



# City of Grand Island

Tuesday, April 27, 2010

Council Session

## Item F1

**#9254 - Consideration of Annexation Request of a Tract of Land Being Platted as Shady Bend Subdivision and Adjacent Right of Way Located South of U.S. Highway 30 and West of the New Shady Bend Road (Third Reading)**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** April 27, 2010

**Subject:** Annexation Ordinance (Third Reading) (C-10-2010GI)

**Item #'s:** F-1

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

## **Background**

Annexation of land, located at 3609 E US Hwy 30 and 803 N Shady Bend Rd., into the Grand Island City Limits see the attached map. The owner of this property has submitted Shady Bend Subdivision as an addition to the City of Grand Island and by doing so asked Council to consider annexation of this property.

## **Discussion**

On March 3, 2010 the Hall County Regional Planning Commission held a public hearing before considering this matter.

O'Neill opened the Public Hearing.

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

Nabity explained this property is contiguous with the Grand Island City Limits. The owners have requested that Shady Bend Subdivision be approved as an addition to the City.

These properties are within the Grand Island Utilities Electrical Service District. These properties are all within the Cedar Hollow/Northwest School District. These annexations will not impact the two-mile extraterritorial jurisdiction of Grand Island.

Water is available to the property included in this annexation request. 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 March 27, 2010 Council held a public hearing on this matter and passed the annexation ordinance on first reading. On April 13, 2010 Council passed the annexation ordinance on second reading.

This is the third reading of the ordinance to annex property.

### **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

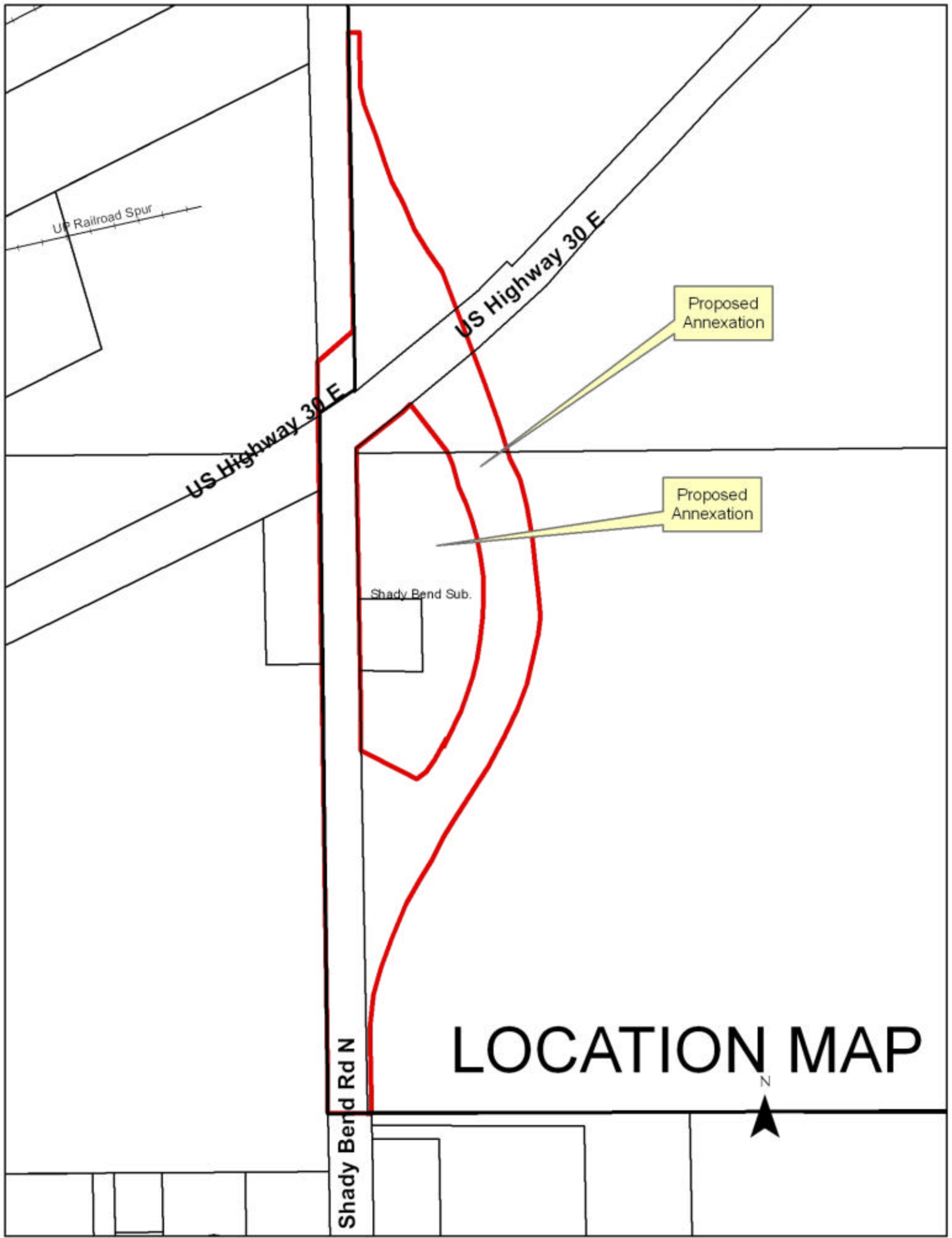
### **Recommendation**

A motion was made by Haskins to approve the annexation request and seconded by Eriksen.

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

### **Sample Motion**

Move to approve the annexation as Submitted.



\* This Space Reserved For Register of Deeds \*

### ORDINANCE NO. 9254

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 at U.S. Highway 30 and Shady Bend Road being platted as Shady Bend Subdivision an Addition to the City of Grand Island along with all adjoin public Right-of-Way 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 3, 2010, 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 comprised of Lots One (1) and Two (2) of Shady Bend Subdivision an Addition to the City of Grand Island and all adjoining public Right-of-Way in Hall County, Nebraska,

WHEREAS, after public hearing on March 23, 2010, the City Council of the City of Grand Island found and determined that such annexation be approved; and

Approved as to Form	<input type="checkbox"/> _____
April 21, 2010	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9254 (Cont.)

WHEREAS, on March 23, 2010, 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.

(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 this annexation will have no impact on the extraterritorial zoning jurisdiction.

(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. 2010-69 is hereby approved and ratified as amended.

ORDINANCE NO. 9254 (Cont.)

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.

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: April 27, 2010.

ORDINANCE NO. 9254 (Cont.)

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

ORDINANCE NO. 9254 (Cont.)

