



# City of Grand Island

Tuesday, March 07, 2006

Special/Council Session

## Item F1

**#9026 - Consideration of Annexation of Property Proposed for Platting as Copper Creek Subdivision Located South of Old Potash Highway and East of Engleman Road (Final Reading)**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission  
**Meeting:** February 28, 2006  
**Subject:** Annexation – Copper Creek Subdivision (Third Reading)  
**Item #'s:** F-1  
**Presenter(s):** Chad Nabity AICP, Regional Planning Director

## Background

Annexation of land, located in the NW ¼ 23-11-10 into the Grand Island City Limits see the attached map.

## Discussion

On December 7<sup>th</sup>, 2005 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 along a portion of its northern property line.

Water is available to the property included in this annexation request. Sewer is approximately ¼ mile to the east of this project and will be extended by the developer to serve this property. This property is within the Grand Island Utilities Electrical Service District. This property is not within the Grand Island School District. Annexing these properties **will** impact the two mile extraterritorial jurisdiction of Grand Island. Proposed changes to the zoning map will be forwarded to council prior to the third reading of this ordinance as readoption of the Official Grand Island Zoning Map.

## 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

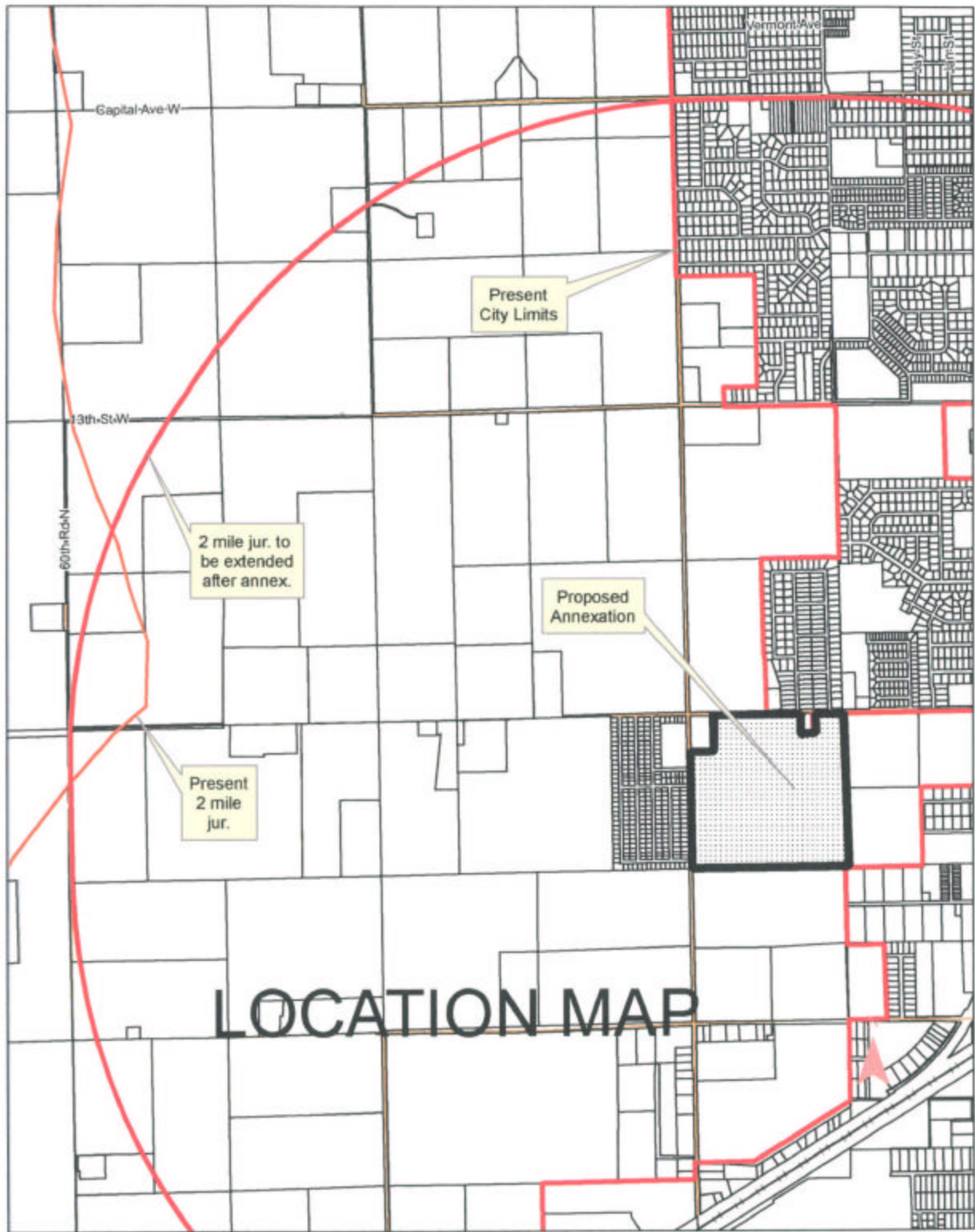
### **Recommendation**

A motion was made by Hayes 2<sup>nd</sup> by Brown to approve and recommend that the City of Grand Island **approve** this annexation and as presented.

A roll call vote was taken and the motion passed with 11 members present (Amick, Haskins, Reynolds, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes) voting in favor.

### **Sample Motion**

Approve the annexation as Submitted



\* This Space Reserved For Register of Deeds \*

### ORDINANCE NO. 9026

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 comprising the Northwest Quarter (NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska; 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 December 7, 2005, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, a tract of land comprising the Northwest Quarter (NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, excepting therefrom:

1. All of M and M Subdivision, located in part of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.
2. All of Meyer's Subdivision, located in part of the Northeast Quarter of the Northwest Quarter (NE1/4, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.

Approved as to Form	<input type="checkbox"/>	_____
March 2, 2006	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9026 (Cont.)

3. The easterly Thirty Five (35.0) feet of the East Half of the East Half of the Northwest Quarter (E1/2, E1/2, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.

WHEREAS, after public hearing on January 24, 2006, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on January 24, 2006, the City Council of the City of Grand Island approved such annexation on first reading; and

WHEREAS, on February 14, 2006, the City Council of the City of Grand Island approved such annexation on second 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 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.

(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.

ORDINANCE NO. 9026 (Cont.)

(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. 2005-349 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.

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.

ORDINANCE NO. 9026 (Cont.)

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: March 7, 2006.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerka