



# City of Grand Island

Tuesday, June 22, 2004

Council Session

## Item F2

### **#8888 - Consideration of Annexation of Property Located South of U.S. Highway 34 and East of South Locust Street - Proposed Wal-Mart Subdivision (Final Reading)**

*This item relates to the action taken at the February 10, 2004 and June 8, 2004 City Council meetings. Annexation of property proposed as the Wal-Mart South Subdivision located south of U.S. Highway 34 and east of South Locust Street. This annexation has been requested by the property owners. The Regional Planning Commission at their meeting of January 7, 2004, unanimously voted to approve and recommend the City Council approve this annexation. This is the final reading of three readings. Approval is recommended.*

**Staff Contact: Chad Nabity**

\* This Space Reserved For Register of Deeds \*

ORDINANCE NO. 8888

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, a tract of land located in the West Half of the Northwest Quarter (W1/2, NW1/4) of Section 34, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, more particularly described herein; to provide service benefits thereto; to confirm zoning classifications; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on February 10, 2004, the City Council found and determined that such annexation be approved; and

WHEREAS, such ordinance was approved on first reading on February 10, 2004; and

WHEREAS, such ordinance was approved on second reading on June 8, 2004.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. It is hereby found and determined that:

Approved as to Form	☐ _____
June 17, 2004	☐ City Attorney

ORDINANCE NO. 8888 (Cont.)

(A) A tract of land located in the West Half of the Northwest Quarter (W1/2, NW1/4) of Section 34, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, hereinafter more particularly described, is urban and suburban and not agricultural and rural in character, and that the subject property is contiguous and adjacent to the corporate limits of said City.

(B) That the subject real estate will receive material benefits and advantages including police, fire, emergency services, street maintenance, and snow removal benefits due to annexation to the City of Grand Island, Nebraska, and that City water and sanitary sewer service is available as provided by law.

(C) The various zoning classifications of the subject tract of land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed.

(D) There is unity of interest in the use of the said tract of land and streets with the use of lots and streets in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject tract of land and streets within the corporate limits of the City of Grand Island.

(E) The plan for extending City services, as adopted by the City Council by the passage and approval of Resolution No. 2004-12, be and is hereby approved and ratified.

SECTION 2. That the boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land described as follows:

Starting at a point 60 feet south and 60 feet east of the northwest corner of said Section 34; thence from the point of beginning east a distance of 233.4 feet; thence north 90° left a distance of 27 feet; thence east 90° right a distance of 1026.6 feet to a point on the east boundary line of the W1/2, NW1/4 of said Section 34; thence south along the east boundary line of the W1/2, NW1/4 of said

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Section 34 a distance of 1,307.82 feet; thence west 90° right a distance of 1287 feet; thence north 90° a distance of 1,120.82 feet; thence east 90° right a distance of 27 feet; thence north 90° left a distance of 160 feet to the point of beginning.

Except a tract of land located in the NW1/4 of Section 34, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., Hall County, Nebraska, described as follows: referring to the northwest corner of the NW1/4 of said Section 34; thence easterly along the north line of said NW1/4 a distance of 129.56 feet to a point; thence southerly deflecting 90°00'00" left a distance of 60.00 feet to a point on the south right-of-way line of Highway 34, said point also being the true point of beginning; thence southwesterly deflecting 44°06'24" right a distance of 82.24 feet to a point; thence southerly deflecting 46°17'16" left a distance of 326.58 feet to a point; thence southerly deflecting 0°44'36" left a distance of 371.01 feet to a point; thence southwesterly deflecting 9°32'13" right a distance of 83.17 feet to a point; thence southerly deflecting 9°32'12" left a distance of 449.13 feet to a point; thence westerly deflecting 92°55'41" right a distance of 41.98 feet to a point on the east right-of-way line of Locust Street; thence northerly deflecting 88°12'36" right along the east right-of-way line of Locust Street a distance of 1001.77 feet to a point; thence northeasterly deflecting 10°16'12" right along the east right-of-way line of Locust Street a distance of 151.44 feet to a point; thence northerly deflecting 10°16'13" left along the east right-of-way line of Locust Street a distance of 34.774 meters to a point; thence northeasterly deflecting 27°58'30" right along the east right-of-way line of Locust Street a distance of 24.50 feet to a point on the south right-of-way line of Highway 34; thence easterly deflecting 63°48'42" right, a distance of 56.16 feet to the point of beginning, containing 38.38 acres, more or less.

SECTION 3. That the aforesaid-described tract of land and streets are hereby annexed to the City of Grand Island, Hall County, Nebraska, and said lands and the businesses thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. That the owner of the land so brought within the corporate limits of the City of Grand Island, Nebraska, is hereby compelled to continue with the streets, ways and alleys that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, ways and alleys of such City.

ORDINANCE NO. 8888 (Cont.)

SECTION 5. That a certified copy of this Ordinance be filed on record in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 6. Upon taking effect of this Ordinance, the police, fire, emergency services, street maintenance, and snow removal services of said City shall be furnished to the tract of land and as provided by law, in accordance with the plan for extension of city services adopted by Resolution 2004-12.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Enacted: June 22, 2004.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk