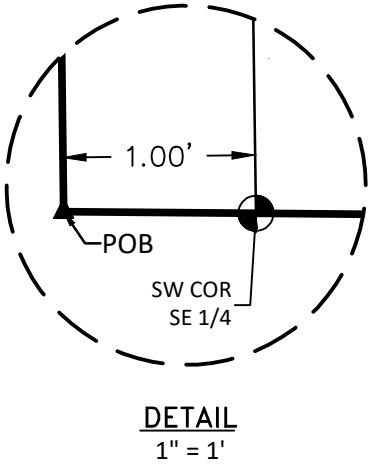
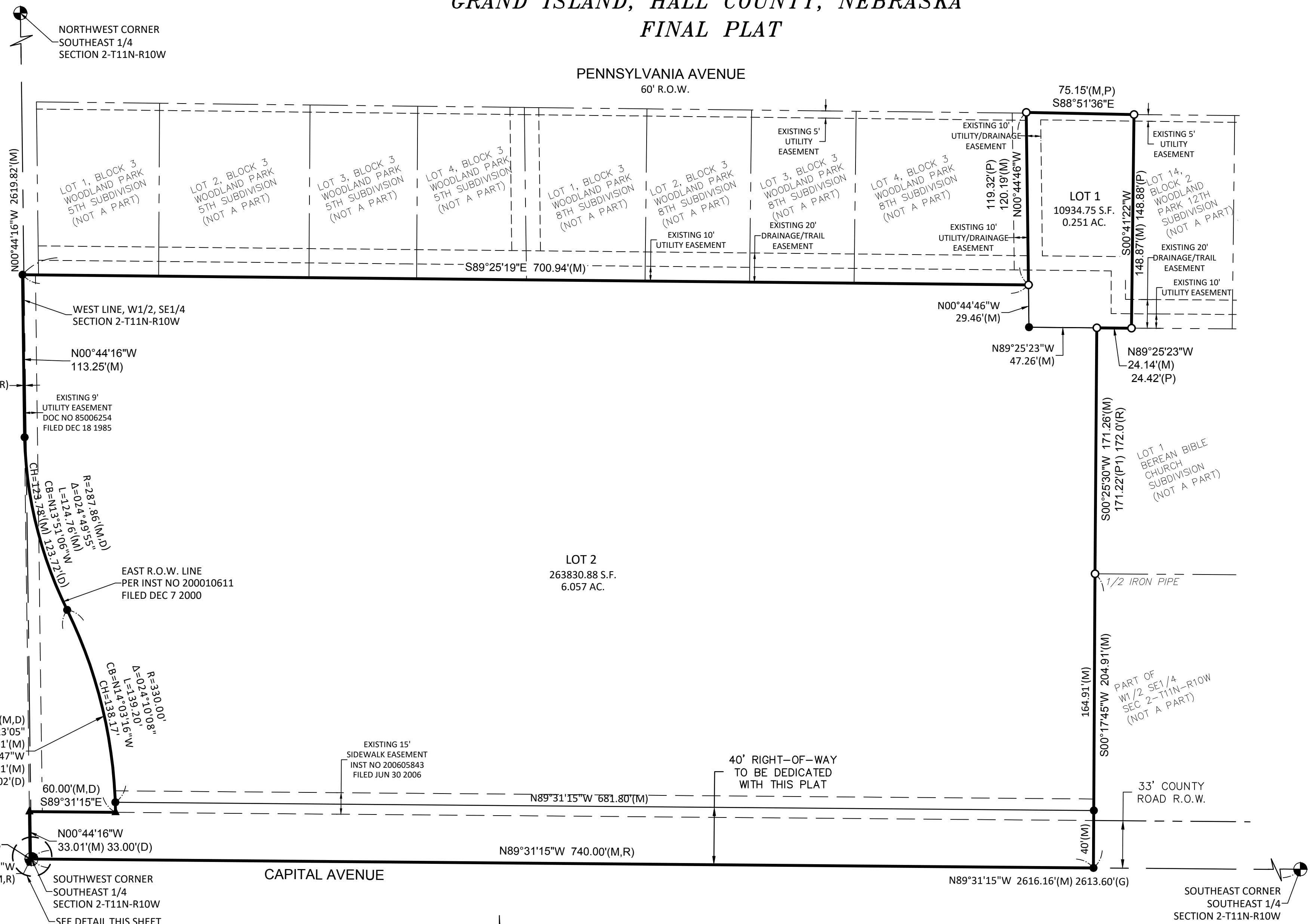
Sewer: City sewer is available to the subdivision and will be extended to serve all lots.



WOODLAND PARK NINETEENTH SUBDIVISION

GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT



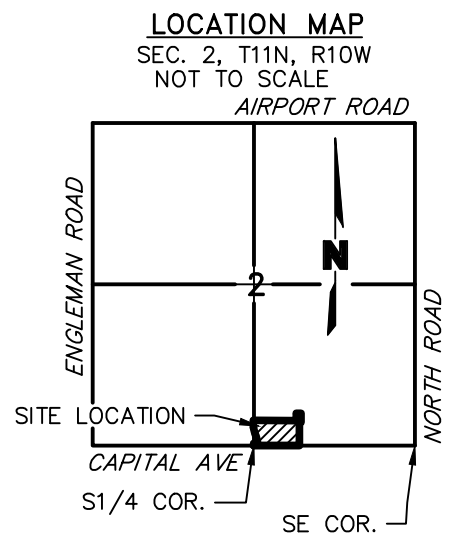
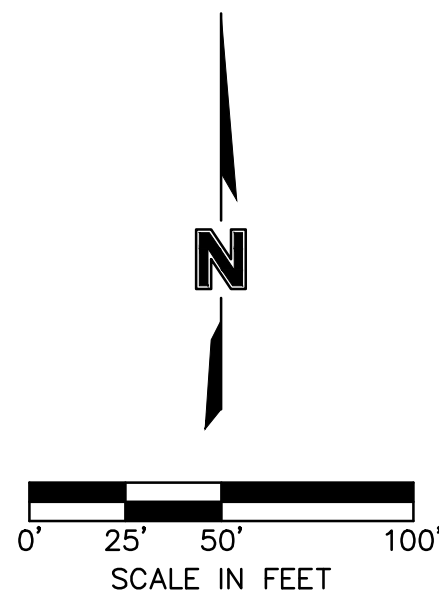
SECTION TIES

NORTHWEST CORNER, SOUTHEAST 1/4, SEC. 2-T11N-R10W
 FOUND 1/2" IRON PIPE SOUTHWEST CORNER OF ROSS HEIGHTS SUBDIVISION
 E 2.15' TO CENTERLINE OF SANITARY SEWER MANHOLE
 SSW 21.19' TO CHISELED "X" IN NORTHWEST CORNER CONCRETE PAD OF JUNCTION BOX
 W 61.43' TO RED HEAD NAIL IN POWER POLE

SOUTHWEST CORNER, SOUTHEAST 1/4, SEC. 2-T11N-R10W
 FOUND SURVEY SPIKE WITH ID WASHER AT GRADE IN CENTERLINE OF CAPITAL AVENUE
 NE 32.04' TO CENTER TELECOMMUNICATION MANHOLE
 ESE 31.90' TO CENTER OF SANITARY SEWER MANHOLE
 WSW 30.07' TO CENTER OF SANITARY SEWER MANHOLE
 NE 65.53' TO RED HEAD NAIL IN POWER POLE

SOUTHEAST CORNER, SOUTHEAST 1/4, SEC. 2-T11N-R10W
 FOUND 2" ALUMINUM CAP AT GRADE INSIDE QUADRANT OF LANDSCAPE AREA FOR ROUND-A-BOUT
 NW 62.53' TO MAG NAIL WITH WASHER IN POWER POLE
 NE 48.23' TO SPIKE IN POWER POLE
 SE 114.96' TO RED HEAD NAIL IN POWER POLE
 SW 46.09' TO TOP OPERATION NUT OF FIRE HYDRANT

- LEGEND**
- SECTION CORNER
 - FOUND CORNER (5/8" REBAR OR AS NOTED)
 - ▲ SET CORNER (5/8"x24" REBAR W/CAP)
 - CALCULATED CORNER
 - ROW LINE
 - SECTION LINE
 - PROPERTY LINE
 - - - EXISTING EASEMENT
 - NEW SUBDIVISION LINE
 - NEW PROPERTY LINE
 - MEASURED DISTANCE
 - RECORDED DISTANCE
 - DEEDED DISTANCE
 - PLATTED DISTANCE
 - GLO DISTANCE



OWNERS: MCKAYLA NELSON
 FIRST UNITED METHODIST CHURCH
 SUBDIVIDER: MCKAYLA NELSON
 SURVEYOR: OLSSON
 ENGINEER: OLSSON
 NUMBER OF LOTS: 2

SHEET 1 OF 2

	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 FAX 308.384.8752	PROJECT NO. 2022-03876
	MCKAYLA NELSON SURVEYOR	

DWG: F:\2022\03501-04000\022-03876\40-Design\Survey\SRVY\Sheets\V_FLAT_02203876.dwg
 DATE: Sep 29, 2022 3:30pm
 XREFS: V_XTOPO_LDP_02203876 V_XRWAY_LDP_02203876
 USER: jjimenez

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

WOODLAND PARK NINETEENTH SUBDIVISION

Lots 1 and 2 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, MCKAYLA NELSON and FIRST UNITED METHODIST CHURCH, 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 LOT 15, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4, SE1/4), ALL IN SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 1.00 FOOT WEST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4, SE1/4) OF SECTION 2-T11N-R10W, SAID POINT BEING THE POINT OF BEGINNING; THENCE N00°44'16"W, ALONG THE EASTRIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE AND BEING PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4, A DISTANCE 33.01 FEET TO A POINT BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE AND THE

NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE S89°31'15"E, ALONG SAID NORTH RIGHT-OF-WAY LINE OF CAPITAL AVENUE, A DISTANCE OF 60.00 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID INDEPENDENCE AVENUE AND IN A COUNTER CLOCK-WISE DIRECTION, HAVING A DELTA ANGLE OF 25°23'05", A RADIUS OF 330.00 FEET, A CHORD BEARING N13°26'47"W AND A CHORD DISTANCE OF 145.01 FEET TO A POINT OF REVERSE CURVATURE; THENCE AROUND A CURVE, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE AND IN A CLOCK-WISE DIRECTION, HAVING A DELTA ANGLE OF 24°49'55", A RADIUS OF 287.86 FEET, A CHORD BEARING N13°51'06"W AND A CHORD DISTANCE OF 123.78 FEET; THENCE N00°44'16"W, ALONG SAID EAST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE, A DISTANCE OF 113.25 FEET; THENCE S89°25'19"E, ALONG THE SOUTH LINE OF BLOCK 3, WOODLAND PARK FIFTH SUBDIVISION AND THE SOUTH LINE OF BLOCK 3, WOODLAND PARK EIGHTH SUBDIVISION, A DISTANCE OF 700.94 FEET TO A POINT BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK 3, WOODLAND PARK EIGHTH SUBDIVISION; THENCE N00°44'46"W, ALONG THE EAST LINE OF SAID LOT 4, BLOCK 3, A DISTANCE OF 120.19 FEET TO THE NORTHEAST CORNER OF SAID LOT 4, BLOCK 3 AND ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE; THENCE S88°51'36"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 75.15 FEET TO THE NORTHWEST CORNER OF LOT 14, BLOCK 2, WOODLAND PARK TWELFTH SUBDIVISION; THENCE S00°41'22"W, ALONG THE WEST LINE OF SAID LOT 14, BLOCK 2, A DISTANCE OF 148.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, BLOCK 2; THENCE N89°25'23"W, ALONG THE NORTH LINE OF LOT 1, BEREAN BIBLE CHURCH SUBDIVISION, A DISTANCE OF 24.14 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°25'30"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 171.26 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S00°17'45"W A DISTANCE OF 204.91 TO A POINT ON THE SOUTH LINE OF SAID SW1/4, SE1/4; THENCE N89°31'15"W, ALONG SAID SOUTH LINE, A DISTANCE OF 740.00 FEET TO THE SOUTHWEST CORNER, SW1/4, SE1/4; THENCE CONTINUING N89°31'15"W A DISTANCE OF 1.00 FOOT TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 304000.25 SQUARE FEET OR 6.979 ACRES MORE OR LESS OF WHICH 0.671 ACRES IS NEW 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 WOODLAND PARK NINETEETH 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 WOODLAND PARK NINETEENTH 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, Independence Avenue and Pennsylvania 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.

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 Independence 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. 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. **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.

8. **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 WOODLAND PARK NINETEENTH 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.

9. **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.

McKayla Nelson Subdivider

First United Methodist Church, Subdivider

By: _____
McKayla Nelson

By: _____
Floyd Sorensen, Trustee Chairman

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 McKayla Nelson 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

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 Floyd Sorensen, Trustee Chairman on behalf of First United Methodist Church, 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 First United Methodist Church.

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 2022-295

WHEREAS know all men by these presents, that “McKayla Nelson and First Faith United Methodist Church, being the owners of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as “WOODLAND PARK NINETEENTH SUBDIVISION”, A plat Lot 15 Block 2 of Woodland Park Twelfth Subdivision and a part of the Southwest Quarter of the Southeast Quarter (SW1/4, SE ¼) Section Two (2), Township Eleven (11) North, Range Ten (10) west of the 6th P.M. in the City of Grand Island, 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 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 WOODLAND PARK NINETEENTH 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, October 25, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
October 20, 2022	☒ City Attorney