

**City of Scottsbluff, Nebraska**  
**Monday, September 11, 2017**  
**Regular Meeting**

**Item NewBiz2**

**Plat and Dedication of a Portion of East 9th St**

**Staff Contact:**

# *SCOTTSBLUFF CITY*

## *PLANNING COMMISSION STAFF REPORT*

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**To:** Planning Commission  
**From:** Development Services Department  
**Date:** September 11, 2017  
**Subject:** Plat and Dedication of a Portion of East 9<sup>th</sup> St  
**Location:** E 9<sup>th</sup> St and 14<sup>th</sup> Ave

**Zoning:** N/A  
**Property Size:** .13 acres

### Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice:** This item was noticed in the paper and a notice was posted on the property.

### Background

A few months ago there was some confusion because this portion of E. 9<sup>th</sup> St was never actually dedicated to the City as right-of-way. After doing some research, it was determined that it is City-owned property. In order to avoid confusion about whether this is a parcel or public right-of-way, the City is now formally dedicating it as part of East 9<sup>th</sup> Street.

### RECOMMENDATION

#### *Approve*

**Make a POSITIVE RECOMMENDATION to the City Council to approve** the plat and dedication of a portion of East 9<sup>th</sup> St, situated in the NW ¼ of the NE ¼ of Section 25, Township 22 N, Range 55 W of the 7<sup>th</sup>, P.M., City of Scottsbluff, Nebraska subject to the following condition(s):

#### *Deny*

**Make a NEGATIVE RECOMMENDATION to the City Council to disapprove** the plat and dedication of a portion of East 9<sup>th</sup> St, situated in the NW ¼ of the NE ¼ of Section 25, Township 22 N, Range 55 W of the 7<sup>th</sup>, P.M., City of Scottsbluff, Nebraska for the following reason(s):

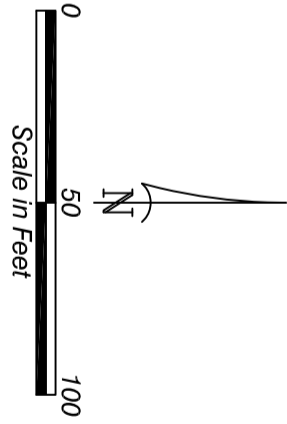
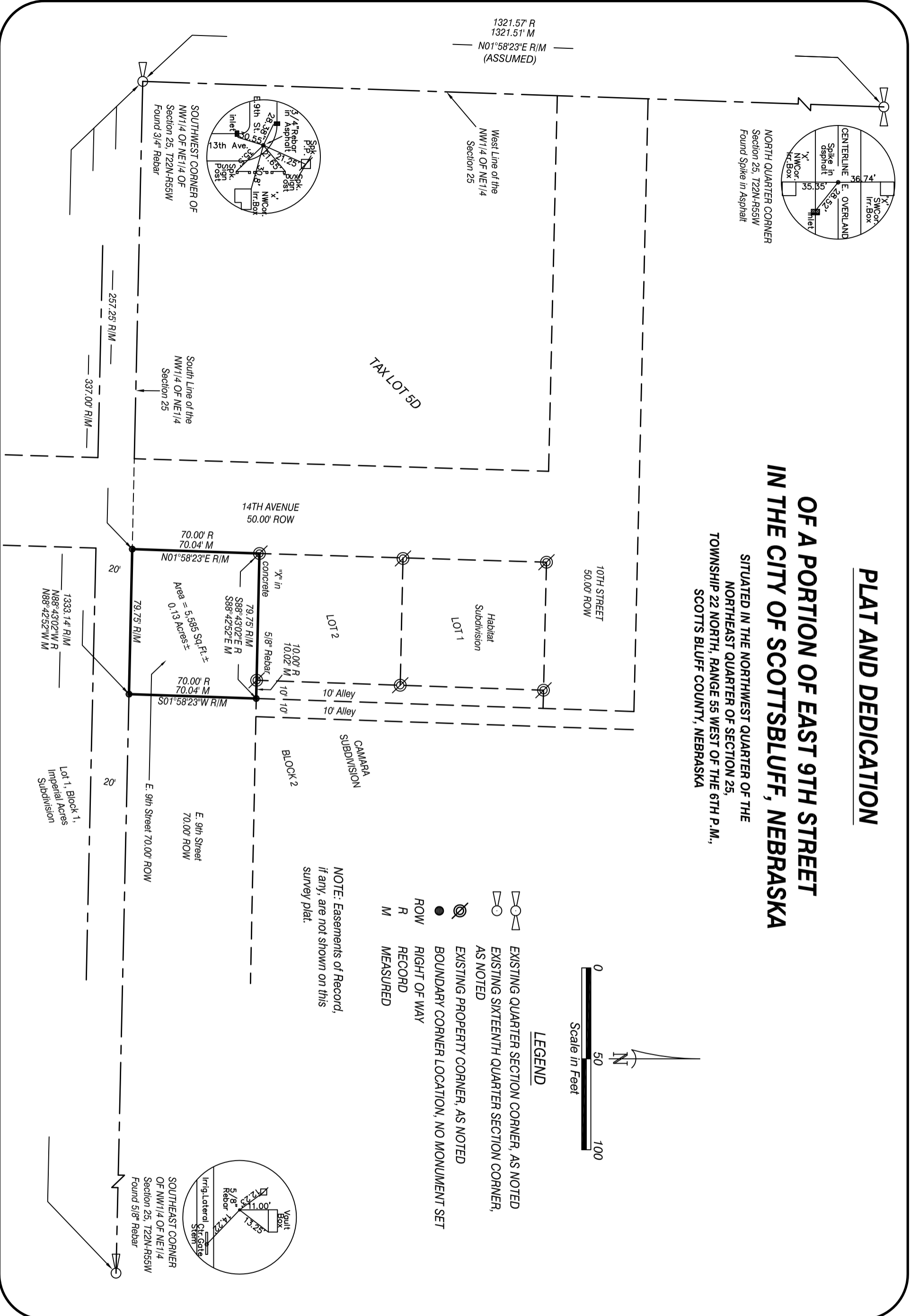
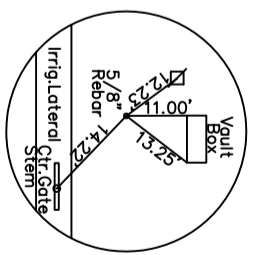
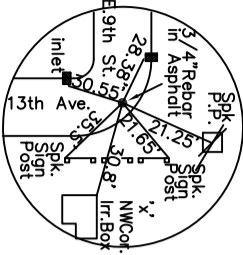
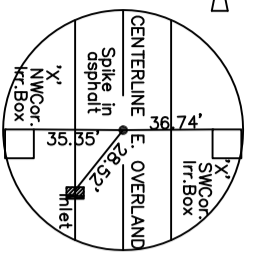
#### *Table*

**Make the motion to TABLE** the plat and dedication of a portion of East 9<sup>th</sup> St, situated in the NW ¼ of the NE ¼ of Section 25, Township 22 N, Range 55 W of the 7<sup>th</sup>, P.M., City of Scottsbluff, Nebraska for the following reason(s):

# PLAT AND DEDICATION

## OF A PORTION OF EAST 9TH STREET IN THE CITY OF SCOTTSBLUFF, NEBRASKA

SITUATED IN THE NORTHWEST QUARTER OF THE  
NORTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M.,  
SCOTTS BLUFF COUNTY, NEBRASKA



- LEGEND**
- EXISTING QUARTER SECTION CORNER, AS NOTED
  - EXISTING SIXTEENTH QUARTER SECTION CORNER, AS NOTED
  - EXISTING PROPERTY CORNER, AS NOTED
  - BOUNDARY CORNER LOCATION, NO MONUMENT SET
  - ROW RIGHT OF WAY RECORD MEASURED

## SURVEYOR'S CERTIFICATE

I, Dennis P. Sullivan, a Nebraska Registered Land Surveyor, hereby certify I, or under my direct supervision, have surveyed a Tract of land situated in the Northwest Quarter of the Northeast Quarter of Section 25, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

With the assumed basis of bearing being  $N01^{\circ}58'23''E$ , (record and measured) on the west line of the Northwest Quarter of the Northeast Quarter of Section 25, and beginning at the Southwest Corner of Lot 2, Habitat Subdivision, as monumented by a chiseled "X" in concrete, thence easterly on the south line of said Lot 2, on a line being parallel with the south line of the Northwest Quarter of the Northeast Quarter of Section 25, bearing  $S88^{\circ}42'52''E$  measured ( $S88^{\circ}43'02''E$  record), a distance of 79.75 feet (record and measured) to the point of intersection with the center of a 20 foot alley and the southwest corner of Block 2, Camara Subdivision, as platted, thence southerly bearing  $S01^{\circ}58'23''W$  (record and measured) on a line being parallel with the west line of the Northwest Quarter of the Northeast Quarter of Section 25, a distance of 70.04 feet measured (70.00 feet record), to the point of intersection with said south quarter section line, thence westerly on said south quarter section line, bearing  $N88^{\circ}42'52''W$  measured ( $N88^{\circ}42'52''W$  record), a distance of 79.75 feet (record and measured), thence northerly on a line being parallel with the west line of said Quarter Section line, bearing  $N01^{\circ}58'23''E$ , a distance of 70.04 feet measured (70.00 feet record), to the Point of Beginning, said tract of land containing an area of 0.13 Acres, more or less.

That the accompanying plat is a true delineation of said survey drawn to a scale of 50 feet to the inch. That all dimensions are in feet and decimals. That all streets shown be dedicated for the use and benefit of the public. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

\_\_\_\_\_  
Dennis P. Sullivan, Nebraska Registered Land Surveyor, L. S. 562

## OWNER'S STATEMENT

We, the undersigned, being the owners of that land as described in the foregoing 'Surveyor's Certificate' and shown on the accompanying plat have caused such real estate to be platted as a portion of East 9th Street, in the City of Scottsbluff, Nebraska, situated in the Northwest Quarter of the Northeast Quarter of Section 25, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners. We hereby dedicate the street for the use and benefit of the public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Owner: City of Scottsbluff, Scotts Bluff County, Nebraska  
a Municipal Corporation

\_\_\_\_\_  
By: Randy Meininger, Mayor

ACKNOWLEDGEMENT

STATE OF NEBRASKA )  
COUNTY OF SCOTTS BLUFF )

Before me, a Notary Public, qualified and acting in said County, personally came Randy Meininger, Mayor of the City of Scottsbluff, Nebraska, to me known to be the identical person whose signature is affixed to the foregoing `Owner's Statement' and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of the City of Scottsbluff, Scotts Bluff County, Nebraska

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

APPROVAL AND ACCEPTANCE

The foregoing plat of a portion of East 9th Street in the City of Scottsbluff, Nebraska, situated in the Northwest Quarter of the Northeast Quarter of Section 25, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, is hereby approved and accepted by the Mayor and City Council of the City of Scottsbluff, Scotts Bluff County, Nebraska, by resolution dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
By: Randy Meininger, Mayor

\_\_\_\_\_  
Attest: City Clerk