



City of Grand Island

Tuesday, July 26, 2005

Council Session

Item F1

#8982 - Consideration of Annexation of Land Located North of Capital Avenue and East of St. Paul Road and Various Properties Adjacent to the City of Grand Island (Final Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: July 26, 2005
Subject: Annexation
Item #'s: F-1 (Final Reading)
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This application proposes to annex properties located north of Capital Avenue east of St. Paul Road and west of the rail line as well as properties east of Shady Bend Road and north of Bismark Road and Right of Way on Stuhr Road adjacent to B & C subdivision and Right of Way on Schimmer Drive South of Ponderosa Lake. Detailed maps and property descriptions can be found in the annexation plan as approved by council on June 14, 2005. (C-27-2005GI)

Discussion

This item was brought forward as a result of the owners of 1024 E Capital Avenue requesting annexation so they can hook into city sewer. Staff has reviewed other annexation needs and is suggesting that this property and the others included herein be considered for annexation into the City Of Grand Island.

Sewer and water are available to some of the properties included in this annexation request; details are available in the annexation plan. These properties are within the Grand Island Utilities Electrical Service District. These properties are within the Grand Island School District. Annexing these properties will not impact the two mile extraterritorial jurisdiction of Grand Island.

No members of the public testified at the hearing held by the Regional Planning Commission.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the annexation as presented
2. Modify the annexation to meet the wishes of the Council
3. Deny the request for annexation
4. Table the issue

Recommendation

A motion was made by Hayes 2nd by Haskins to recommend that the Grand Island City Council approve these annexations.

A roll call vote was taken and the motion passed with 8 members present (Haskins, O'Neill, Niemann, Miller, Ruge, Hayes, Eriksen, Reynolds) voting in favor.

Sample Motion

Approve this annexation as presented.

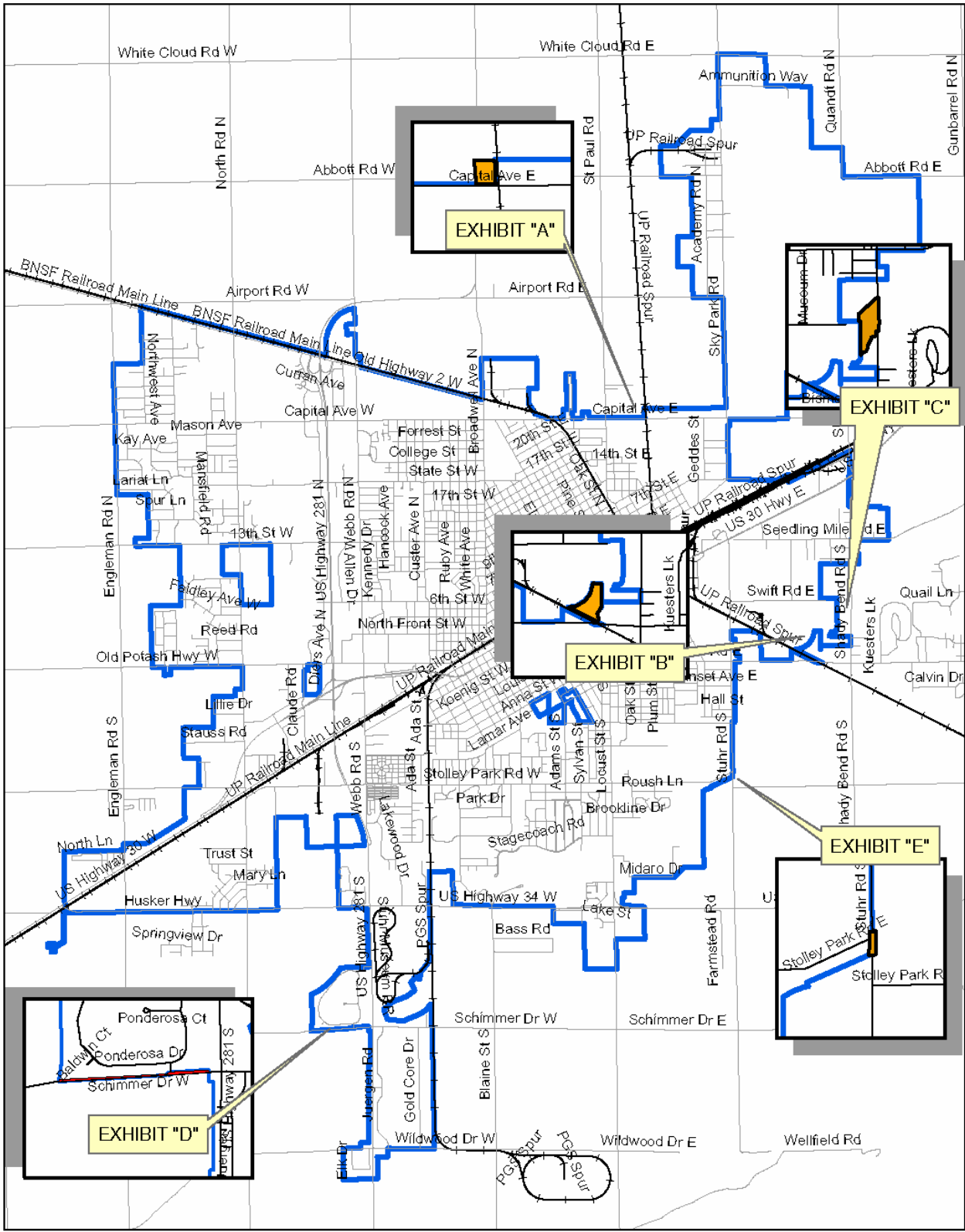


EXHIBIT "A"

EXHIBIT "C"

EXHIBIT "B"

EXHIBIT "E"

EXHIBIT "D"

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 8982

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, five tracts of land 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 June 1, 2005, the Regional Planning Commission recommended the approval of annexing five tracts of land more particularly described below, into the City of Grand Island, Hall County, Nebraska; and

WHEREAS, after public hearing on June 28, 2005, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on June 28, 2005, the City Council of the City of Grand Island approved such annexation on first reading; and

WHEREAS, on July 12, 2005, the City Council of the City of Grand Island approved such annexation on second reading.

Approved as to Form	☐ _____
July 21, 2005	☐ City Attorney

ORDINANCE NO. 8982 (Cont.)

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

SECTION 1. It is hereby found and determined that:

(A) The five tracts of land, the boundaries of which are more particularly described as follows are urban or suburban in character, and that the subject property is contiguous or adjacent to the corporate limits of said City:

Annexation Area 1:

Beginning at a point where the north line of Capital Avenue intersects the west line of the Ord. Branch of the Union Pacific Railroad; thence north on the west line of the Ord. Branch of the Union Pacific Railroad for a distance of 515.61 feet; thence west on a line 516 feet north of and parallel to the south line of Section 3-11-9 for a distance of 295.53 feet; thence south on a line perpendicular to the south line of Section 3-11-9 for a distance of 483 feet to the north line of Capital Avenue thence east on the north line of Capital Avenue to the point of beginning, as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

Annexation Area 2:

Beginning at a point on the north line of the Burlington Northern / Sante Fe Railroad, said point being 202 feet southeasterly of the east line of Lot 107 Industrial Addition; thence deflecting left 35°07' and running northeasterly a distance of 279.22 feet; thence deflecting left 23°23' and running northeasterly a distance of 312.45 feet; thence deflecting left 19°00' and running northeasterly a distance of 249.25 feet; thence deflecting left 13°21' and running northeasterly a distance of 118.45 feet; thence deflecting left 12°55' and running northeasterly a distance of 328.07 feet to a point on the south line of Lot 89 Industrial Addition; thence east on the south line of Lot 89 Industrial Addition to the southeast corner of Lot 89 Industrial Addition; thence southerly on a line for a distance of 842.8 feet more or less, to a point on the westerly line of Lot 3 of B & T Subdivision, thence southerly and westerly on the westerly line of Lot 3 B & T Subdivision and Lot 1 Shady Lane Subdivision to the northerly line of Burlington Northern / Sante Fe Railroad; thence northwesterly on the north line of the Burlington Northern / Sante Fe Railroad to the point of beginning, as shown on Exhibit "B" attached hereto and incorporated herein by this reference.

Annexation Area 3:

Beginning at a point on the east line of Shady Bend Road, said point being 33 feet east of the northeast corner of the Southeast Quarter (SE1/4) of Section 14-11-9; thence north on a line 33 feet east of and parallel to the east line of Section 14-11-9 for a distance of 919.93 feet; thence west on a line 919.93 feet north of and parallel to the south line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 14-11-9 for a distance of 33 feet; thence S48°34'51"W for a distance of 899.72 feet; thence S3°00'W parallel with the east line of said Northeast Quarter (NE1/4) of Section 14-11-9 for a distance of 252.62 feet to a point 66 feet north of the south line of the Northeast Quarter (NE1/4) of Section 14-11-9; thence east on a line 66 feet north of and parallel to the south line of said Northeast Quarter (NE1/4) for a distance of 50.72 feet; thence south on a line for a distance of 1,220 feet more or less, to a point on the northwesterly line of Lot 2 Billy Poe Subdivision; thence northerly and easterly on the northwest line of Lots 1 and 2 Billy Poe Subdivision to the northeasterly most corner of Lot 1 Billy Poe Subdivision; thence east on a line perpendicular to the east line of Section 14-11-9 for a distance of 73 feet to the east

ORDINANCE NO. 8982 (Cont.)

line of Shady Bend Road; thence north on the east line of Shady Bend Road to the point of beginning, as shown on Exhibit "C" attached hereto and incorporated herein by this reference.

Annexation Area 4:

Beginning at a point on the south line of Section 36-11-10, said point being 157 feet west of the southeast corner of the Southeast Quarter (SE1/4) of Section 36-11-10; thence north on the west line of U.S. Highway 281 for a distance of 33.03 feet; thence west on the south line of Ponderosa Lake Estates Fourth Subdivision for a distance of 723.5 feet; thence southwest on a line for a distance of 74.7 feet to a point where it intersects the south line of Section 36-11-10; thence west on the south line of Section 36-11-10 to the southwest corner of Ponderosa Lake Estates Fifth Subdivision; thence south on a line perpendicular to the south line of Section 36-11-10 for a distance of 33 feet; thence east on a line 33 feet south of and parallel with the south line of Section 36-11-10 to a point on the west line of U.S. Highway 281; thence north on the west line of U.S. Highway 281 for a distance of 33 feet to the point of beginning, as shown on Exhibit "D" attached hereto and incorporated herein by this reference.

Annexation Area 5:

Beginning at the northeast corner of B & C Subdivision; thence southerly on the east line of B & C Subdivision for a distance of 192.9 feet; thence easterly perpendicular to the east line of B & C Subdivision for a distance of 73 feet to the east line of Stuhr Road; thence north on the east line of Stuhr Road for a distance of 192.9 feet; thence westerly on a line for a distance of 73 feet to the point of beginning, as shown on Exhibit "E" attached hereto and incorporated herein by this reference.

(B) The subject lands will receive the material benefits and advantages currently provided to lands within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the subject tracts 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 tracts of land, lots, tracts, highways and streets (lands) with the use of lands in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject lands within the corporate limits of the City of Grand Island.

ORDINANCE NO. 8982 (Cont.)

(E) The plan for extending City services adopted by the City Council by the passage and approval of Resolution No. 2005-179 is hereby approved and ratified as amended.

SECTION 2. 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 tracts of land located within the boundaries described above.

SECTION 3. The subject tracts of land are hereby annexed to the City of Grand Island, Hall County, Nebraska, and said lands and the persons 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. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted by herein.

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.

ORDINANCE NO. 8982 (Cont.)

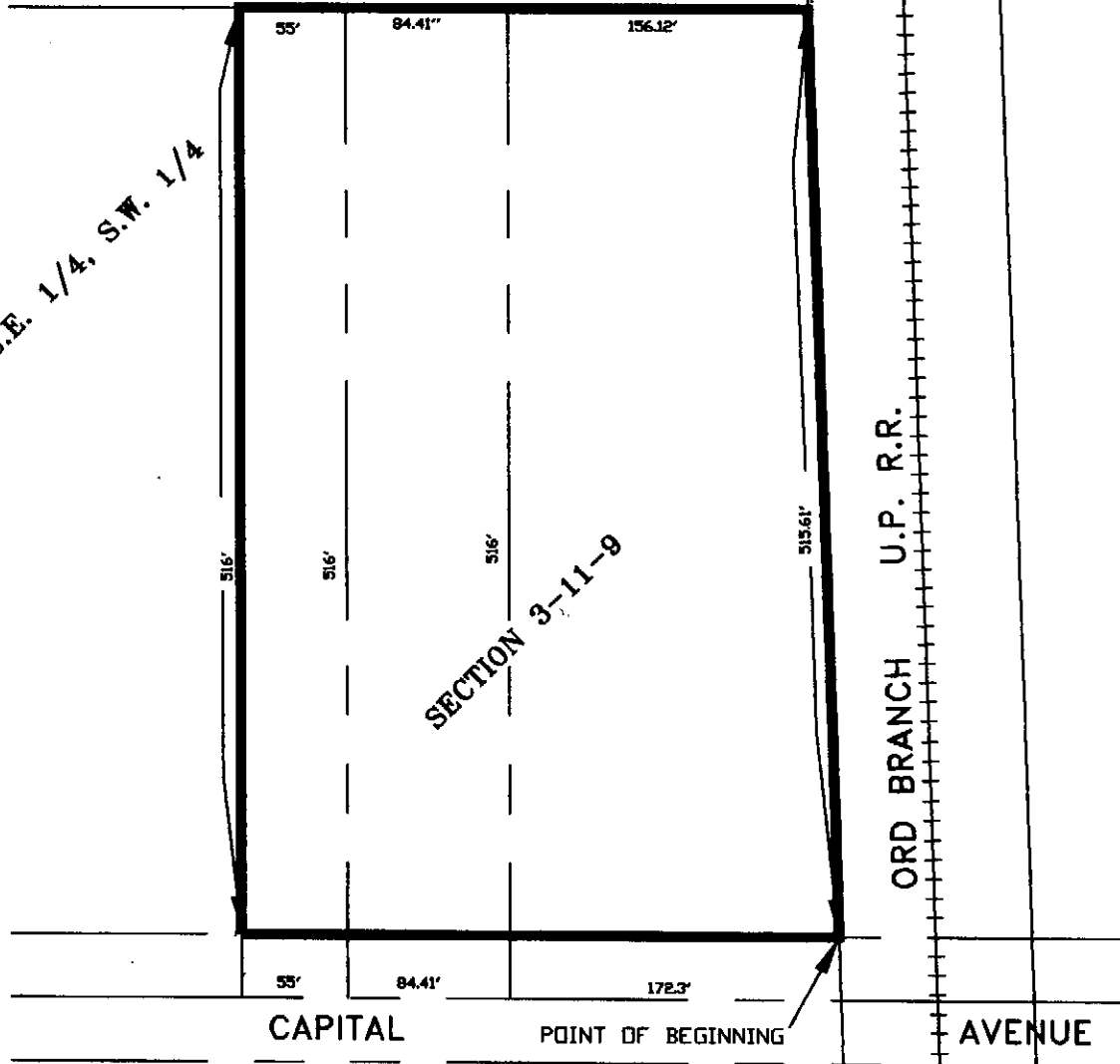
Enacted: July 26, 2005.

Attest:

Jay Vavricek, Mayor

RaNae Edwards, City Clerk

PART S.E. 1/4, S.W. 1/4



SECTION 3-11-9

ORD BRANCH U.P. R.R.

CAPITAL

POINT OF BEGINNING

AVENUE



EXHIBIT "A"

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 4/29/05
DRN BY: L.D.C.
SCALE: 1"=100'

PLAT TO ACCOMPANY
ANNEXATION ORD. NO.
XXXX

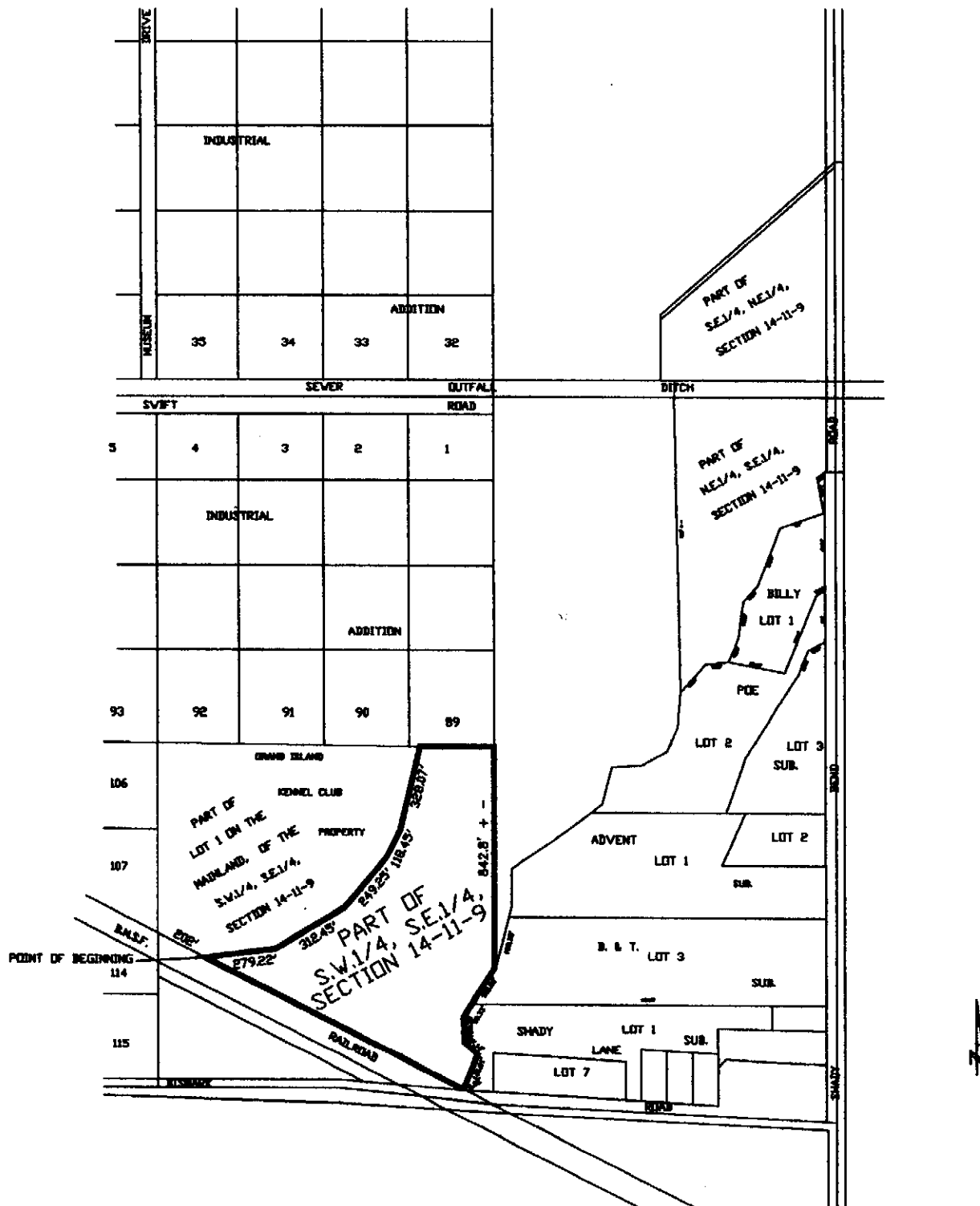


EXHIBIT "B"

CITY OF
GRAND ISLAND
 PUBLIC WORKS DEPARTMENT

DATE: 5/4/05
 DRN BY: L.D.C.
 SCALE: 1"=600'

PLAT TO ACCOMPANY
 ANNEXATION ORDINANCE

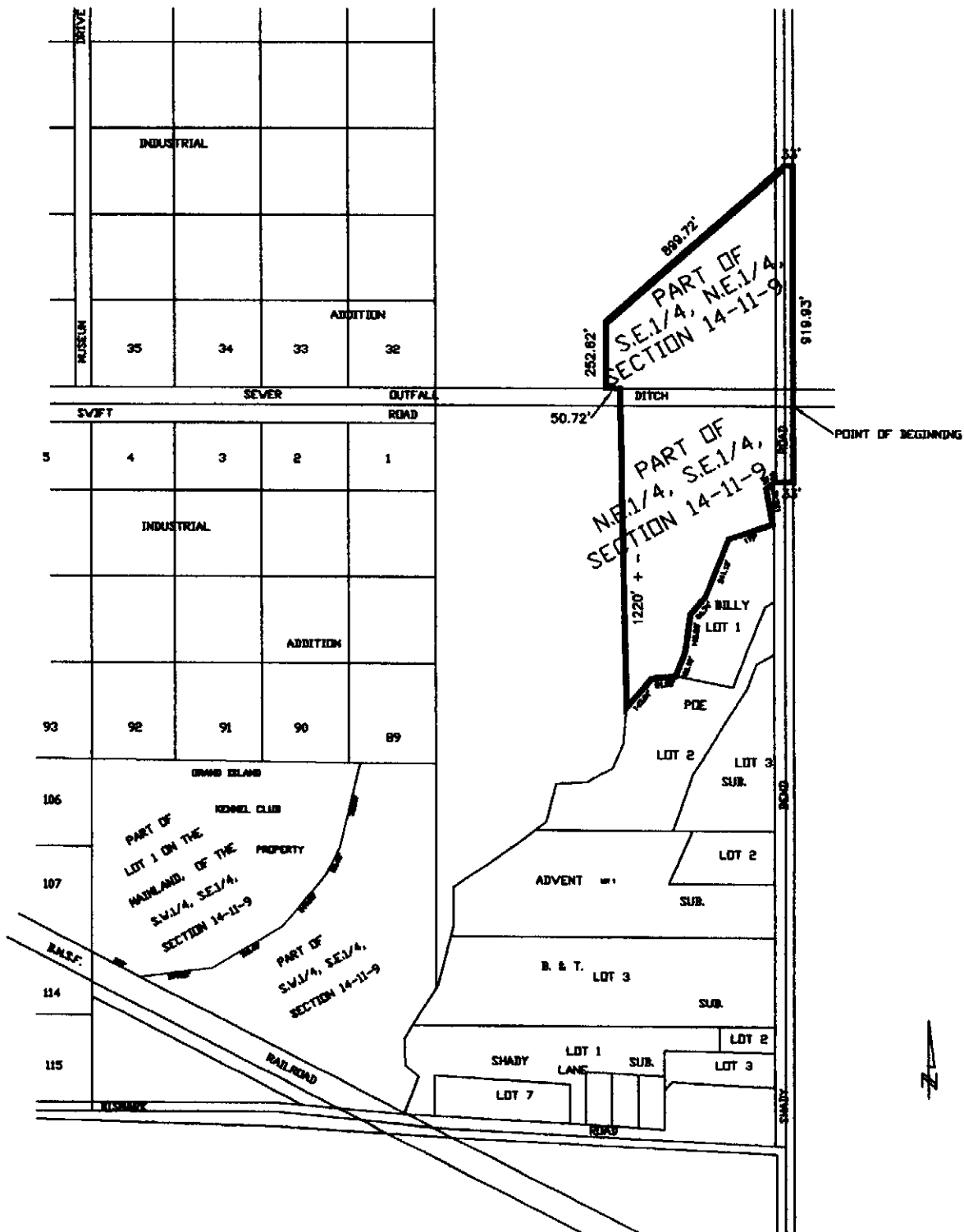


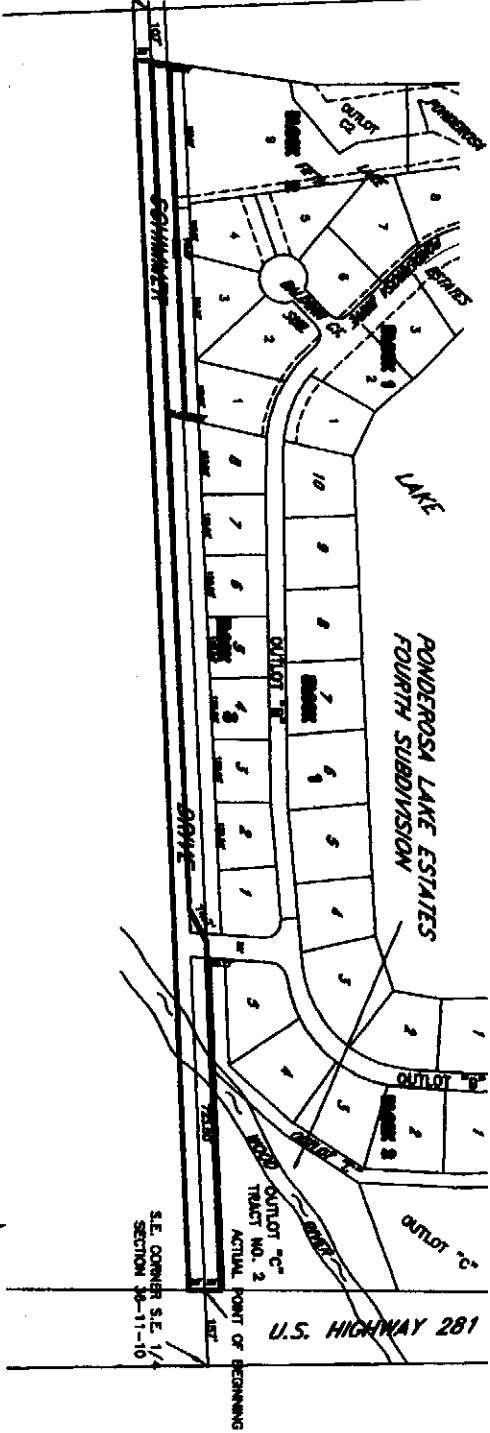
EXHIBIT "C"

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 5/4/05
 DRN BY: L.D.C.
 SCALE: 1"=600'

PLAT TO ACCOMPANY
 ANNEXATION ORDINANCE

S.W. CORNER S.E. 1/4 SECTION 36-11-10



S.E. CORNER S.E. 1/4 SECTION 36-11-10

EXHIBIT "D"

SCALE 1"=400' L.D.C. 5/2/05
 PLAT TO ACCOMPANY
 RESUBDIVISION

FONNER
 PART OF S.E. 1/4, S.E. 1/4
 SECTION 22-11-9

PARK

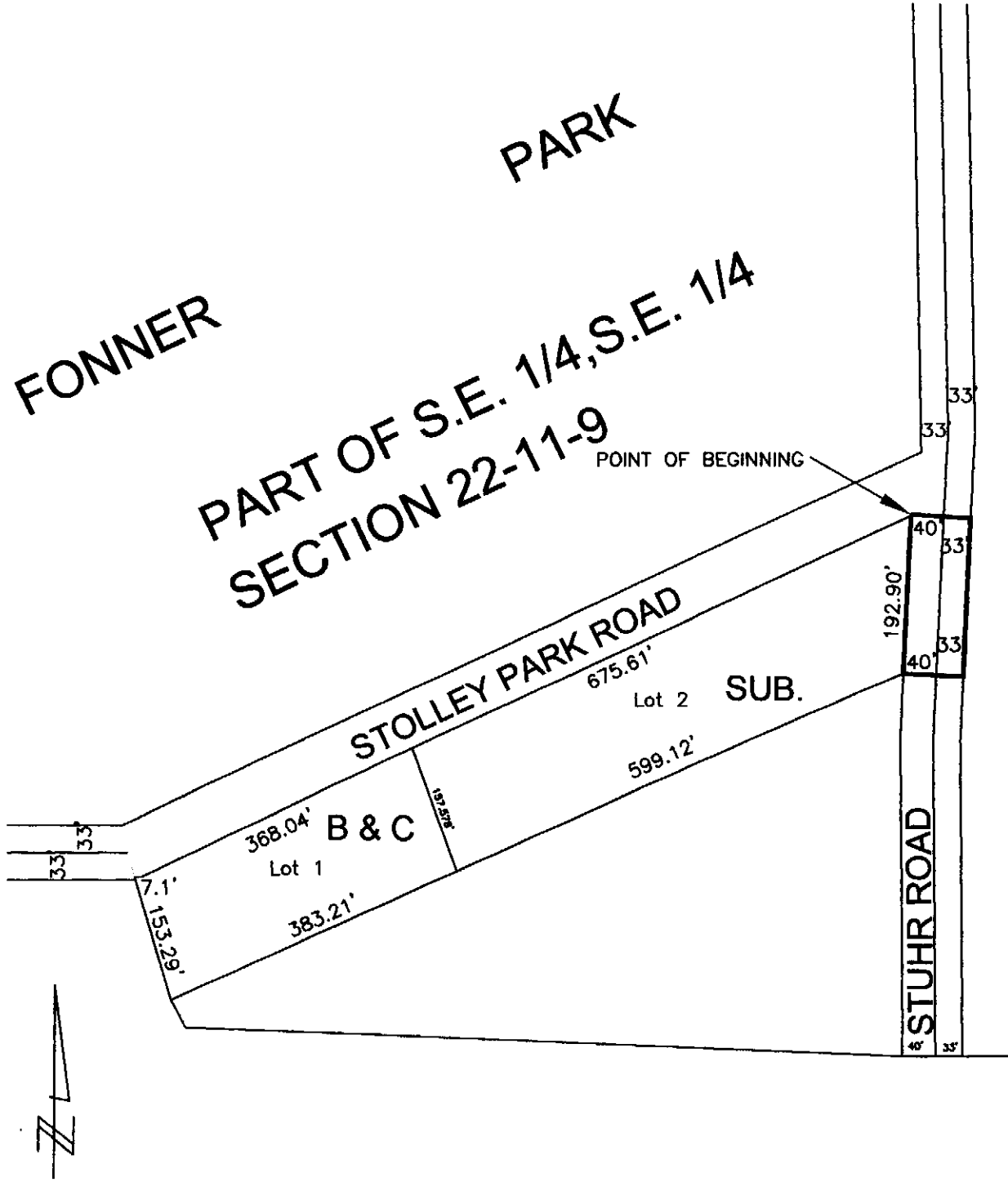


EXHIBIT "E"

CITY OF GRAND ISLAND
 PUBLIC WORKS DEPARTMENT

DATE: 5/4/05
 DRN BY: L.D.C.
 SCALE: 1"=200'

PLAT TO ACCOMPANY
 ANNEXATION ORDINANCE