

City of Scottsbluff, Nebraska

Monday, April 20, 2015

Regular Meeting

Item Subdiv.1

Council to consider a final plat and Certificate of Filing for Ag Estate Dwelling Plat for a tract situated in the NE1/4 of Section 19, Scotts Bluff Co., NE and authorize Mayor to sign the Certificate.

Staff Contact: Rick Kuckkahn, City Manager

Agenda Statement

Item No.

For meeting of: April 20, 2015

AGENDA TITLE: Ag Estate Dwelling Plat for a tract situated in the NE1/4 of Section 19, T22N, R54W of the 6th P.M., Scotts Bluff County, Nebraska.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: The property owner(s) Good to Grow LLC, represented by Paul Harris, have requested an Ag Estate Dwelling of property described as a tract of land in the Northeast Quarter of Section 19, T22N, R54W of the 6th P.M. Scotts Bluff County, Nebraska; they are proposing to separate approximately 19.81± acres of their existing 137.38± acres to allow for a home and out buildings from the farmland, old structures on the property have been removed. Access onto the site will be from the west side of County Road 24 with a 90' access and utility easement provided by airport property. The Development Services staff has reviewed the application and the lot will meet the necessary requirements of an Agricultural Estate Dwelling (AED). The property is not shown in the Comprehensive Development Plan future land use map; however the use is consistent with the surrounding properties which are zoned Agricultural and all located in our Extra Territorial jurisdiction, property to the east is in the County's jurisdiction.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of April 13 2015 made positive recommendation to City Council, to approve the Ag estate dwelling with certificate of filing for a tract of land in the NE ¼ of Section 19, T22N, R54W of the 6th P.M. Scotts Bluff County.

STAFF RECOMMENDATION: Approve final plat and certificate for filing at the Register of Deeds

EXHIBITS

Resolution Ordinance Contract Minutes x Plan/Map x

Other (specify) Certificate _____

NOTIFICATION LIST: Yes No Further Instructions
Good to Grow, Paul Harris, 1535 6th St., Gering, NE 69341

APPROVAL FOR SUBMITTAL: _____
City Manager

For Recording Only
RET: Development Services, City of Scottsbluff

CERTIFICATE

This certificate should be indexed and recorded against the real estate described in Paragraph 2 and 3 below.

The following action was taken by the Scottsbluff City Planning Commission, and the Scottsbluff City Council.

TO-WIT:

- 1. Good to Grow L.L.C., a Nebraska Limited Liability Company, has made application to the City of Scottsbluff Planning Commission, and City Council for an Agricultural Dwelling Estate Site located at County Road 24, in Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska under Part 25-3-19(10) of the Scottsbluff Municipal Code zoning regulations. The Planning Commission approved the same at their regular meeting on April 13, 2015 and the City Council accepted such recommendations of the Planning Commission, and gave validity to such recommendations by approving the same, as provided by law, at a meeting of the City of Scottsbluff, City Council on April 20, 2015.**
- 2. The legal description of the tract-site (AEDS), separated as an Agricultural Estate Dwelling site is: A tract of land situated in the Northeast Quarter of (NE ¼) of Section 19, Township 22 North, Range 54 West of the 6th P.M. , Scotts Bluff County, Nebraska, more particularly described as follows:**

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE, ON THE EAST LINE OF SAID SECTION, N02°41'20"E FOR A DISTANCE OF 244.67 FEET; THENCE, ON N19°31'16"W FOR A DISTANCE OF 798.07 FEET; THENCE, N78°59'44"E TO A POINT OF INTERSECTION WITH SAID EAST LINE, BEING A DISTANCE OF 310.50 FEET; THENCE, ON SAID EAST LINE, N02°41'20"E FOR A DISTANCE OF 62.97 FEET; THENCE, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, N88°16'58"E FOR A DISTANCE OF 880.00 FEET; THENCE, PARALLEL WITH THE SAID EAST LINE, S02°41'20"W TO A POINT OF INTERSECTION WITH THE SAID SOUTH LINE, BEING A DISTANCE OF 1120.00 FEET; THENCE, ON SAID SOUTH LINE, S88°16'58"E FOR A DISTANCE OF 880.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 19.81 ACRES, MORE OR LESS, OF WHICH 0.27 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

- 3. The legal description of the reserved real estate pursuant to Part 25-3-19 (reserved for the above described tract site as a one-time exception from the requirement of platting, and inclusive of all of the other provisions of the applicable zoning regulation) is a tract of land:**

The Northeast Quarter of Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska. Except above described AEDs, containing an area of 19.81 acres, more or less, of which 0.27 acres are contained in County road Right-of-Way described in item 2 above.

STATE OF NEBRASKA)
)
COUNTY OF SCOTTS BLUFF)

I, Randy Meininger the duly appointed, qualified, and acting Mayor for the City of Scottsbluff, County of Scotts Bluff, State of Nebraska, do hereby certify that the foregoing is a true and complete recitation of the action taken by the City Planning Commission, and City Council, as it relates to the subject therein described, as shown by the records and minutes of the referenced public bodies.

IT WITNESS WHEREOF, I DO HERBY SET MY OFFICIAL HAND, THIS
_____ DAY OF _____, _____.

Mayor, City of Scottsbluff
Randy Meininger

STATE OF NEBRASKA)
CITY OF SCOTTSBLUFF)
COUNTY OF SCOTTS BLUFF)

On the date immediately above set out, before me, a Notary Public duly commissioned and qualified to act in Scottsbluff, Scotts Bluff County, personally came the referenced Mayor _____, to me known to be the identical person whose name is affixed to the foregoing certificate, and acknowledged the same to be his voluntary act and deed as such official.

Notary Public

(NOTARY SEAL & COMMISSION EXPIRES)

AEDS SURVEY

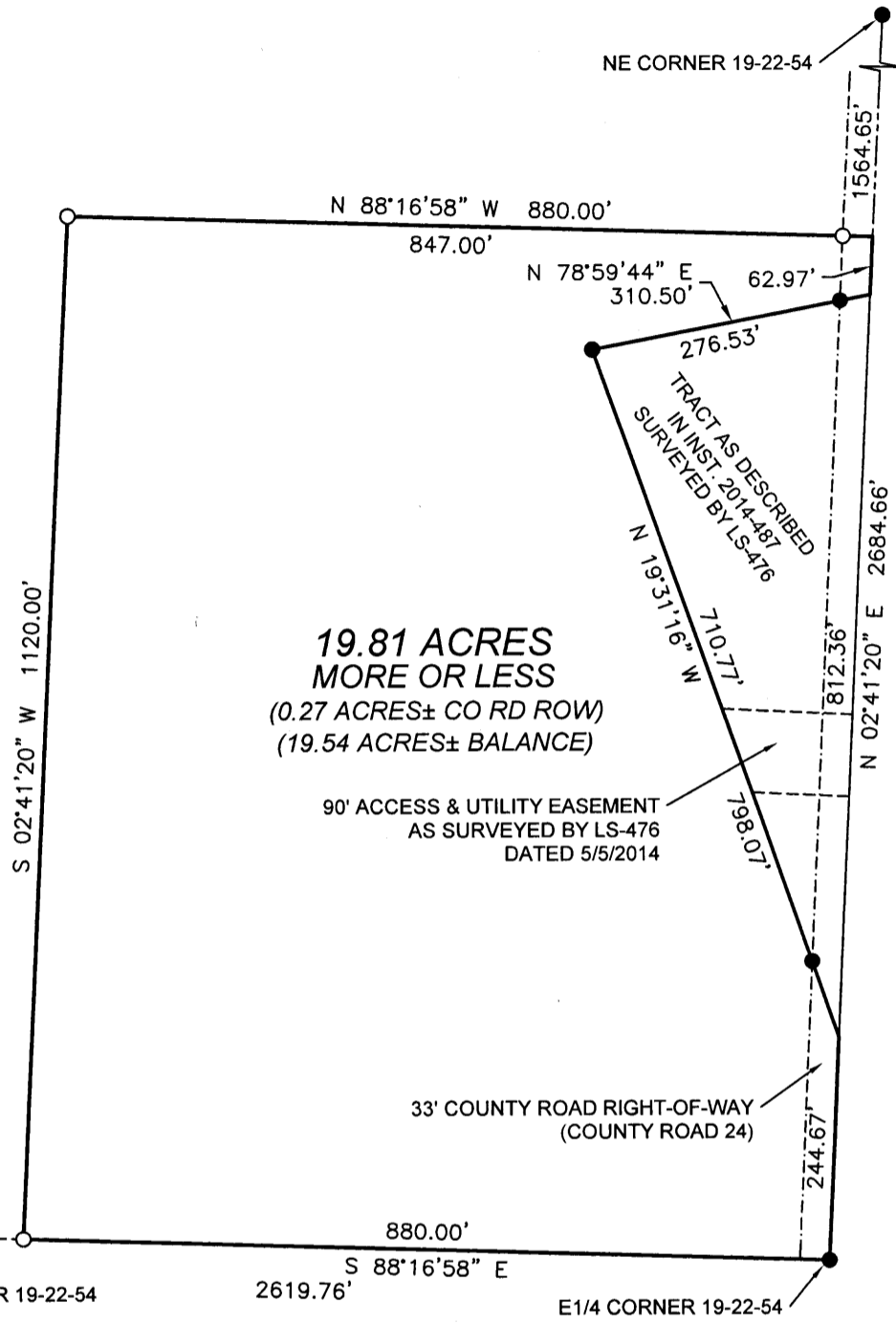
TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP
22 NORTH, RANGE 54 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY,
NEBRASKA.

CORNER TIES:

NE CORNER 19-22-54
FOUND 3/4" REBAR
S 8.1' TO CL ROAD
SE 38.34' TO BM CAP IN HEADWALL
SW 40.80' TO X IN CONC HEADWALL
NE 17.42' TO STOP SIGN POST
ENE 53.17' TO GAS LINE MARKER

E 1/4 CORNER 19-22-54
FOUND 3/4" REBAR
E 38.6' TO CL ROAD
N 6.01' TO BRACE POST
S 2.66' TO BRACE POST
E 66.54' TO SPIKE WOOD POST

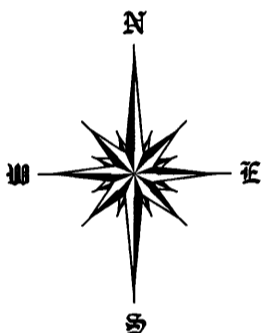
C 1/4 CORNER 19-22-54
FOUND 3/4" REBAR
STEEL POST ON NORTH SIDE
W 45.7' TO CL TRAIL ROAD
W 22.49' TO GATE STEM



**19.81 ACRES
MORE OR LESS**
(0.27 ACRES± CO RD ROW)
(19.54 ACRES± BALANCE)

90° ACCESS & UTILITY EASEMENT
AS SURVEYED BY LS-476
DATED 5/5/2014

33' COUNTY ROAD RIGHT-OF-WAY
(COUNTY ROAD 24)



SCALE 1"=200'
●=CORNER FOUND
○=CORNER SET
5/8"x24" REBAR W/PVC CAP

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE, ON THE EAST LINE OF SAID SECTION, N02°41'20"E FOR A DISTANCE OF 244.67 FEET; THENCE, ON N19°31'16"W FOR A DISTANCE OF 798.07 FEET; THENCE, N78°59'44"E TO A POINT OF INTERSECTION WITH SAID EAST LINE, BEING A DISTANCE OF 310.50 FEET; THENCE, ON SAID EAST LINE, N02°41'20"E FOR A DISTANCE OF 62.97 FEET; THENCE, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, N88°16'58"E FOR A DISTANCE OF 880.00 FEET; THENCE, PARALLEL WITH THE SAID EAST LINE, S02°41'20"W TO A POINT OF INTERSECTION WITH THE SAID SOUTH LINE, BEING A DISTANCE OF 1120.00 FEET; THENCE, ON SAID SOUTH LINE, S88°16'58"E FOR A DISTANCE OF 880.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 19.81 ACRES, MORE OR LESS, OF WHICH 0.27 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE, NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND DESCRIBED IN THE LEGAL DESCRIPTION AND SHOWN ON THE ACCOMPANYING DRAWING; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 200 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this 16TH day of FEBRUARY, 2015.

Scott M. Bosse
Scott M. Bosse
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



SHEET 1 OF 1	PROJECT: HARRIS AEDS 19-22-54 GOOD TO GROW L.L.C. GERING, NEBRASKA	ACCUSTAR SURVEYING 30601 COUNTY ROAD 17 PHONE: (308) 623-0197	MITCHELL, NE 69357 CELL: (308) 631-0737
			Scale 1"=200' Date: FEBRUARY 16, 2015 Dwn By: SMB REVISED:

