

City of Scottsbluff, Nebraska

Monday, May 19, 2014

Regular Meeting

Item Pub. Hear.7

Council to consider the Annexation Resolution and Plat Resolution for the Final Plat of Lot 7, Block 13, Five Oaks Subdivision, City of Scottsbluff.

Staff Contact: Annie Folck, City Planner

RESOLUTION 14-_____

WHEREAS, a request has been submitted by C & T Holdings, L.L.C., a Nebraska Limited Liability Company, as the owner for the inclusion of Lot 7, Block 13, Five Oaks Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a Tract of land being Lot 7, Block 13, Five Oaks Subdivision, all located in the NW 1/4 of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

A parcel of land known as Lot 7, Block 13 of the Five Oaks final plat, containing 12,950 sq. ft. (0.30 acres), more or less, in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian in Scotts Bluff County, Nebraska said tract or parcel being more particularly described as follows:

Commencing at the Northwest corner of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian, being a found 1" diameter steel bolt, flush in the surface of Highway 71, stamped in part "survey mark", whence the West sixteenth of said Section 14, being a found 3 1/4" diameter aluminum cap, flush in the surface of 42nd Street, stamped in part "Baker & Associates Inc. PLS 731" bears South 88°13'30" East, a distance of 1326.35 feet; thence South 35°10'32" East, a distance of 1638.01 feet to a point on the existing Northeast corner of the intersection of 38th Street and Five Oaks Drive and to the point of beginning;

Thence along the East right of way line of Five Oaks Drive on a arc of a curve to the left, a radius of 211.00 feet, a central angle of 21°26'20", a distance of 78.95 feet, (a chord bearing North 12°01'32" West, a distance of 78.49 feet),

Thence departing said East right of way line South 88°26'48" East, a distance of 128.75 feet,

Thence along an arc of a curve to the right, a radius of 318.00 feet, a central angle of 21°52'10", a distance of 121.38 feet, (a chord bearing South 11°20'37" West, a distance of 120.64 feet) to a point on the North right of way line of 38th Street,

Thence along the North right of way line of 38th Street North 69°38'46" West, a distance of 129.40 feet to the point of beginning, and

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on May 12, 2014 on the approval of a plat and inclusion of Lot 7, Block 13, Five Oaks Subdivision within the corporate limits and recommended the Scottsbluff City Council approve said request; and

WHEREAS, said request to include the land within the corporate limits was duly signed by the owner of the real estate affected with the express intent of platting the real estate as Lot 7, Block 13, Five Oaks 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 _____, 2014, to approve the plat and deem the addition to be included within the corporate limits to be 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 real estate which is platted as Lot 7, Block 13, Five Oaks Subdivision, 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 of 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 Lot 7, Block 13, Five Oaks 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 _____, 2014.

Mayor

ATTEST:

City Clerk (Seal)

RESOLUTION 14-_____

WHEREAS, a request has been submitted by C & T Holdings, L.L.C., a Nebraska Limited Liability Company, as the owner for the inclusion of Lot 7, Block 13, Five Oaks Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a Tract of land located in the NW1/4 of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

A parcel of land known as Lot 7, Block 13 of the Five Oaks final plat, containing 12,950 sq. ft. (0.30 acres), more or less, in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian in Scotts Bluff County, Nebraska said tract or parcel being more particularly described as follows:

Commencing at the Northwest corner of Section 14, Township 22 North, Range 55 West of the 6th Principal Meridian, being a found 1" diameter steel bolt, flush in the surface of Highway 71, stamped in part "survey mark", whence the West sixteenth of said Section 14, being a found 3 1/4" diameter aluminum cap, flush in the surface of 42nd Street, stamped in part "Baker & Associates Inc. PLS 731" bears South 88°13'30" East, a distance of 1326.35 feet; thence South 35°10'32" East, a distance of 1638.01 feet to a point on the existing Northeast corner of the intersection of 38th Street and Five Oaks Drive and to the point of beginning;

Thence along the East right of way line of Five Oaks Drive on a arc of a curve to the left, a radius of 211.00 feet, a central angle of 21°26'20", a distance of 78.95 feet, (a chord bearing North 12°01'32" West, a distance of 78.49 feet),

Thence departing said East right of way line South 88°26'48" East, a distance of 128.75 feet,

Thence along an arc of a curve to the right, a radius of 318.00 feet, a central angle of 21°52'10", a distance of 121.38 feet, (a chord bearing South 11°20'37" West, a distance of 120.64 feet) to a point on the North right of way line of 38th Street,

Thence along the North right of way line of 38th Street North 69°38'46" West, a distance of 129.40 feet to the point of beginning, and

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on May 12, 2014 on the approval of a plat and inclusion of Lot 7, Block 13, Five Oaks 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 owner of the real estate affected with the express intent of platting the real estate as Lot 7, Block 13, Five Oaks 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 _____, 2014, 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 Lot 7, Block 13, Five Oaks Subdivision, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved and that the Mayor of the City of Scottsbluff, Nebraska shall be and is hereby authorized and directed to execute the final plat on behalf of the City of Scottsbluff, Nebraska.

PASSED AND APPROVED this ____ day of _____, 2014.

Mayor

ATTEST:

City Clerk (Seal)

SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF
THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions		
Date	Description	Initials
04-14-14	DRAFTED SURVEY	CJG



Land Survey & Final Plat of Five Oaks Block 13 Title Sheet			
Baker Project Number: 023-020-14			
Project Location: Scottsbluff, Scotts Bluff County Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	04-14-2014	1 of 2	1

●	BAKER SET 1 5/16" ORANGE PLASTIC CAP ON A 5/8" REBAR, STAMPED BAKER AND ASSOCIATES LS 731
○	BOUNDARY EVIDENCE (PROPERTY CORNERS)
◆	SECTION CORNER SYMBOL
⊙	QUARTER AND SIXTEENTH SECTION MONUMENTS
⊠	NDOR CONCRETE RIGHT OF WAY MONUMENT
ROW	
(R)	RECORD PER PREVIOUSLY FILED SURVEYS
(M)	MEASURED BY BAKER & ASSOCIATES INC.

A PARCEL OF LAND KNOWN AS LOT 7, BLOCK 13 OF THE FIVE OAKS FINAL PLAT, CONTAINING 12,950 SQ. FT.(0.30 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH,
RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, BEING A FOUND 1"DIAMETER STEEL
BOLT, FLUSH IN THE SURFACE OF HIGHWAY 71, STAMPED IN PART "SURVEY MARK",
WHENCE THE WEST SIXTEENTH OF SAID SECTION 14, BEING A FOUND
3 1/4" DIAMETER ALUMINUM CAP, FLUSH IN THE SURFACE OF 42ND STREET, STAMPED IN PART
"BAKER & ASSOCIATES INC, PLS 731", BEARS SOUTH 88°13'30" EAST, A DISTANCE OF 1326.35 FEET;
THENCE SOUTH 35°10'32" EAST, A DISTANCE OF 1638.01 FEET TO A POINT ON THE EXISTING
NORTHEAST CORNER OF THE INTERSECTION OF 38TH STREET AND FIVE OAKS DRIVE
AND TO THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF FIVE OAKS DRIVE ON A ARC OF A CURVE TO THE LEFT, A RADIUS OF 211.00 FEET, A CENTRAL ANGLE OF 21°26'20", A DISTANCE OF 78.95 FEET. (A CHORD BEARING NORTH 12°01'32" EAST, A DISTANCE OF 78.49 FEET)
 THENCE DEPARTING SAID EAST RIGHT OF WAY LINE SOUTH 88°26'48" EAST, A DISTANCE OF 128.75 FEET,
 THENCE ALONG AN ARC OF A CURVE TO THE RIGHT, A RADIUS OF 318.00 FEET, A CENTRAL ANGLE OF 21°52'10", A DISTANCE OF 121.38 FEET, (A CHORD BEARING SOUTH 11°20'37" WEST, A DISTANCE OF 120.64 FEET) TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 38TH STREET,
 THENCE ALONG THE NORTH RIGHT OF WAY LINE OF 38TH STREET, NORTH 69°38'46" WEST, A DISTANCE OF 129.40 FEET TO THE POINT OF BEGINNING.

1. BAKER AND ASSOCIATES, INC., PERFORMED ALL NECESSARY RESEARCH TO ESTABLISH CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN HERE ON, UTILIZING CURRENT VESTING DOCUMENTS FROM PUBLIC RECORDS, HOWEVER NO TITLE COMPANY OR PROFESSIONAL TITLE SEARCH WAS PREFORMED ON THE SUBJECT PROPERTY.

2. THE MONUMENTATION RECOVERED WAS LOCATED BY A COMBINATION OF GLOBAL POSITIONING SYSTEM (GPS) FAST STATIC, RTK AND RTK DATA LOGGING TECHNIQUES. CONVENTIONAL SURVEY METHODS WERE APPLIED WHEN REQUIRED.

3. BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN AND THE WEST SIXTEENTH CORNER OF SAID SECTION 14, BEING A GRID BEARING OF SOUTH 88°13'30" EAST A DISTANCE OF 1326.35' FEET AS OBTAINED FROM A GLOBAL POSITIONING SYSTEM (GPS) SURVEY BASED ON THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK (NHARN), SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.

4. ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.

5. NOTICE: YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION, BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

6. THE ABOVE DESCRIBE PROPERTY IS BEING ANNEXED INTO THE CITY OF SCOTTSBLUFF PER THE APPROVAL OF THIS PLAT .

PAGE 1 TITLE SHEET

PAGE 2 PLAN SHEET

I, CARL JOHN GILBERT, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN APRIL 2014, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000 AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF NEBRASKA DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE SCOTTS BLUFF COUNTY AND THE CITY OF SCOTTSBLUFF SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

CARL JOHN GILBERT
NEBRASKA PROFESSIONAL LAND SURVEYOR NO. 731
FOR AND ON BEHALF OF BAKER AND ASSOCIATES INC.
PHONE : 308-632-3123

THE FOREGOING PLAT OF LOT 7, BLOCK 13, FIVE OAKS SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS _____ DAY OF _____, 2014.

BY: _____
RANDY MEININGER, MAYOR

SEAL

ATTESTED: CITY CLERK

WE, THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOT 7, BLOCK 13 OF FIVE OAKS, AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIVE OAKS LOT 7, BLOCK 13.

BY: _____
REPRESENTATIVE OF C & T HOLDINGS L.L.C.

STATE OF NEBRASKA)
) SS
COUNTY OF SCOTTS BLUFF)

ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2014,

BY _____
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF
THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA



**Baker
&
Associates
Inc.**

www.baker-eng.com

Engineers * Architects * Surveyors

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Project Code	Last Mod. Date	Subset	Sheet No.
023	04-14-2014	1 of 2	2

