



City of Grand Island

Tuesday, August 12, 2008

Council Session

Item H3

**Consideration of Referring Request from Bernard H. Borer, Jr. to
Annex Property Located Adjacent to and North of Capital Avenue
to the Regional Planning Commission**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: August 12, 2008

Subject: Annexation of Property Located at 908 East Capital Avenue,
North of Capital Avenue East of the St. Paul Road

Item #'s: H-3

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

Background

A request has been received to consider annexation of property located at 908 E. Capital Avenue north of Capital Avenue and east of the St. Paul Road. The owners of this property are anticipating development of the property and requesting that the city bring it into the corporate limits. This property is contiguous with the Grand Island Municipal limits.

Discussion

Nebraska Revised Statute §16-117 provides for the process of annexation the first step of which is for the Mayor and City Council to refer the matter to the Regional Planning Commission for a recommendation. This will be followed by the annexation process as defined by Statute.

Alternatives

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

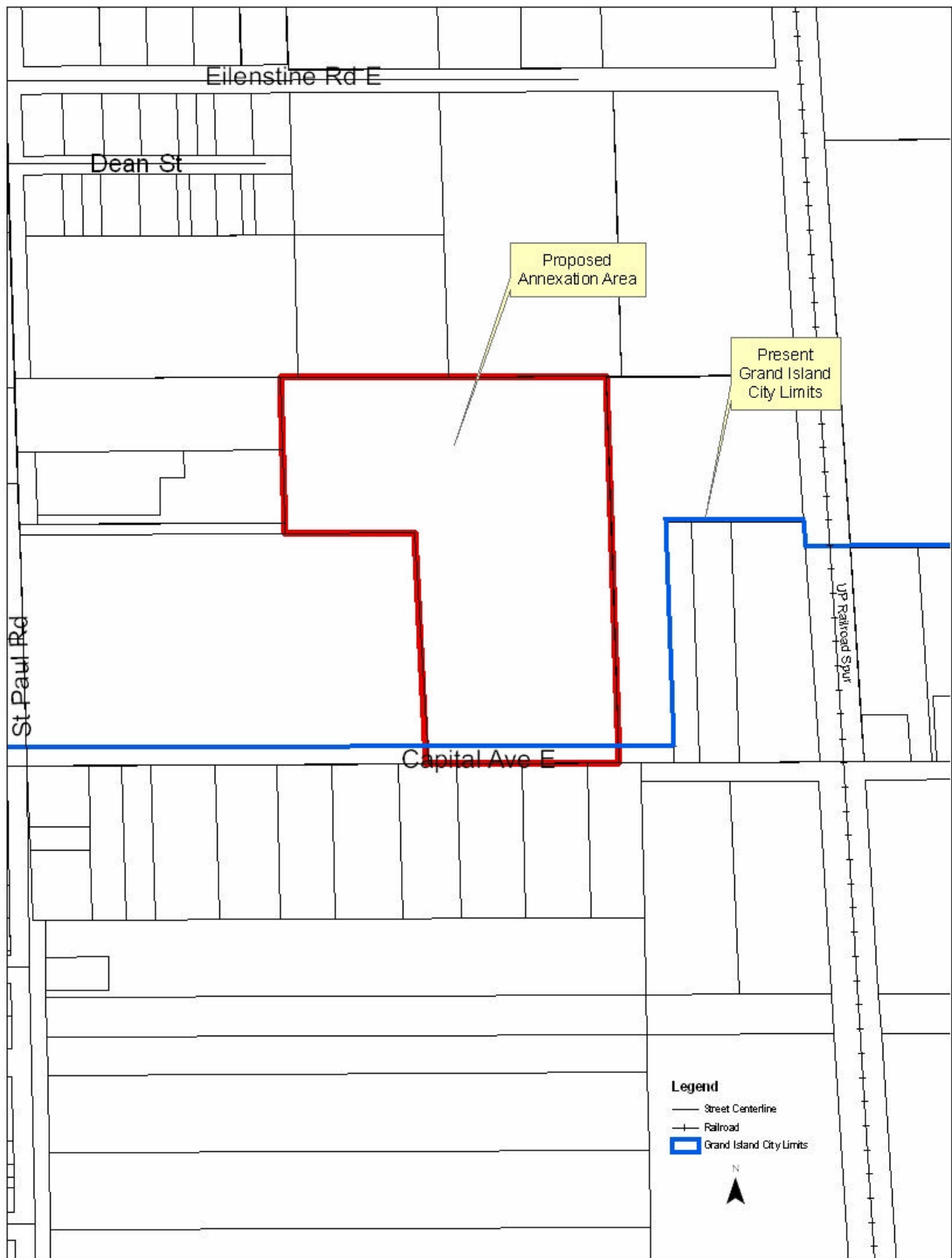
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council refer this item to the Hall County Regional Planning Commission.

Sample Motion

Move to refer this annexation request to the Regional Planning Commission for consideration and recommendation.



LAW OFFICES OF
**CUNNINGHAM, BLACKBURN, FRANCIS,
BROCK & CUNNINGHAM**

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July 31, 2008

ReNae Edwards, City Clerk
Mayor Margaret Hornady
City Council Members
City of Grand Island
P. O. Box 1968
Grand Island, NE 68802-1968



Dear Mayor Hornady and Members of the Grand Island City Council:

Our Law Firm represents Bernard H. Borer, Jr., who owns the following real property located in Hall County, Nebraska, legally described as follows:

Beginning at a point 843.8 feet East of the Southwest Corner of Section Three (3), Township Eleven (11) North, Range Nine (9) West of the 6th P.M.; running thence North on a line parallel with the Section line 516 feet; thence East on a line parallel with the Section line 421.4 feet; thence South parallel with the Section line 516 feet to the South line of said Section; thence West along said Section line 421.4 feet to the place of beginning.

AND

Commencing at a point 452.8 feet West of the center of the Omaha and Republican Valley Railroad now known as the Ord Branch of the Union Pacific Railroad Company, and the Northeast Corner of the North Twelve (12) acres, more or less of the South Thirty Two (32) acres of that part of the Southwest Quarter (SW1/4) of Section Three (3) in Township Eleven (11) North, Range Nine (9), West of the 6th P.M., and lying West of said Railroad; thence running in a Southerly direction 312.5 feet; thence in a Westerly direction 697.0 feet; thence in a Northerly direction 312.5 feet; thence in an Easterly direction 697.0 feet to the place of beginning.

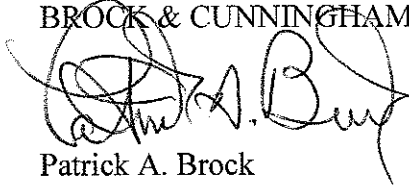
This property is adjacent to and north of Capital Avenue and is currently outside the city limits of Grand Island, Nebraska.

Mr. Borer is requesting that the above referenced real property be annexed into the City of Grand Island, Nebraska. Mr. Borer wishes to develop the property and construct his home upon the real estate, and is therefore seeking annexation to extend city services to this tract of land.

Your prompt attention to this request would be greatly appreciated.

Sincerely,

CUNNINGHAM, BLACKBURN, FRANCIS,
BROCK & CUNNINGHAM, Attorneys

A handwritten signature in black ink, appearing to read "Patrick A. Brock", is written over the printed name. The signature is stylized with a large initial "P" and a long, sweeping underline.

Patrick A. Brock

PAB:gka

pc: Chad Nabity, Regional Planning Director
Bernard H. Borer, Jr.