



City of Grand Island

Tuesday, May 12, 2009

Council Session

Item F1

#9214 - Consideration of Annexation of Property Located South of Case New Holland and West of Highway 281 (Second Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: May 12, 2009
Subject: Annexation Ordinance (Second Reading)
Item #'s: F-1
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

Annexation of land, located in the SE ¼ of the NE ¼ of 25-11-10 (south of Case New Holland and west of U.S. Highway 281) into the Grand Island City Limits see the attached map. Case New Holland, owner of this property, petitioned Council to consider annexation of this property. City Council has already approved a request to rezone the property from TA Transitional Agriculture to M1 Light Manufacturing.

Discussion

On March 4, 2009 the Hall County Regional Planning Commission held a public hearing before considering this matter.

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

This property is adjacent to and contiguous with the Grand Island City Limits. It is entirely surrounded by the City Limits.

Water is available to the property. Sewer is available to the property. This property is within the Grand Island Utilities Electrical Service District. This property is within the Grand Island School District. Annexing this property **will not** impact the two mile extraterritorial jurisdiction of Grand Island.

On April 28, 2009 Council held a public hearing concerning this annexation. No members of the public spoke at the hearing. Council passed the ordinance to annex on the first reading.

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. Postpone the issue

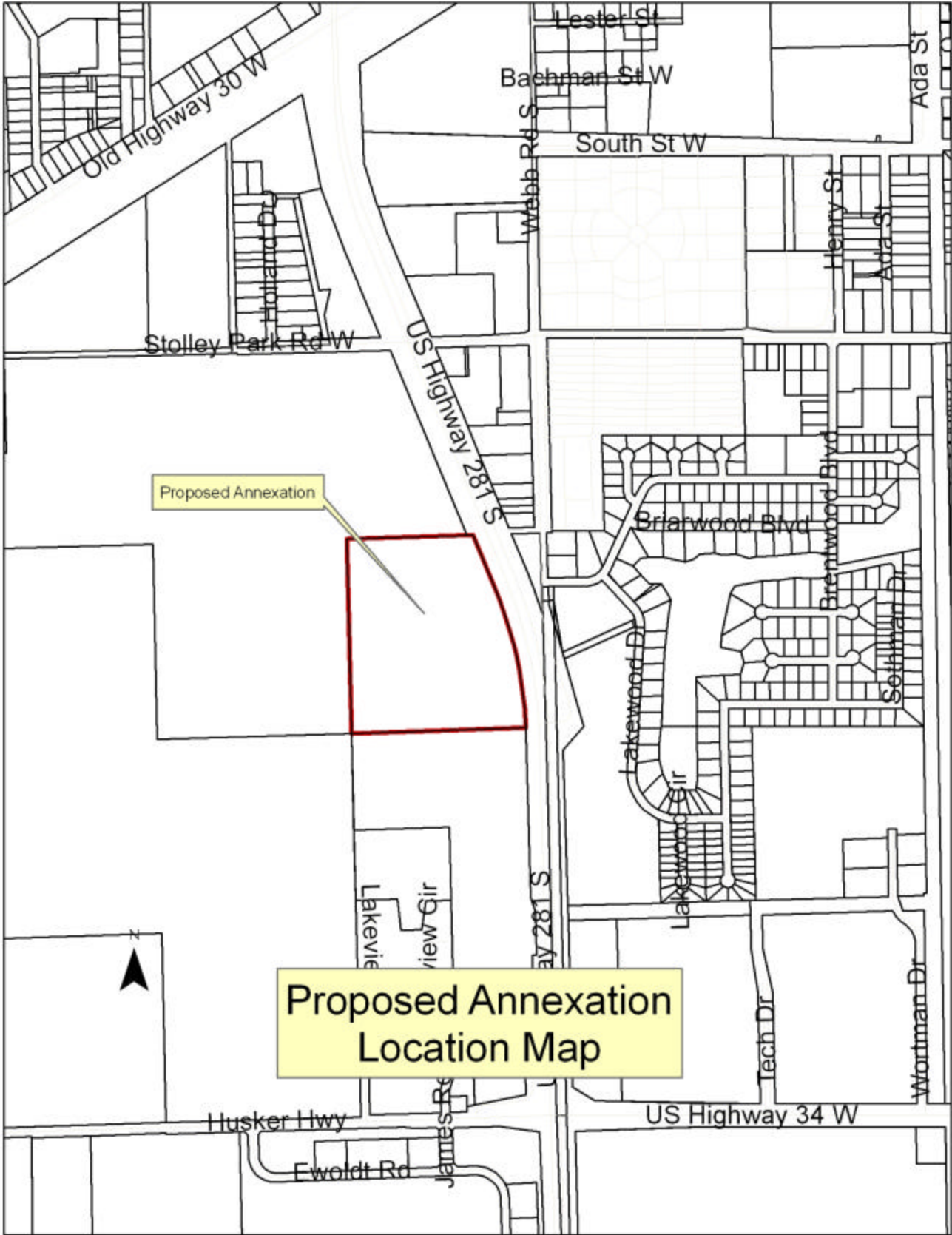
Recommendation

A motion was made by Haskins, and seconded by Aguilar to recommend approval of the Annexation as it meets the City Comprehensive Plan.

A roll call vote was taken and the motion passed with 7 member's present voting favor (Aguilar, Amick, Ruge, Hayes, Haskins, Bredthauer, Snodgrass).

Sample Motion

Move to approve the annexation as requested.



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9214

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land West of U.S. Highway 281 in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-five (25) in Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska as more particularly described hereinafter and as shown on Exhibit "A" attached hereto; to provide service benefits thereto; 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 March 4, 2009, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

A tract of land located in part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-five (25), Township Eleven (11), North, Range Ten (10) West of the 6th p.m., in Hall County, Nebraska, except a certain tract more particularly described in quit claim deed recorded to the State of Nebraska in book 141, page 258, and except a certain tract more particularly described in appraiser's report recorded in book 9, page 67, and more particularly described as follows:

Approved as to Form	☐ _____
May 7, 2009	☐ City Attorney

ORDINANCE NO. 9214 (Cont.)

Commencing at the east quarter corner of Section 25-T11N-R10W; thence on an assumed bearing of S88°08'57"W upon and along the south line of the SE1/4NE1/4 a distance of 132.51 feet to the northeast corner of Lot 2, Pedcor Second Subdivision, an addition to the City of Grand Island, Nebraska, said point also being the westerly right-of-way (ROW) line of US Highway #281 and the point of beginning; thence S88°09'55"W upon and along the south line of said SE1/4NE1/4, said line also being the north line of said Lot 2 a distance of 1189.55 feet to the southwest corner of said SE1/4NE1/4, said point also being the northwest corner of said Lot 2; thence N01°24'18"W upon and along the west line of said SE1/4, NE1/4 a distance of 1322.52 feet to the northwest corner of said SE1/4NE1/4; thence N88°18'32"E upon and along the north line of said SE1/4NE1/4 a distance of 860.86 feet to said westerly row line of US Highway #281; thence S21°57'28"E along and upon said west row line a distance of 398.06 feet to a point of curvature; thence upon and along said westerly row line around a curve in a clockwise direction having a delta angle 20°00'15", an arc length 968.79 feet, a radius 2774.79, a chord bearing S12°42'30"E with a chord distance of 963.87 feet to the point of beginning. Said tract contains a calculated area of 1,412,514.37 square feet or 32.427 acres more or less

WHEREAS, after public hearing on April 28, 2009, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on April 28, 2009, the City Council of the City of Grand Island approved such annexation on first reading.

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 tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands 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.

ORDINANCE NO. 9214 (Cont.)

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that the extraterritorial zoning jurisdiction is extended as allowed by law.

(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. 2009-58 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, 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.

ORDINANCE NO. 9214 (Cont.)

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 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: May 12, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9214 (Cont.)

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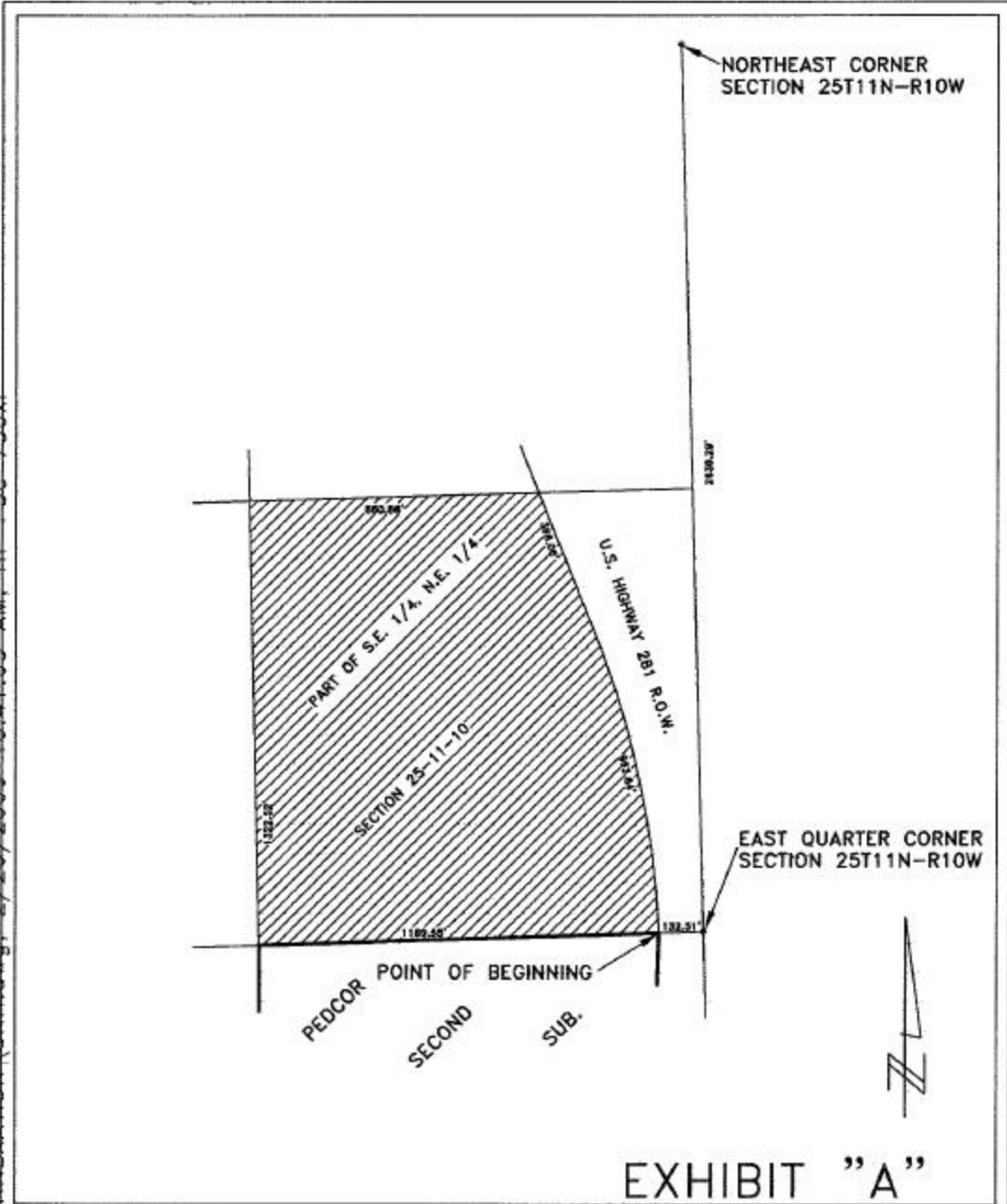


EXHIBIT "A"

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 2/26/09
DRN BY: L.D.C.
SCALE: 1" = 400'

AREA ANNEXED