



City of Grand Island

Tuesday, October 10, 2006

Council Session

Item F1

**#9078 - Consideration of Annexation of Property Located at 502
East Capital Avenue (Second Reading)**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: October 10, 2006

Subject: Annexation Second Reading

Item #'s: F-1

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

Background

Annexation of land located in the W ½ of the E ½ of the W ½ of the SE ¼ 4-11-9 into the Grand Island City Limits. The property owners have requested that this property be annexed into the City of Grand Island and the City Council referred the issue to the Regional Planning Commission for a recommendation.

Discussion

This property is contiguous with the Grand Island City Limits. The owners have requested this annexation by proposing to plat this property as an addition to the City.

This property is within the Grand Island Utilities Electrical Service District. Sewer and water are available to this property. This property is within the Grand Island School Districts. This annexation will not impact the two-mile extraterritorial jurisdiction of Grand Island.

The public hearing was set and the annexation plan presented to the City Council at the August 22, 2006 City Council Meeting.

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. Table the issue

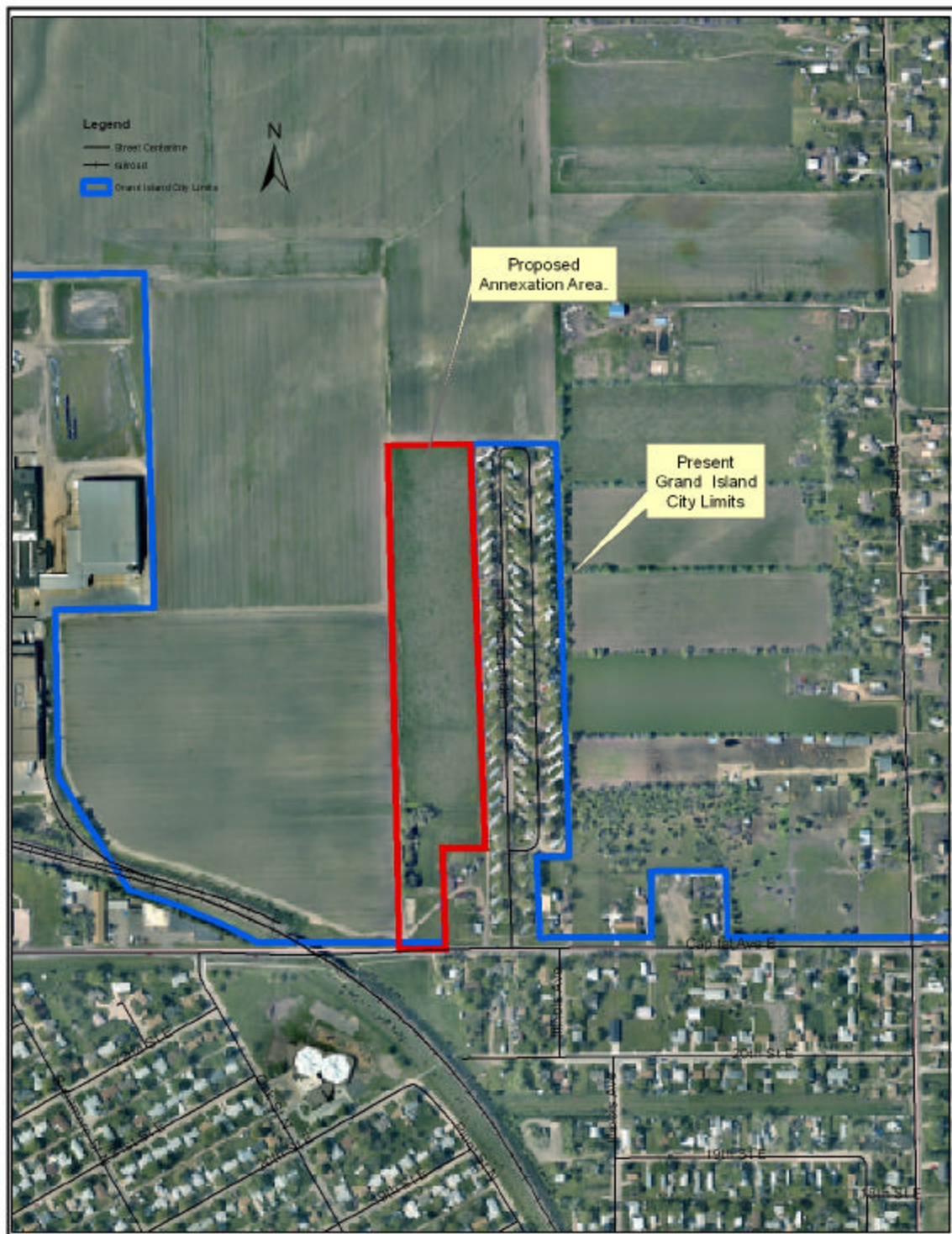
Recommendation

A motion was made by Miller, and seconded by Snodgrass, to recommend the annexation of the above mentioned property as presented.

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

Sample Motion

Approve the annexation as Submitted.



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9078

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 comprising a part of the West Half of the East Half of the West Half of the Southeast Quarter (W 1/2, E 1/2, W 1/2, SE 1/4) of Section Four (4), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska; 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 August 2, 2006, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, a part of the West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4) of Section Four (4), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows, into the City of Grand Island, Hall County, Nebraska:

Beginning at the southwest corner of said West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4); thence running northerly along the west line of said West Half of the East Half of the West Half

Approved as to Form	<input type="checkbox"/> _____
October 6, 2006	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9078 (Cont.)

of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4), on an Assumed Bearing of N00°06'21"W, a distance of One Thousand Nine Hundred Eighty One and Forty Six Hundredths (1981.46) feet; thence running S89°00'06"E, a distance of Three Hundred Thirty Three and Eighty Five Hundredths (333.85) feet; to a point on the east line of said West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4); thence running S00°09'15"E, along the east line of said West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4), a distance of One Thousand Five Hundred Eighty Six and Forty Nine Hundredths (1589.49) feet, to the northeast corner of Lot One (1), Smith Acres Subdivision; thence running N88°58'38"W, along the north line of Lot One (1), Smith Acres Subdivision, a distance of One Hundred Sixty Seven and Seventy Two Hundredths (167.72) feet to the northwest corner of Lot One (1), Smith Acres Subdivision; thence running S00°09'51"E, along the west line of Smith Acres Subdivision, a distance of Three Hundred Ninety Five and Twenty Hundredths (395.20) feet, to a point on the south line of said West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4); thence running N88°57'24"W, along the south line of said West Half of the East Half of the West Half of the Southeast Quarter (W1/2, E1/2, W1/2, SE1/4), a distance of One Hundred Sixty Seven and Eighty Eight Hundredths (167.88) feet, to the point of beginning.

WHEREAS, after public hearing on September 26, 2006, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on September 26, 2006, the City Council of the City of Grand Island approved such annexation on first reading; and

WHEREAS, on October 10, 2006, the City Council of the City of Grand Island approved such annexation on second reading; and

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 above described tract of land is urban or suburban in character, and that the subject property is contiguous or adjacent to the corporate limits of said City.

ORDINANCE NO. 9078 (Cont.)

(B) The subject land will receive the material benefits and advantages currently provided to land 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 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, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

(E) The plan for extending City services adopted by the City Council by the passage and approval of Resolution No. 2006-242 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 tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land 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,

ORDINANCE NO. 9078 (Cont.)

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.

Enacted: October 10, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk