



City of Grand Island

Tuesday, December 20, 2022

Council Session

Item G-23

**#2022-369 - Approving Final Plat and Subdivision Agreement for
Rezac Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: December 20, 2022

Subject: Rezac Subdivision - Final Plat

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

Background

This property is located north Stolley Park Road and east of Stuhr Road in Hall County. There are 2 existing houses on this property they have been there for more than 20 years and this will allow them to sold separately. (2 Lots, 16.162 Acres).

Discussion

The final plat for Rezac Subdivision was considered at the Regional Planning Commission at the December 7, 2022 meeting on the consent agenda.

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

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

Richard Rezac
1512 E. Stolley Park Road
Grand Island, NE 68801

To create 2 lots so each house is on its own lot.

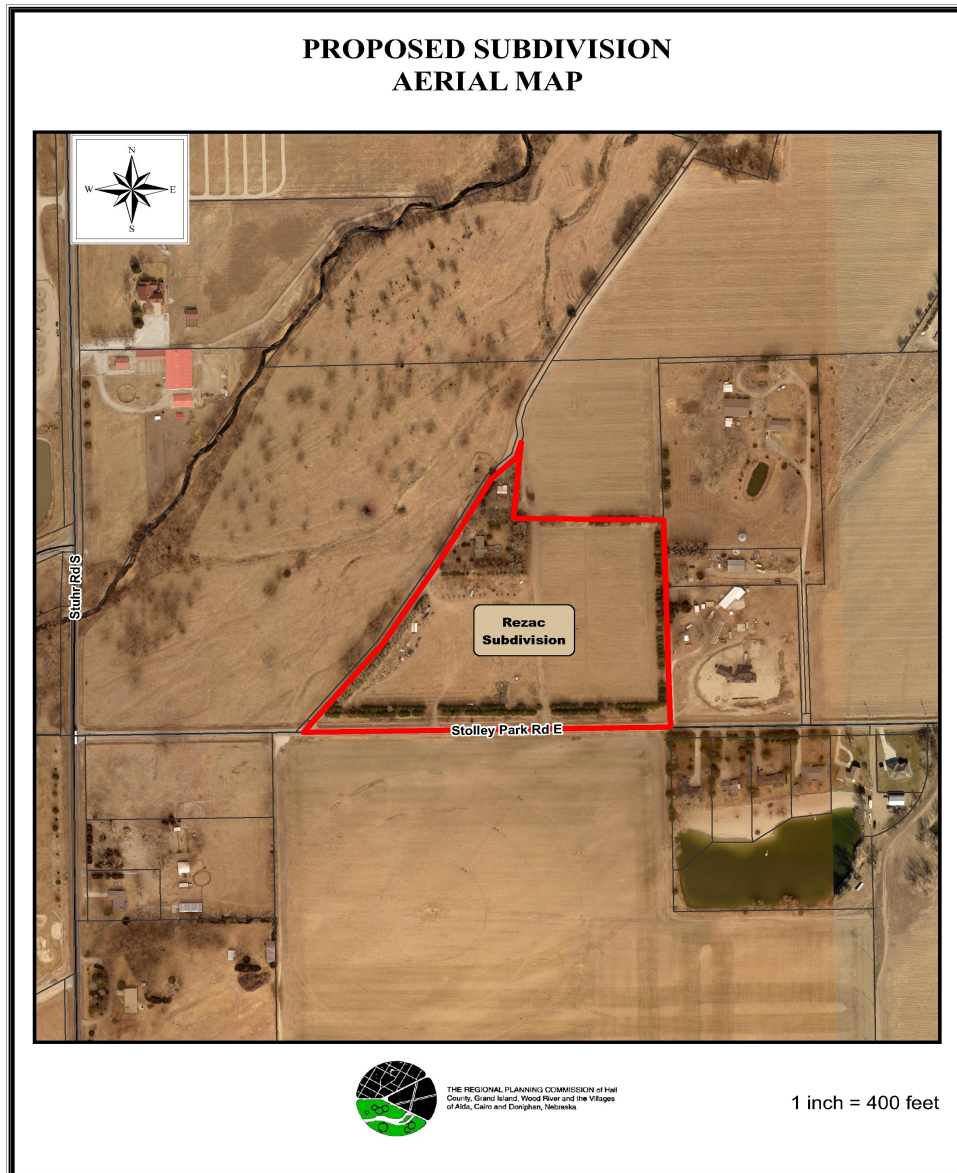
Size: Final Plat 2 lots, 16.162 Acres

Zoning: LLR Large Lot Residential

Road Access: Stolley Park Road is 24' rural section county highway

Water: City water is not available to the subdivision.

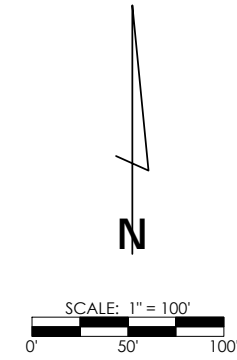
Sewer: City sewer is not available to the subdivision.



REZAC SUBDIVISION

HALL COUNTY, NEBRASKA

PRELIMINARY/SITE PLAT



LEGEND
M = MEASURED DISTANCE
R = RECORDED DISTANCE (LS #192 SURVEY - 01/06/1988)
X = TEMPORARY POINT
O = 1/2" REBAR w/ LS #776 PLASTIC CAP PLACED UNLESS NOTED
● = 1/2" IRON PIPE FOUND UNLESS NOTED

OWNER
- RICHARD D. REZAC & JACQUELINE A. REZAC

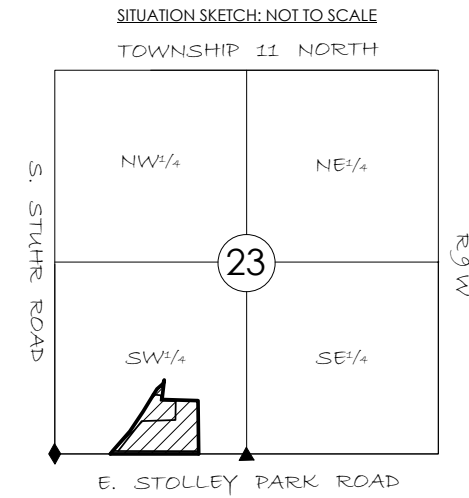
SUBDIVIDER
- RICHARD REZAC

SURVEYOR
- JASNOWSKI SURVEYING LLC

NUMBER OF LOTS
- 2

CORNER TIES
SW COR. SW 1/4, SEC. 23 - T11N - R9W
FOUND SURVEY SPIKE w/ WASHER
47.44' NE to NAIL IN TOP OF CORNER FENCE POST
34.09' SE to NAIL IN TOP OF RAILROAD TIE CORNER FENCE POST
61.87' SW to MAG NAIL IN TOP OF FENCE POST
44.34' NW to NAIL IN POWER POLE

SE COR. SW 1/4, SEC. 23 - T11N - R9W
FOUND SURVEY SPIKE w/ WASHER
30.96' N to NAIL IN POWER POLE
47.27' SE to NE COR. OF CONC. DRIVE
47.40' S to NAIL IN CORNER FENCE POST
64.50' SE to NAIL IN E. DRIVEWAY ENTRANCE POST



LEGAL DESCRIPTION

A tract of land comprising a part of Government Lot Four (4) and a part of the West Half of the Southeast Quarter of the Southwest Quarter (W 1/2 SE 1/4 SW 1/4), Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska.

More particularly described as follows:

Commencing at the southwest corner of said SW 1/4; thence S 89°47'30" E on and upon the south line of said SW 1/4 a distance of 764.28 feet to the Point of Beginning; thence continuing S 89°47'30" E on and upon the south line of said SW 1/4 a distance of 1217.16 feet to the southeast corner of said W 1/2 SE 1/4 SW 1/4; thence N 00°35'29" W on and upon the east line of said W 1/2 SE 1/4 SW 1/4 a distance of 737.33 feet to a point; thence N 88°16'46" W a distance of 498.09 feet to a point; thence N 06°29'16" E a distance of 272.19 feet to a point; thence S 16°48'01" W a distance of 52.97 feet to a point; thence S 48°09'42" W a distance of 111.99 feet to a point; thence S 31°35'57" W a distance of 364.11 feet to a point; thence S 33°52'33" W a distance of 328.57 feet to a point; thence S 41°02'09" W a distance of 410.89 feet to the Point of Beginning. Said tract contains 16.162 acres more or less of which 1.102 acres are road right-of-way to be dedicated.

SURVEYOR'S CERTIFICATE

I, Evan A. Jasnowski, Nebraska Registered Land Surveyor #776, duly registered under the Land Surveyor's Regulation Act, do hereby state that at the request of Richard D. Rezac, I have caused to be made a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct, and in accordance with the Minimum Standards for Surveys in effect at the time of this survey.

Evan A. Jasnowski
Evan A. Jasnowski

11/14/2022
Date



DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Richard D. Rezac and Jacqueline A. Rezac, owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "Rezac Subdivision", in a part of Government Lot Four (4) and the West Half of the Southeast Quarter of the Southwest Quarter (W 1/2 SE 1/4 SW 1/4), Section Twenty Three (23), Township Eleven (11) 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 the easements, 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 obstruction upon, over, along or underneath the surface of such easements; and that foregoing subdivision as more particularly described in the description as appears on this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietors.

IN WITNESS WHEREOF, I have affixed my signature hereto at _____, this ____ day of _____, 2022.

Richard D. Rezac

Jacqueline A. Rezac

ACKNOWLEDGEMENT

State of _____

County of _____

On this, the ____ day of _____, 2022, before me _____, a Notary Public within and for said County, personally appeared Richard and Jacqueline Rezac, owners of the land, to me personally known to be the identical person whose signature is affixed hereto, and that they did acknowledge the execution thereof to be their voluntary act and deed, and that they are empowered to make the above dedication for and in behalf of said "Rezac Subdivision".

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

My commission expires _____.

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.

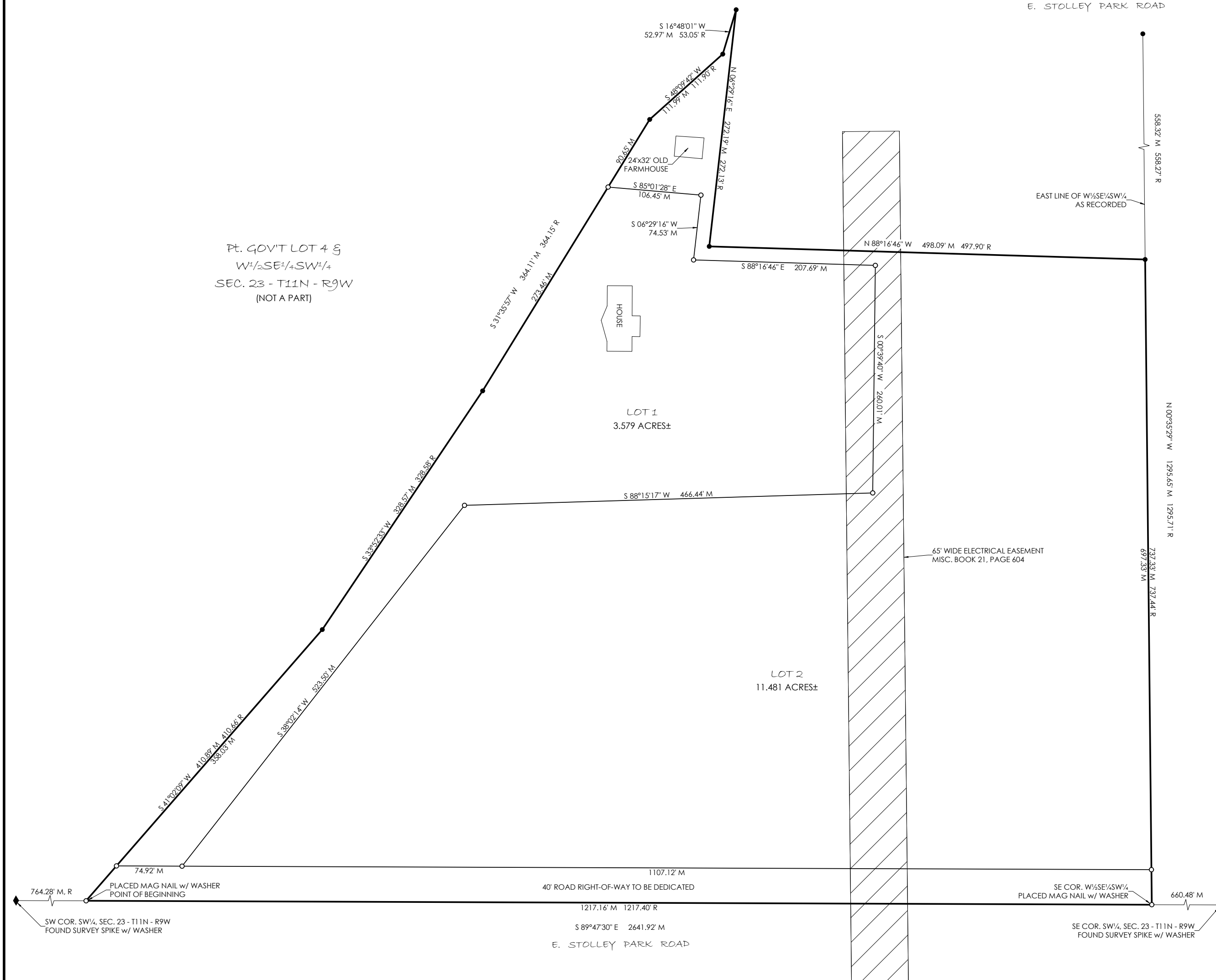
Chairperson _____ Date _____

Approved and accepted by the Hall County Board of Supervisors this ____ day of _____, 2022.

Chairperson _____ County Clerk _____

Approved and accepted by the City of Grand Island this ____ day of _____, 2022.

Mayor _____ City Clerk _____



* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

REZAC SUBDIVISION

Lots 1 and 2 Inclusive

In the City of Grand Island, Hall County Nebraska

The undersigned, RICHARD REZAC, 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 comprising a part of Government Lot Four (4) and a part of the West Half of the Southeast Quarter of the Southwest Quarter ($W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$), Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska. More particularly described as follows: Commencing at the southwest corner of said $SW\frac{1}{4}$; thence S $89^{\circ}47'30''$ E on and upon the south line of said $SW\frac{1}{4}$ a distance of 764.28 feet to the Point of Beginning; thence continuing S $89^{\circ}47'30''$ E on and upon the south line of said $SW\frac{1}{4}$ a distance of 1217.16 feet to the southeast corner of said $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$; thence N $00^{\circ}35'29''$ W on and upon the east line of said $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ a distance of 737.33 feet to a point; thence N $88^{\circ}16'46''$ W a distance of 498.09 feet to a point; thence N $06^{\circ}29'16''$ E a distance of 272.19 feet to a point; thence S $16^{\circ}48'01''$ W a distance of 52.97 feet to a point; thence S $48^{\circ}09'42''$ W a distance of 111.99 feet to a point; thence S $31^{\circ}35'57''$ W a distance of 364.11 feet to a point; thence S $33^{\circ}52'33''$ W a distance of 328.57 feet to a point; thence S

41°02'09" W a distance of 410.89' feet to the Point of Beginning.
Said tract contains 16.162 acres more or less of which 1.102 acres
are road right-of-way to be dedicated.

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 REZAC 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 REZAC 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 Stolley Park 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 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.** Immediate sidewalk construction adjacent to Stolley Park 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 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 REZAC 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.

RICHARD REZAC, Subdivider

By: _____
Richard Rezac

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 Richard Rezac, 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: _____

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RESOLUTION 2022-369

WHEREAS know all men by these presents, that Richard D. Rezac and Jacqueline A. Rezac, being the owner of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as “REZAC SUBDIVISION”, A tract of land in part of Government Lot Four (4) and a part of the West Half of the Southeast Quarter of the Southwest Quarter(W ½ SE ¼ SW ¼), Section Twenty-Three (23), Township Eleven (11) North, Range Nine (9) 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 REZAC 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, December 20, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 16, 2022	☐ City Attorney