

City of Scottsbluff, Nebraska

Monday, June 15, 2015

Regular Meeting

Item Subdiv.5

Council to consider the Proposed Final Plat for Lots 1 and 2, Block 9, Five Oaks Subdivision, situated in the NW 1/4 of Section 14, T22N, R55W of the 6th P.M., Scotts Bluff County, Nebraska and approve the Resolution.

Staff Contact: Annie Urdiales, Planning Administrator

Agenda Statement

Item No.

For meeting of: June 15, 2015

AGENDA TITLE: Final Plat for Lots 1 and 2, Block 9, Five Oaks Subdivision, situated in the NW ¼ of Section 14, T22N, R55W of the 6th P.M., Scotts Bluff County, Nebraska.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY:

SUMMARY EXPLANATION: The applicant(s), C and T Holdings and Jason and Sami Webb, represented by Baker and Associates, have requested approval of a final plat of Lots 1 and 2, Block 9, Five Oaks Subdivision. The property is situated south of 42nd Street, east of Highway 71.

This final plat request consists of Lot 1 which is approximately 6.46 acres and Lot 2, which is 4.62 acres. It will be served by existing water and sewer lines along Highway 71 and 42nd Street and will have access off of 42nd Street and (future) 40th Street (shown in final plat). It includes a utility and access easement on the east side of the property which will fulfill the requirement for alleys on commercial lots. The proposed right of way along 42nd Street is less than required by code; according to code, it should match the 50' ROW that is shown on adjacent property to the east. However, code does allow the Planning Commission to approve a lesser right of way, and they did recommend approving this final plat with the 40' ROW shown. This will be enough ROW for 42nd Street to be expanded to a 3 lane road in that area in the future.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of May 11, 2015 made positive recommendation to City Council (see attached minutes)

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

EXHIBITS

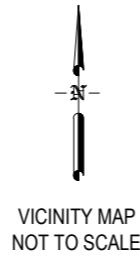
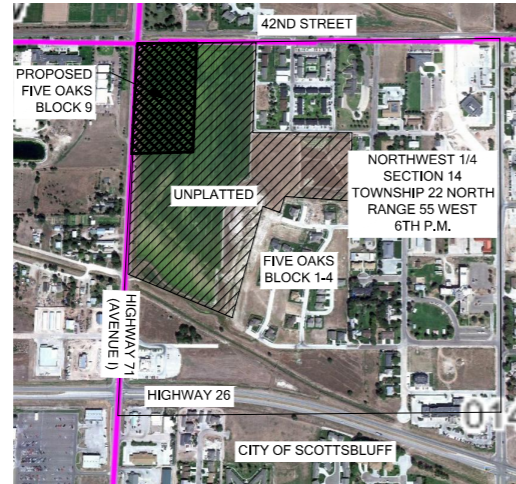
Resolution X Ordinance Contract Minutes x Plan/Map x

Other (specify) _____

NOTIFICATION LIST: Yes X No Further Instructions

APPROVAL FOR SUBMITTAL: _____
City Manager

**FINAL PLAT OF
LOTS 1, 2, TRACT A AND 40TH STREET RIGHT OF WAY,
BLOCK 9, FIVE OAKS SUBDIVISION,
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**
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



INDEX OF SHEETS

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

40TH STREET RIGHT OF WAY PROPERTY DESCRIPTION

A RIGHT OF WAY FOR 40TH STREET IN FIVE OAKS SUBDIVISION, CONTAINING 46,130 SQ. FT. (1.059 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 RIGHT OF WAY 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 WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, SOUTH 02°03'39" WEST, A DISTANCE OF 770.85 FEET; THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY OF 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" EAST, A DISTANCE OF 191.98 FEET;
 THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 83°39'28", A DISTANCE OF 108.05 FEET, (A CHORD BEARING NORTH 72°01'14" EAST, A DISTANCE OF 98.70 FEET);
 THENCE NORTH 30°55'20" EAST, A DISTANCE OF 30.52 FEET;
 THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 61°36'05", A DISTANCE OF 135.47 FEET, (A CHORD BEARING NORTH 60°54'58" EAST, A DISTANCE OF 129.04 FEET);
 THENCE NORTH 89°54'43" EAST, A DISTANCE OF 79.00 FEET;
 THENCE SOUTH 87°28'29" EAST, A DISTANCE OF 176.50 FEET TO A POINT ON THE EXISTING WEST RIGHT OF WAY LINE OF AVE G;
 THENCE ALONG EXISTING WEST RIGHT OF WAY THE OF AVE G, SOUTH 02°09'33" WEST, A DISTANCE OF 52.00 FEET;
 THENCE DEPARTING EXISTING WEST RIGHT OF WAY LINE OF AVENUE G, NORTH 87°27'25" WEST, A DISTANCE OF 174.47 FEET;
 THENCE SOUTH 89°54'43" WEST, A DISTANCE OF 79.93 FEET;
 THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 62°23'51", A DISTANCE OF 80.59 FEET, (A CHORD BEARING SOUTH 61°04'06" WEST, A DISTANCE OF 76.67 FEET);
 THENCE SOUTH 30°55'20" WEST, A DISTANCE OF 30.65 FEET;
 THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 83°01'38", A DISTANCE OF 182.59 FEET, (A CHORD BEARING SOUTH 71°52'33" WEST, A DISTANCE OF 167.02 FEET);
 THENCE NORTH 68°07'09" WEST, A DISTANCE OF 191.20 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, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED RIGHT OF WAY CONTAINS 46,130 SQ. FT. (1.059 ACRES), MORE OR LESS.

Sheet Revisions			Final Plat of Block 9, Five Oaks Subdivision Title Sheet						
Date	Description	Initials	Project Number	Project Location	Owners	Project Code	Last Mod. Date	Subset	Sheet No.
3-6-2015	DRAFTED FINAL PLAT	BEG	023-005-15	City of Scottsbluff, Nebraska	C & T Holdings, L.L.C.	023	06-03-2015	1 of 3	1

Baker & Associates Inc.
 120-EAST-16TH-STREET
 SCOTTSBLUFF, NE-69361
 308-632-3123
 www.baker-eng.com
 Engineers * Architects * Surveyors
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BLOCK 9 PROPERTY DESCRIPTION

A PARCEL OF LAND KNOWN AS BLOCK 9 FIVE OAKS SUBDIVISION, CONTAINING 528,947 SQ. FT. (12.143 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, 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 87°28'29" EAST, A DISTANCE OF 176.50 FEET TO A POINT ON THE EXISTING WEST RIGHT OF WAY LINE OF AVE G;
 THENCE ALONG EXISTING WEST RIGHT OF WAY THE OF AVE G, SOUTH 02°09'33" WEST, A DISTANCE OF 52.00 FEET;
 THENCE DEPARTING EXISTING WEST RIGHT OF WAY LINE OF AVENUE G, NORTH 87°27'25" WEST, A DISTANCE OF 174.47 FEET;
 THENCE SOUTH 89°54'43" WEST, A DISTANCE OF 79.93 FEET;
 THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 62°23'51", A DISTANCE OF 80.59 FEET, (A CHORD BEARING SOUTH 61°04'06" WEST, A DISTANCE OF 76.67 FEET);
 THENCE SOUTH 30°55'20" WEST, A DISTANCE OF 30.65 FEET;
 THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 83°01'38", A DISTANCE OF 182.59 FEET, (A CHORD BEARING SOUTH 71°52'33" WEST, A DISTANCE OF 167.02 FEET);
 THENCE NORTH 68°07'09" WEST, A DISTANCE OF 191.20 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 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 52.00 FEET;
 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.

THE ABOVE DESCRIBED PARCEL CONTAINS 528,947 SQ. FT. (12.143 ACRES), MORE OR LESS.

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
LOTS 1, 2, TRACT A AND 40TH STREET RIGHT OF WAY,
BLOCK 9, FIVE OAKS SUBDIVISION,
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**
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



120 EAST 16TH STREET
SCOTTSBLUFF, NE 69361
308-632-3123
www.baker-eng.com
Engineers * Architects * Surveyors
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Final Plat of Block 9, Five Oaks Subdivision Signature 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	06-03-2015	2 of 3	2

SURVEY NOTES

1. THIS SURVEY RELIES ON CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 24309. 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 LOTS 1,2, TRACT A AND 40TH STREET RIGHT OF WAY, 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, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS 1, 2, TRACT A AND 40TH STREET RIGHT OF WAY, BLOCK 9 OF FIVE OAKS, AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF LOTS 1, 2, TRACT A AND 40TH STREET RIGHT OF WAY, BLOCK 9 OF FIVE OAKS SUBDIVISION. TRACT A AND THE 10' ALLEY RIGHT OF WAY AS SHOWN HEREON ARE DEDICATED FOR PUBLIC RIGHT OF WAY. THE 52' RIGHT OF WAY FOR 40TH STREET AS SHOWN HEREON IS DEDICATED FOR PUBLIC RIGHT OF WAY, UTILITIES AND INFRASTRUCTURE. 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: _____

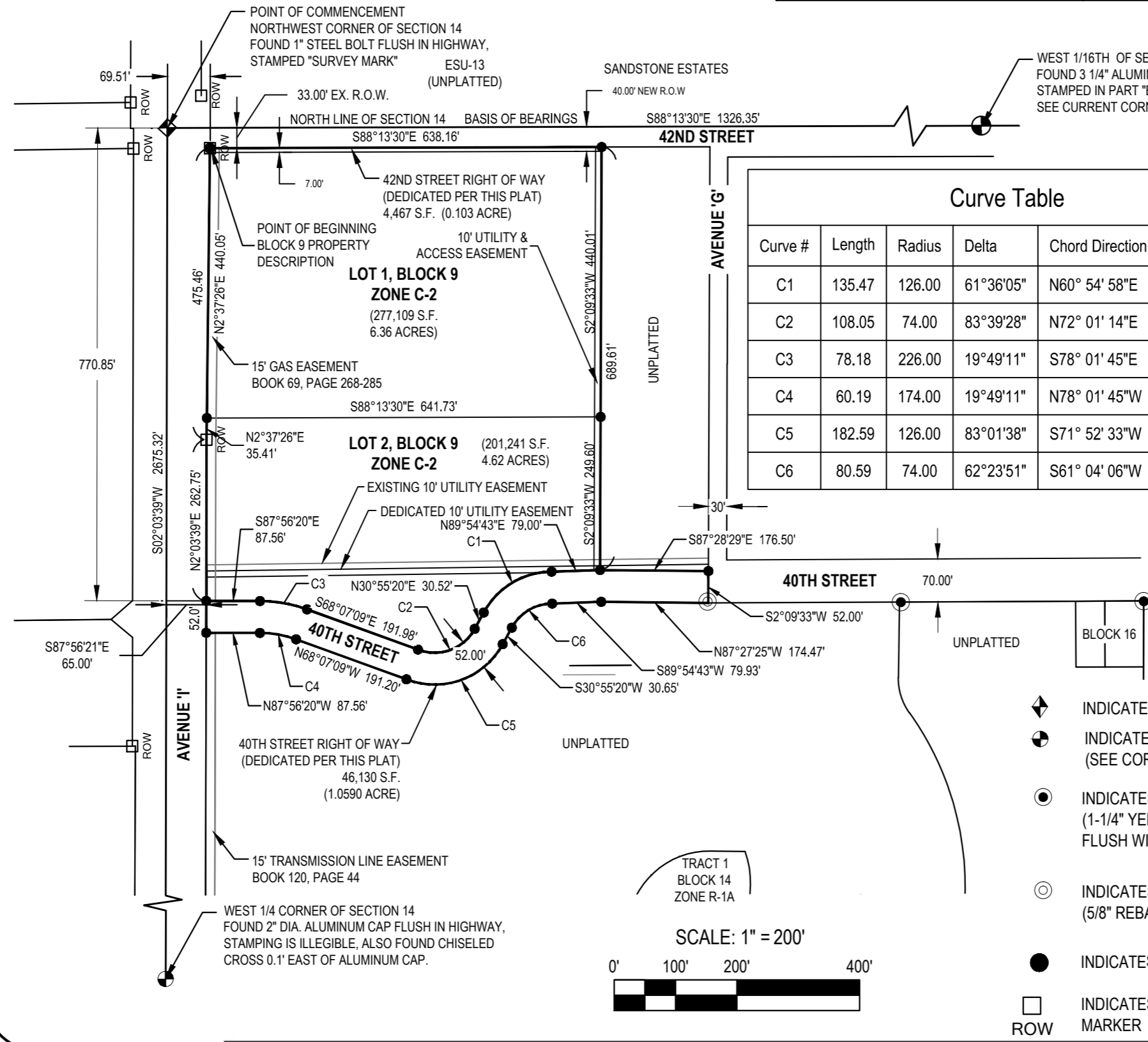
NOTARY PUBLIC

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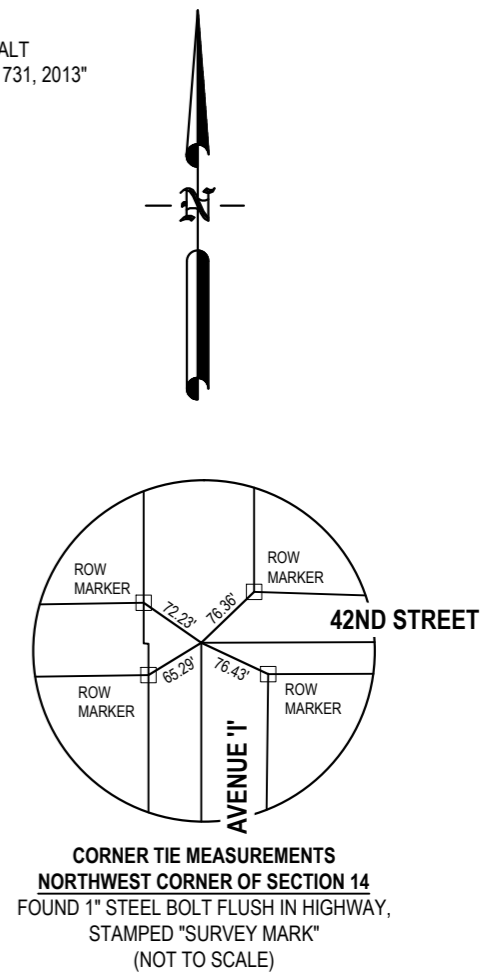
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Final Plat of Block 9, Five Oaks Subdivision Plan Sheet			
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Project Location: City of Scottsbluff, Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	06-03-2015	3 of 3	3



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	135.47	126.00	61°36'05"	N60° 54' 58"E	129.04
C2	108.05	74.00	83°39'28"	N72° 01' 14"E	98.70
C3	78.18	226.00	19°49'11"	S78° 01' 45"E	77.79
C4	60.19	174.00	19°49'11"	N78° 01' 45"W	59.89
C5	182.59	126.00	83°01'38"	S71° 52' 33"W	167.02
C6	80.59	74.00	62°23'51"	S61° 04' 06"W	76.67



- ◆ 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 (5/8" REBAR)
- INDICATES SET PROPERTY CORNER
- INDICATES FOUND NDOR CONCRETE RIGHT OF WAY MARKER

