

# **City of Scottsbluff, Nebraska**

**Monday, April 13, 2015**

**Regular Meeting**

## **Item NewBiz6**

### **Final Plat with Ordinance to Vacate**

*Final Plat: Lots 1 & 2, Block 9, Five Oaks Subdivision*

*with ordinance to vacate & vacation plat*

*Applicant(s): C & T Holdings L.L.C, & Jason/Sami Webb/ Baker & Associates*

*Owner(s): C&T Holdings L..L.C./ Jason & Sami Webb*

*Location: SE Corner of 42nd Street & Avenue I*

**Staff Contact: Annie Folck**

# ***SCOTTSBLUFF CITY***

## ***PLANNING COMMISSION STAFF REPORT***

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<b>To:</b>	Planning Commission	<b>Zoning:</b>	Current      Agricultural
<b>From:</b>	Development Services Department	<b>Property Size:</b>	11.08±
<b>Date:</b>	April 13, 2015		
<b>Subject:</b>	Final Plat –Lots 1 & 2, Block 9, Five Oaks Subdivision with ordinance to vacate & vacation plat		
<b>Location:</b>	South of 42nd Street and East of Hwy 71		

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### **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**

The applicant(s), C and T Holdings and Jason & Sami Webb, represented by Baker and Associates, have requested approval of a final plat of Lots 1 & 2, Block 9, Five Oaks Subdivision. The property is situated south of 42<sup>nd</sup> Street, east of Highway 71, (SE corner of Avenue I and 42<sup>nd</sup> St.).

This final plat request includes a request to vacate existing Block 9, Five Oaks Subdivision (7.7 acres) with an ordinance to vacate and a vacation plat. The vacation allows the new plat to be final platted with an extra 3.26 acre added to the land, lot 1 is approximately 6.46 acres and lot 2 is 4.62 acres. The 3.26 acres is to the east of the previous Block 9. Existing water and sewer lines along Avenue I and 42<sup>nd</sup> Street will serve the lots.

### **RECOMMENDATION**

#### ***Approve***

**Make a POSITIVE RECOMMENDATION to the City Council to approve** the final plat of Lots 1 & 2, Block 9, Five Oaks Subdivision situated in the NW ¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska with ordinance to vacate Block 9, Five Oaks Subdivision subject to the following condition(s):

#### ***Deny***

**Make a NEGATIVE RECOMMENDATION to the City Council to disapprove** the final plat of Lots 1 & 2, Block 9, Five Oaks Subdivision situated in the NW ¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska with ordinance to vacate Block 9, Five Oaks Subdivision for the following reason(s):



***Table***

**Make the motion to TABLE the** final plat of Lots 1 & 2, Block 9, Five Oaks Subdivision situated in the NW¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska with ordinance to vacate for the following reason(s):

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING BLOCK 9, FIVE OAKS SUBDIVISION, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA AND UNPLATTED LANDS SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M., IN SCOTTS BLUFF COUNTY, NEBRASKA.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. The owners of the property involved have requested the City of Scottsbluff vacate the following property to allow for a replat:

Block 9, Five Oaks Subdivision, City of Scottsbluff, Scotts Bluff County, Nebraska and unplatted lands situated in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., in Scotts Bluff County, Nebraska.

As more fully set forth in the vacation plat, marked as Exhibit “A”, to this Ordinance and incorporated by this reference.

Section 2. The City Council finds that the requesting parties are the Owners and that it is in the best interest of the City that the property be vacated as requested.

Section 3. Block 9, Five Oaks Subdivision, City of Scottsbluff, Scotts Bluff County, Nebraska and unplatted lands situated in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., in Scotts Bluff County, Nebraska, is hereby vacated to allow for a replat of the property.

Section 4. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

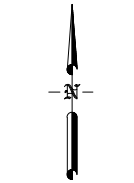
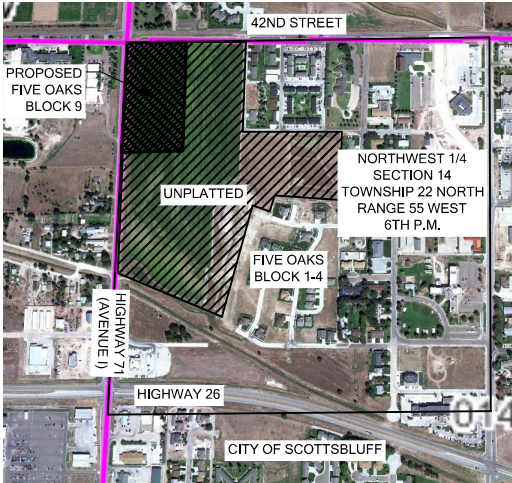
\_\_\_\_\_  
City Clerk (Seal)

APPROVED TO FORM:

\_\_\_\_\_  
City Attorney

FINAL PLAT OF  
BLOCK 9 ,FIVE OAKS SUBDIVISION,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
AND UNPLATTED LANDS

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



VICINITY MAP  
NOT TO SCALE

INDEX OF SHEETS

PAGE 1	TITLE SHEET
PAGE 2	SIGNATURE SHEET
PAGE 3	PLAN SHEET

WEST OAK BLVD. ACCESS EASEMENT

A EASEMENT 52.00 FEET IN WIDTH RESERVED FOR FUTURE RIGHT OF WAY FOR WEST OAK BLVD, CONTAINING 37,005 SQ. FT. (0.850 ACRES) MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, SAID EASEMENT 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, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, SOUTH 88°13'30" EAST, A DISTANCE OF 707.67 FEET; THENCE SOUTH 01°46'30" WEST, A DISTANCE OF 33.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT OF WAY OF 42ND STREET, THENCE SOUTH 02°09'33" WEST, A DISTANCE OF 689.61 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°05'17" EAST, A DISTANCE OF 52.00 FEET;

THENCE SOUTH 89°54'43" WEST, A DISTANCE OF 82.98 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 58°58'46", A DISTANCE OF 76.17 FEET, (A CHORD BEARING SOUTH 60°25'21" WEST, A DISTANCE OF 72.86 FEET);

THENCE SOUTH 30°55'58" WEST, A DISTANCE OF 33.17 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 80°56'53", A DISTANCE OF 178.01 FEET, (A CHORD BEARING SOUTH 71°24'24" WEST, A DISTANCE OF 163.57 FEET);

THENCE NORTH 68°07'09" WEST, A DISTANCE OF 194.52 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 60.19 FEET, (A CHORD BEARING NORTH 78°01'45" WEST, A DISTANCE OF 59.89 FEET);

THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 71 ( AVENUE I);

THENCE ALONG SAID EXISTING RIGHT OF WAY LINE, NORTH 02°03'39" EAST, A DISTANCE OF 52.00 FEET;

THENCE DEPARTING SAID RIGHT OF WAY LINE, SOUTH 87°56'20" EAST, A DISTANCE OF 87.56 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 226.00 FEET, A CENTRAL ANGLE OF 19°49'23", A DISTANCE OF 78.19 FEET, (A CHORD BEARING SOUTH 78°01'39" EAST, A DISTANCE OF 77.80 FEET);

THENCE SOUTH 68°06'57" EAST, A DISTANCE OF 194.50 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 80°57'43", A DISTANCE OF 104.57 FEET, (A CHORD BEARING NORTH 71°24'12" EAST, A DISTANCE OF 96.08 FEET);

THENCE NORTH 30°55'20" EAST, A DISTANCE OF 33.14 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 58°59'23", A DISTANCE OF 129.73 FEET, (A CHORD BEARING NORTH 60°25'02" EAST, A DISTANCE OF 124.07 FEET);

THENCE NORTH 89°54'43" EAST, A DISTANCE OF 82.99 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 37,005 SQ. FT. (0.850 ACRES), MORE OR LESS.

Sheet Revisions			<div><div><div>Baker &amp; Associates Inc.</div><div>120-EAST-16TH-STREET SCOTTSBLUFF, NE-69361</div><div>308-632-3123 www.baker-eng.com</div></div><div>Engineers * Architects * Surveyors COPYRIGHT 2015</div></div>	Final Plat of Block 9, Five Oaks Subdivision			
Date	Description	Initials		Title Sheet			
3-6-2015	DRAFTED FINAL PLAT	BEG		Baker Project Number: 023-005-15			
				Project Location: City of Scottsbluff, Nebraska			
				Owners: C & T Holdings, L.L.C.			
				Project Code	Last Mod. Date	Subset	Sheet No.
				023	03-19-2015	1 of 3	1

BLOCK 9 PROPERTY DESCRIPTION

A PARCEL OF LAND KNOW AS BLOCK 9 FIVE OAKS SUBDIVISION, CONTAINING 482,821 SQ. FT. (11.08 ACRES) MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF SCOTTSBLUFF, 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, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, SOUTH 88°13'30" EAST, A DISTANCE OF 69.51 FEET; THENCE SOUTH 01°46'30" WEST, A DISTANCE OF 33.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT OF WAY OF 42ND STREET AND TO THE POINT OF BEGINNING;

THENCE ALONG SAID EXISTING SOUTH RIGHT OF WAY OF 42ND STREET SOUTH 88°13'30" EAST, A DISTANCE OF 638.16 FEET; THENCE DEPARTING SAID EXISTING SOUTH RIGHT OF WAY OF 42ND STREET, SOUTH 02°09'33" WEST, A DISTANCE OF 689.61 FEET;

THENCE SOUTH 89°54'43" WEST, A DISTANCE OF 82.99 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 58°59'23", A DISTANCE OF 129.73 FEET, (A CHORD BEARING SOUTH 60°25'02" WEST, A DISTANCE OF 124.07 FEET);

THENCE SOUTH 30°55'20" WEST, A DISTANCE OF 33.14 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 80°57'43", A DISTANCE OF 104.57 FEET, (A CHORD BEARING SOUTH 71°24'12" WEST, A DISTANCE OF 96.08 FEET);

THENCE NORTH 68°06'57" WEST, A DISTANCE OF 194.50 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 226.00 FEET, A CENTRAL ANGLE OF 19°49'23", A DISTANCE OF 78.19 FEET, (A CHORD BEARING NORTH 78°01'39" WEST, A DISTANCE OF 77.80 FEET);

THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY OF HIGHWAY 71 (AVENUE I);

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY OF HIGHWAY 71 (AVENUE I), NORTH 02°03'39" EAST, A DISTANCE OF 262.75 FEET;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY OF HIGHWAY 71 (AVENUE I), NORTH 02°37'26" EAST, A DISTANCE OF 475.46 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

SURVEYOR'S CERTIFICATE

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 MARCH 2015, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 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 \_\_\_\_\_, 2015.

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

FINAL PLAT OF  
BLOCK 9 ,FIVE OAKS SUBDIVISION,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
AND UNPLATTED LANDS

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

SURVEY NOTES

1. THIS SURVEY RELIES ON WESTERN PRAIRE TITLE & ESCROW CO. LLC, ORDER NO.: 13121653. NO TITLE SEARCH WAS MADE BY BAKER AND ASSOCIATES, INC., TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. ALL TAX INFORMATION, LIENS, LEASES, ASSIGNMENTS, AGREEMENTS, MOTIONS, DECLARATIONS, PROVISIONS, CONDITIONS, RESERVATIONS, RESTRICTIONS, ZONING, COVENANTS, WATER AND MINERAL RIGHTS AND OBLIGATIONS FOR THE PROPERTY SHOWN HEREON ARE REFLECTED IN SAID TITLE COMMITMENT. BAKER AND ASSOCIATES INC. OBTAINED ADDITIONAL RIGHT OF WAY INFORMATION AND DOCUMENTS IN THE COURSE OF THE PLAT PREPARATION THAT ARE SHOWN HEREON AND ARE NOT REFLECTED ON SAID TITLE COMMITMENT
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.

APPROVAL AND ACCEPTANCE

THE FOREGOING PLAT OF BLOCK 9, FIVE OAKS SUBDIVISION, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA AND UNPLATTED LANDS, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

BY:

\_\_\_\_\_  
RANDY MEININGER, MAYOR

ATTESTED: \_\_\_\_\_ SEAL

\_\_\_\_\_  
CITY CLERK

Sheet Revisions			<div><div><div>Baker &amp; Associates Inc.</div><div>120-EAST-16TH-STREET SCOTTSBLUFF, NE-69361</div><div>308-632-3123 www.baker-eng.com</div></div><div>Engineers * Architects * Surveyors COPYRIGHT 2015</div></div>		Final Plat of Block 9, Five Oaks Subdivision			
Date	Description	Initials			Signature Sheet			
3-6-2015	DRAFTED FINAL PLAT	BEG			Baker Project Number: 023-005-15			
					Project Location: City of Scottsbluff, Nebraska			
					Owners: C & T Holdings, L.L.C.			
					Project Code	Last Mod. Date	Subset	Sheet No.
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OWNER'S STATEMENT

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 BLOCK 9 OF FIVE OAKS, AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIVE OAKS BLOCK 9 THE ACCESS EASEMENTS OF WEST OAKS BLVD. AND THE 10' UTILITY EASEMENT, SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC USE. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE RIGHT OF WAYS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES.

BY: \_\_\_\_\_  
REPRESENTATIVE OF C & T HOLDINGS L.L.C.

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

BY: \_\_\_\_\_  
JASON WEBB

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

BY: \_\_\_\_\_  
SAMI WEBB

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

FINAL PLAT OF  
BLOCK 9, FIVE OAKS SUBDIVISION,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
AND UNPLATTED LANDS

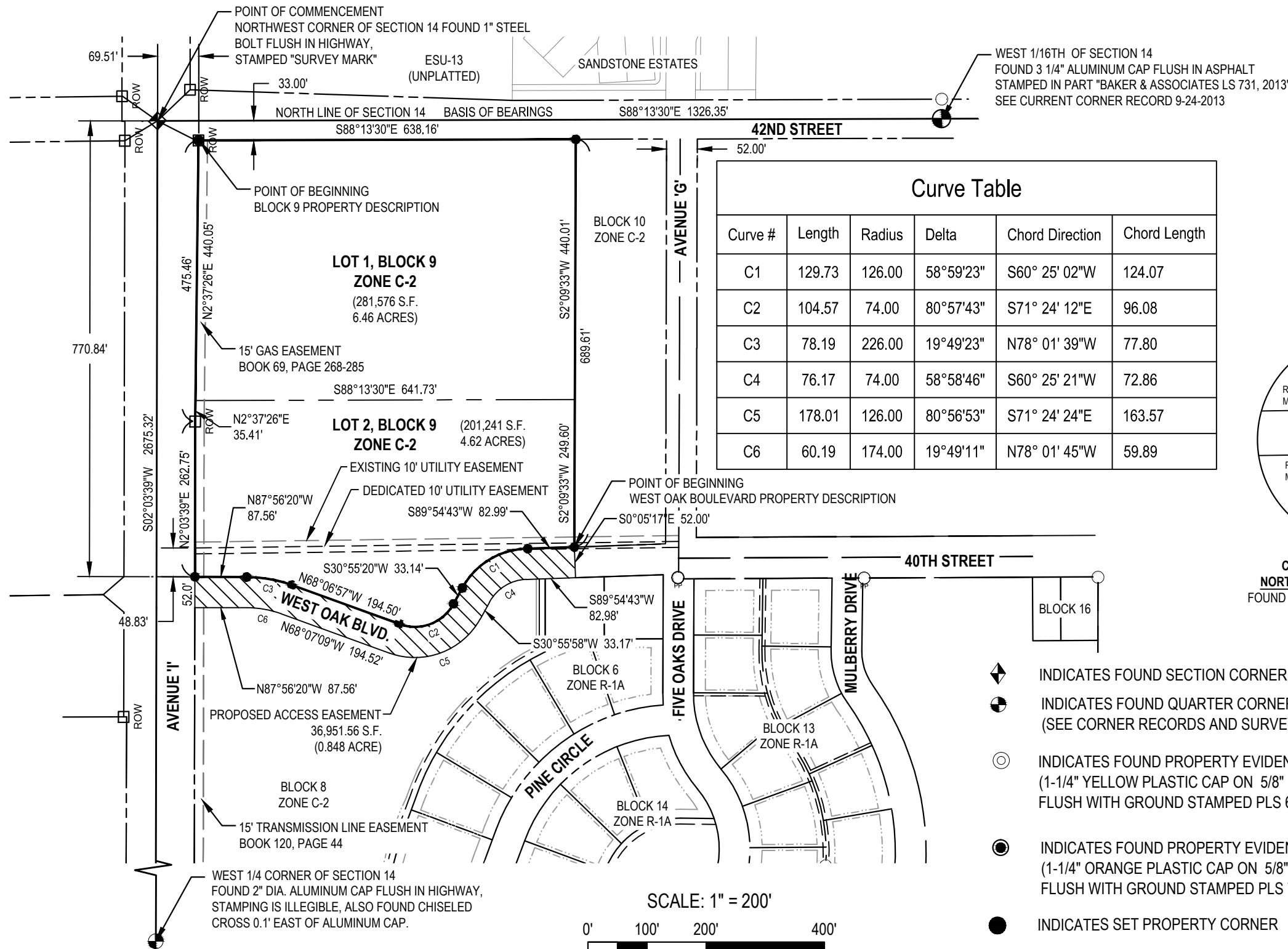
SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions		
Date	Description	Initials
3-6-2015	DRAFTED FINAL PLAT	BEG

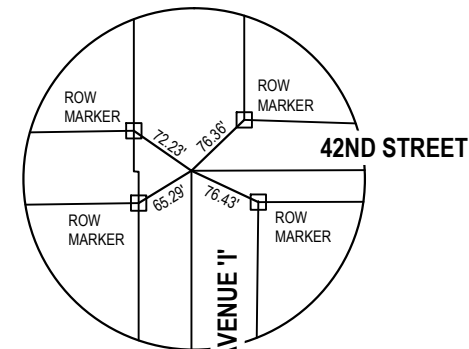
**Baker & Associates Inc.**  
Engineers \* Architects \* Surveyors  
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120-EAST-16TH-STREET  
SCOTTSBLUFF, NE-69361  
308-632-3123  
www.baker-eng.com

Final Plat of Block 9, Five Oaks Subdivision			
Plan Sheet			
Baker Project Number: 023-005-15			
Project Location: City of Scottsbluff, Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
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Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	129.73	126.00	58°59'23"	S60°25'02"W	124.07
C2	104.57	74.00	80°57'43"	S71°24'12"E	96.08
C3	78.19	226.00	19°49'23"	N78°01'39"W	77.80
C4	76.17	74.00	58°58'46"	S60°25'21"W	72.86
C5	178.01	126.00	80°56'53"	S71°24'24"E	163.57
C6	60.19	174.00	19°49'11"	N78°01'45"W	59.89



CORNER TIE MEASUREMENTS  
NORTHWEST CORNER OF SECTION 14  
FOUND 1" STEEL BOLT FLUSH IN HIGHWAY,  
STAMPED "SURVEY MARK"  
(NOT TO SCALE)

- INDICATES FOUND SECTION CORNER
- INDICATES FOUND QUARTER CORNER  
(SEE CORNER RECORDS AND SURVEY FOR DETAILS)
- INDICATES FOUND PROPERTY EVIDENCE  
(1-1/4" YELLOW PLASTIC CAP ON 5/8" REBAR  
FLUSH WITH GROUND STAMPED PLS 603)
- INDICATES FOUND PROPERTY EVIDENCE  
(1-1/4" ORANGE PLASTIC CAP ON 5/8" REBAR  
FLUSH WITH GROUND STAMPED PLS 731)
- INDICATES SET PROPERTY CORNER
- INDICATES FOUND NDOR CONCRETE RIGHT OF WAY  
MARKER



VACATION PLAT OF  
BLOCK 9 ,FIVE OAKS SUBDIVISION,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
AND UNPLATTED LANDS

SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
BLOCK 9 PROPERTY DESCRIPTION (FOR VACATION)

A PARCEL OF LAND KNOWN AS BLOCK 9 OF THE FIVE OAKS FINAL PLAT,  
CONTAINING 340,728 SQ. FT.(7.82 ACRES), MORE OR LESS, IN THE NORTHWEST  
QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE  
6TH PRINCIPAL MERIDIAN, IN THE CITY OF SCOTTSBLUFF, 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 QUARTER CORNER OF SAID SECTION 14, BEING A FOUND  
2"DIAMETER ALUMINUM CAP, FLUSH IN THE SURFACE OF HIGHWAY 71, NO STAMPING  
FOUND, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG  
SAID WEST LINE OF SECTION 14, SOUTH 02°03'39" WEST, A DISTANCE OF 770.84 FEET;  
THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING  
WESTERLY RIGHT OF WAY OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING;

THENCE ALONG THE SAID EXISTING EAST RIGHT OF WAY LINE, NORTH 02°03'39" EAST,  
A DISTANCE OF 262.75 FEET;  
THENCE CONTINUING ALONG SAID EXISTING EAST RIGHT OF WAY LINE NORTH 02°37'26" EAST,  
A DISTANCE OF 475.46 FEET,  
THENCE ALONG THE EXISTING SOUTH RIGHT OF WAY LINE OF 42ND STREET,  
SOUTH 88°13'30" EAST, A DISTANCE OF 433.44 FEET TO A POINT ON THE WEST  
RIGHT OF WAY LINE OF RED CEDAR DRIVE;  
THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 01°52'51" WEST,  
A DISTANCE OF 813.15 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 20.00 FEET,  
A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, (A CHORD BEARING  
SOUTH 46°52'51" WEST, A DISTANCE OF 28.28 FEET) TO A POINT ON NORTH  
RIGHT OF WAY LINE OF WEST OAK BLVD.;  
THENCE CONTINUING THE FOLLOWING (5) FIVE COURSES ALONG THE SAID  
NORTH RIGHT OF WAY LINE:

1. NORTH 88°07'09" WEST, A DISTANCE OF 5.05 FEET;
2. THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 174.00 FEET,  
A CENTRAL ANGLE OF 20°00'00", A DISTANCE OF 60.74 FEET, (A CHORD BEARING  
NORTH 78°07'09" WEST, A DISTANCE OF 60.43 FEET);
3. THENCE NORTH 68°07'09" WEST, A DISTANCE OF 204.03 FEET;
4. THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 226.00 FEET,  
A CENTRAL ANGLE OF 19°49'11", A DISTANCE  
OF 78.18 FEET, (A CHORD BEARING NORTH 78°01'45" WEST, A DISTANCE OF 77.79 FEET);
5. THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET TO A POINT ON THE EXISTING  
EAST RIGHT OF WAY LINE OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING.

RED CEDAR DRIVE AND WEST OAK BLVD. ACCESS EASEMENT (FOR VACATION)

A STREET RIGHT OF WAY KNOW AS RED CEDAR DRIVE AND WEST OAK BLVD. OF THE  
FIVE OAKS FINAL PLAT, CONTAINING 69,809 SQ. FT.(1.60 ACRES), MORE OR LESS,  
IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST,  
OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF SCOTTSBLUFF, 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 QUARTER CORNER OF SAID SECTION 14, BEING A FOUND  
2"DIAMETER ALUMINUM CAP, FLUSH IN THE SURFACE OF HIGHWAY 71, NO STAMPING  
FOUND, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG  
SAID WEST LINE OF SECTION 14, SOUTH 02°03'39" WEST, A DISTANCE OF 770.84 FEET;  
THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING  
WESTERLY RIGHT OF WAY OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING;

THENCE SOUTH 87°56'20" EAST, A DISTANCE OF 87.56 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 226.00 FEET, A CENTRAL  
ANGLE OF 19°49'11", A DISTANCE OF 78.18 FEET, (A CHORD BEARING SOUTH 78°01'45" EAST,  
A DISTANCE OF 77.79 FEET);  
THENCE SOUTH 68°07'09.09" EAST, A DISTANCE OF 204.03 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 174.00 FEET, A CENTRAL  
ANGLE OF 20°00'00", A DISTANCE OF 60.74 FEET, (A CHORD BEARING SOUTH 78°07'09" EAST,  
A DISTANCE OF 60.43 FEET);  
THENCE SOUTH 88°07'09" EAST, A DISTANCE OF 5.04 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 20.00 FEET, A CENTRAL  
ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, (A CHORD BEARING NORTH 46°52'51" EAST,  
A DISTANCE OF 28.28 FEET);  
THENCE NORTH 01°52'51" EAST, A DISTANCE OF 813.15 FEET;  
THENCE SOUTH 88°13'30" EAST, A DISTANCE OF 52.00 FEET;  
THENCE SOUTH 01°52'51" WEST, A DISTANCE OF 885.25 FEET;  
THENCE NORTH 88°07'09" WEST, A DISTANCE OF 77.04 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 226.00 FEET, A CENTRAL  
ANGLE OF 20°00'00", A DISTANCE OF 78.89 FEET, (A CHORD BEARING NORTH 78°07'09" WEST,  
A DISTANCE OF 78.49 FEET);  
THENCE NORTH 68°07'09" WEST, A DISTANCE OF 204.03 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF  
19°49'11", A DISTANCE OF 60.19 FEET, (A CHORD BEARING NORTH 78°01'45" WEST, A DISTANCE  
OF 59.89 FEET);  
THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET;  
THENCE NORTH 02°03'39" EAST, A DISTANCE OF 52.00 FEET, POINT OF BEGINNING.

Sheet Revisions

Date	Description	Initials
3-6-2015	DRAFTED VACATION PLAT	BEG

Baker

& Associates

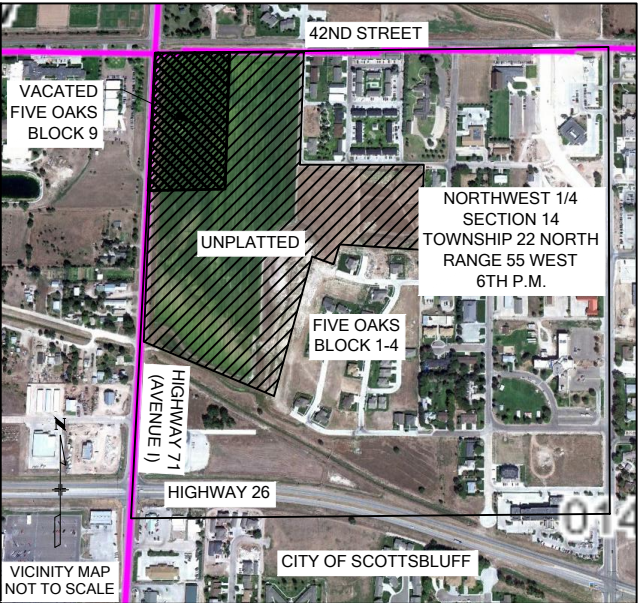
Inc.

120-EAST-16TH-STREET  
SCOTTSBLUFF, NE-69361  
308-632-3123  
www.baker-eng.com  
Engineers \* Architects \* Surveyors  
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Vacation Plat of Block 9, Five Oaks Subdivision

Title Sheet			
Baker Project Number: 023-005-15			
Project Location: City of Scottsbluff, Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	03-19-2015	1 of 2	1

PROJECT VICINITY MAP



INDEX OF SHEETS

PAGE 1	TITLE SHEET
PAGE 2	PLAN SHEET

SURVEY NOTES

1. THIS SURVEY RELIES ON WESTERN PRAIRE TITLE & ESCROW CO. LLC, ORDER NO.: 13121653. NO TITLE SEARCH WAS MADE BY BAKER AND ASSOCIATES, INC., TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. ALL TAX INFORMATION, LIENS, LEASES, ASSIGNMENTS, AGREEMENTS, MOTIONS, DECLARATIONS, PROVISIONS, CONDITIONS, RESERVATIONS, RESTRICTIONS, ZONING, COVENANTS, WATER AND MINERAL RIGHTS AND OBLIGATIONS FOR THE PROPERTY SHOWN HEREON ARE REFLECTED IN SAID TITLE COMMITMENT. BAKER AND ASSOCIATES INC. OBTAINED ADDITIONAL RIGHT OF WAY INFORMATION AND DOCUMENTS IN THE COURSE OF THE PLAT PREPARATION THAT ARE SHOWN HEREON AND ARE NOT REFLECTED ON SAID TITLE COMMITMENT

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.

APPROVAL AND ACCEPTANCE

THE FOREGOING VACATION PLAT OF BLOCK 9, FIVE OAKS SUBDIVISION, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA AND UNPLATTED LANDS, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

BY:

RANDY MEININGER, MAYOR

SEAL

ATTESTED:

CITY CLERK

OWNER'S STATEMENT

WE, THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HEREBY VACATE BLOCK 9, FIVE OAKS SUBDIVISION, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA AND UNPLATTED LANDS.

BY:

JASON WEBB

STATE OF NEBRASKA )  
) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

BY:

SAMI WEBB

STATE OF NEBRASKA )  
) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

VACATION PLAT OF  
BLOCK 9 ,FIVE OAKS SUBDIVISION,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA  
AND UNPLATTED LANDS

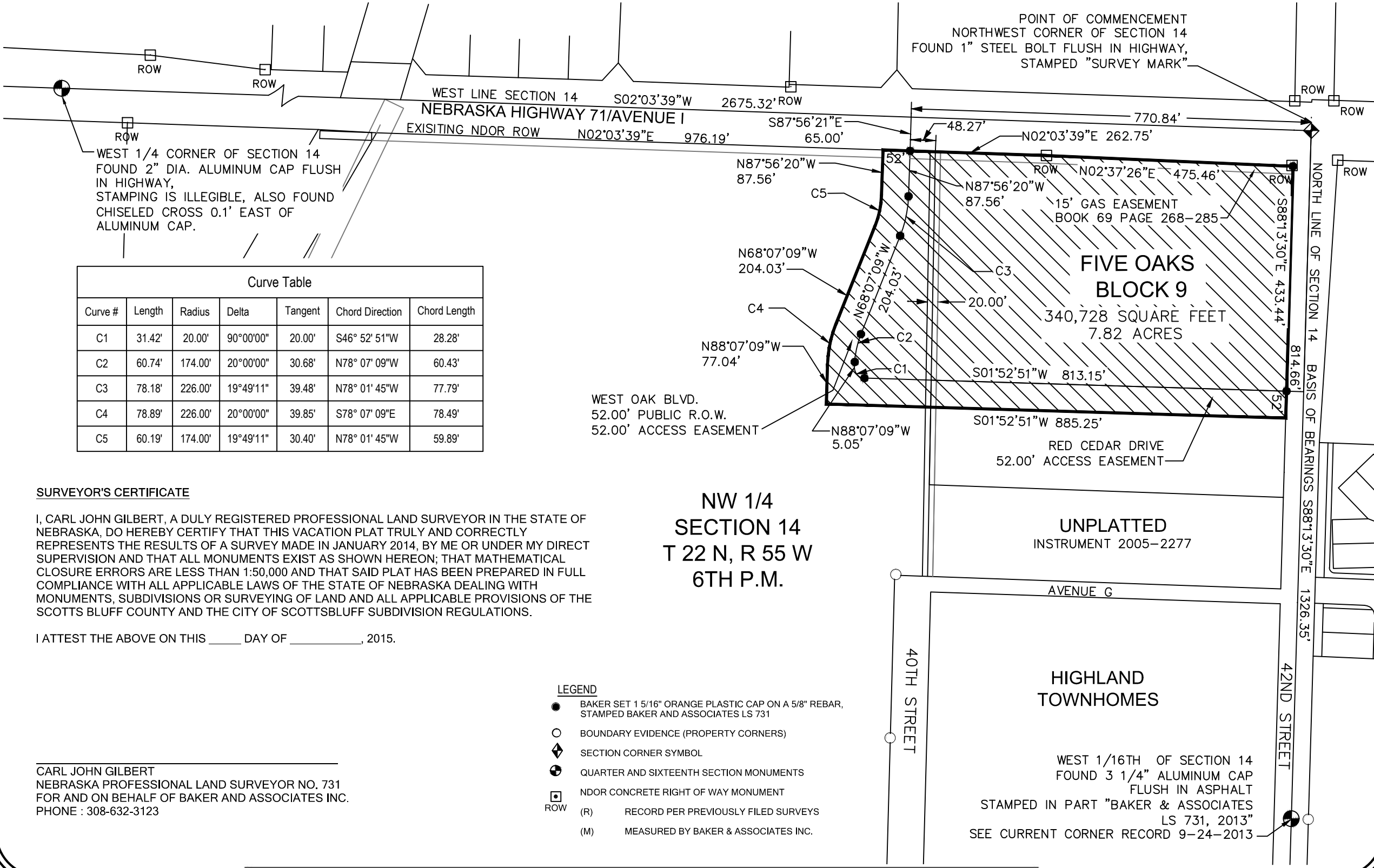
SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions		
Date	Description	Initials
3-6-2015	DRAFTED VACATION PLAT	BEG

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Vacation Plat of Block 9, Five Oaks Subdivision			
Plan Sheet			
Baker Project Number: 023-005-15			
Project Location: City of Scottsbluff, Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	03-19-2015	2 of 2	2



Curve Table						
Curve #	Length	Radius	Delta	Tangent	Chord Direction	Chord Length
C1	31.42'	20.00'	90°00'00"	20.00'	S46° 52' 51"W	28.28'
C2	60.74'	174.00'	20°00'00"	30.68'	N78° 07' 09"W	60.43'
C3	78.18'	226.00'	19°49'11"	39.48'	N78° 01' 45"W	77.79'
C4	78.89'	226.00'	20°00'00"	39.85'	S78° 07' 09"E	78.49'
C5	60.19'	174.00'	19°49'11"	30.40'	N78° 01' 45"W	59.89'

SURVEYOR'S CERTIFICATE

I, CARL JOHN GILBERT, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT THIS VACATION PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN JANUARY 2014, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 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 \_\_\_\_\_, 2015.

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

- LEGEND
- 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
  - (R) RECORD PER PREVIOUSLY FILED SURVEYS
  - (M) MEASURED BY BAKER & ASSOCIATES INC.