

# **City of Scottsbluff, Nebraska**

**Monday, May 15, 2017**

**Regular Meeting**

## **Item Pub. Hear.2**

**Council to consider the Resolution approving the Annexation by Plat of Hilltop Estates.**

**Staff Contact: Annie Folck, City Planner**

## RESOLUTION 17-\_\_\_\_\_

**WHEREAS**, a request has been submitted by Kosman, Inc., a Wyoming corporation and Kosman Investments, LLC, a Nebraska Limited Liability Company, as the owners for the inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a tract of land situated in the NW3 of Section 13, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

A PARCEL OF LAND CONTAINING 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHENCE NORTH QUARTER BEARS SOUTH 88°08'36" EAST, A DISTANCE OF 2661.46 FEET, THENCE SOUTH 88°08'36" EAST, A DISTANCE OF 1491.48 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND THE PROPERTY DESCRIBED AT INSTRUMENT NUMBER 2016-3789 OF THE SCOTTS BLUFF COUNTY RECORDS, THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF THE PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789, SOUTH 02°16'11" WEST, A DISTANCE OF 1066.20 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789 AND TO A RECORD CORNER SHOWN ON RECORD OF SURVEY COMPLETED BY LS 476 ON APRIL 21, 1992 OF THE FAIRVIEW CEMETERY;

THENCE CONTINUING ALONG SAID RECORD OF SURVEY THE FOLLOWING COURSES (3) THREE COURSES:

1. SOUTH 02°16'11" WEST, A DISTANCE OF 3.00 FEET;
2. THENCE SOUTH 55°32'59" EAST, A DISTANCE OF 65.80 FEET;
3. THENCE SOUTH 40°29'00" EAST, A DISTANCE OF 242.48 FEET (MEASURED) TO A POINT ON THE NORTH LINE OF BLOCK 6 MCKINLEY FOURTH ADDITION RECORDED AT BOOK 120, PAGE 144 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG SAID NORTH LINE OF SAID BLOCK 6, SOUTH 88°14'16" EAST, A DISTANCE OF 953.09 FEET TO A POINT AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AT INSTRUMENT NUMBER 2006-1130 OF THE SCOTTS BLUFF COUNTY RECORDS AND BEING ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 13;

THENCE ALONG SAID NORTH-SOUTH CENTERLINE OF SECTION 13 NORTH 02°07'24" EAST, A DISTANCE OF 842.76 FEET TO A POINT A THE SOUTHEAST CORNER OF HILLTOP ESTATES BLOCK 2 RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 2, NORTH 88°16'38" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH WEST CORNER OF SAID BLOCK 2;

THENCE ALONG THE WEST LINE OF SAID BLOCK 2, NORTH 02°07'23" EAST, A DISTANCE OF 440.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 42ND STREET AS PLATTED THE HILLTOP ESTATES SUBDIVISION RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE NORTH 88°08'36" WEST, A DISTANCE OF 569.69 FEET;

THENCE NORTH 01°51'03" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, NORTH 88°08'36" WEST, A DISTANCE OF 400.05 FEET;

THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS.

**WHEREAS**, the Scottsbluff City Planning Commission has received a request and held a public hearing on April 24, 2017 on the approval of a plat and inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits and recommend the Scottsbluff City Council approve the plat and request to include within the corporate limits; and

**WHEREAS**, said request to include the land within the corporate limits was duly signed by the owners of the real estate affected with the express intent of platting the real estate as Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; and

**WHEREAS**, a public hearing was held by the Scottsbluff City Council relating to the request on May 1, 2017, to approve the plat and deem the addition to be included within the corporate limits as it was advantageous to and in the best interests of the City of Scottsbluff.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Scottsbluff, Nebraska that the plat of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, pursuant to Section 19-916 of the Nebraska Revised Statutes and Section 21-1-61 of the Scottsbluff Municipal Code shall be included within the corporate limits for the City of

Scottsbluff, Scotts Bluff County, Nebraska shall be and become a part of said City for all purposes whatsoever, that the inhabitants of said addition shall be entitled to all the rights and privileges, and shall be subject to all of the laws, ordinances, rules and regulations of the City of Scottsbluff, Nebraska.

**BE IT FURTHER RESOLVED** that the inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits of the City of Scottsbluff, Nebraska is subject to the final plat being filed with the Scotts Bluff County Register of Deeds.

**PASSED AND APPROVED** this \_\_\_\_ day of May, 2017.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)