

City of Seward, NE
Tuesday, December 15, 2015
Regular Session

Item G4

**PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF
PRELIMINARY AND FINAL PLAT OF UNDERWOOD
COMMERCIAL ADDITION (SE CORNER OF S 7TH ST &
SOUTH ST) - John Hughes**

Consideration of an Ordinance approving the Final Plat of Underwood Commercial Addition

Administrative Report: Since the property has previously been Administratively Re-platted, City Zoning

regulations require that it go through the Major Subdivision process, requiring a Preliminary and Final Plat.

The plat involves 3 parcels, and the owner is only moving 1 property line. The Subdivision conforms to the City's Comprehensive Plan Future Land Use map with the Commercial use type. The Plat conforms to the requirements of the City of Seward's Unified Land Development Ordinance reference Major Subdivision application requirements (11.3804). The area is currently located in the Central Business District Zoning, and there will be no change in zoning at this time. The area is currently served with all City utilities.

Following the public hearing, review and discussion, adopting the ordinance would be in order.

Staff Contact:

NOTICE OF PUBLIC HEARING

Public notice is hereby given by Planning Commission of the City of Seward, Nebraska, that a public hearing will be held at 7:30 p.m. on Monday December 14, 2015, and the City Council of the City of Seward, Seward County, Nebraska on Tuesday December 15, 2015 at 7:00 p.m. in the Council Chambers at the Municipal Building, 142 North 7th Street, Seward, Nebraska. Said Public Hearings will be to obtain public comment regarding proposed Preliminary and Final Plat of Underwood Commercial Addition, by the Planning Commission and City Council.

The parcels, which are the subject of this notice and of the public hearing is described as follows (SE corner of S 7th St. & South St).

Legal Description: Administrative Replat of Lots 2, 3, and 6, Block 25. Original Town to the City, of Seward, located in Southwest Quarter of Section 21. Township 11 North, Range 3 East, of the 6th Principal Meridian.

Seward County, Nebraska. BEGINNING at; the Northwest corner of Lot 2, Block 25, Original Town of Seward: THENCE Easterly along the North line of said Lot 2, an assigned bearing of S 89°18'30" E a distance of 120.09', to the Northeast corner of said Lot 2; THENCE Southerly on the East line of Lots 2, 3, and 6, Block 25, S 0°09'57"E 126.07', to the Southeast corner of said Lot 6; THENCE Westerly along the South line of said Lot 6, N 89°19'15"W 119.72', to the Southwest corner of said Lot 6; THENCE Northerly along the West line of Lots 2, 3, and 6, Block 25, N 0°00'00"E 126.10', to the POINT OF BEGINNING. Containing a total calculated area of 15,117.07 Square feet, or 0.35 acres, more or less. Subject to all easements, restrictions, and reservations of record.

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views regarding the proposed Preliminary & Final Plat of Underwood Commercial Addition.

Ed Gonzalez
Building/Zoning Director

Published: 12-2-15



City of Seward

Major Subdivision Application

Applications shall be submitted a minimum of 30 days prior to City Planning Commission Meeting. Planning Commission meets the 2nd Monday of each month

Date Submitted: 11-14-15

Preliminary Plat Application Fees:

\$400.00 + \$40.00 Per Lot (\$ 520.00), + \$100 Notification fee = \$ 620.00

Name of Subdivision: Underwood Commercial Addition

Owner/Developer: William A. Underwood

Legal Description: see attached

Project Engineer: K+M surveying Number of Lots: 3

Present Zoning: CBD Requested Zoning: CBD

Within City Limits	Yes _____	No _____	NA _____
Adjacent to City Limits	Yes _____	No _____	NA _____
Within 2 mile area	Yes _____	No _____	NA _____
Annexation Requested	Yes _____	No _____	NA _____
Subdivision Agreement submitted	Yes _____	No _____	NA _____
Performance Bond Required	Yes _____	No _____	NA _____

Signed by Developer William A. Underwood

Preliminary Plat Review

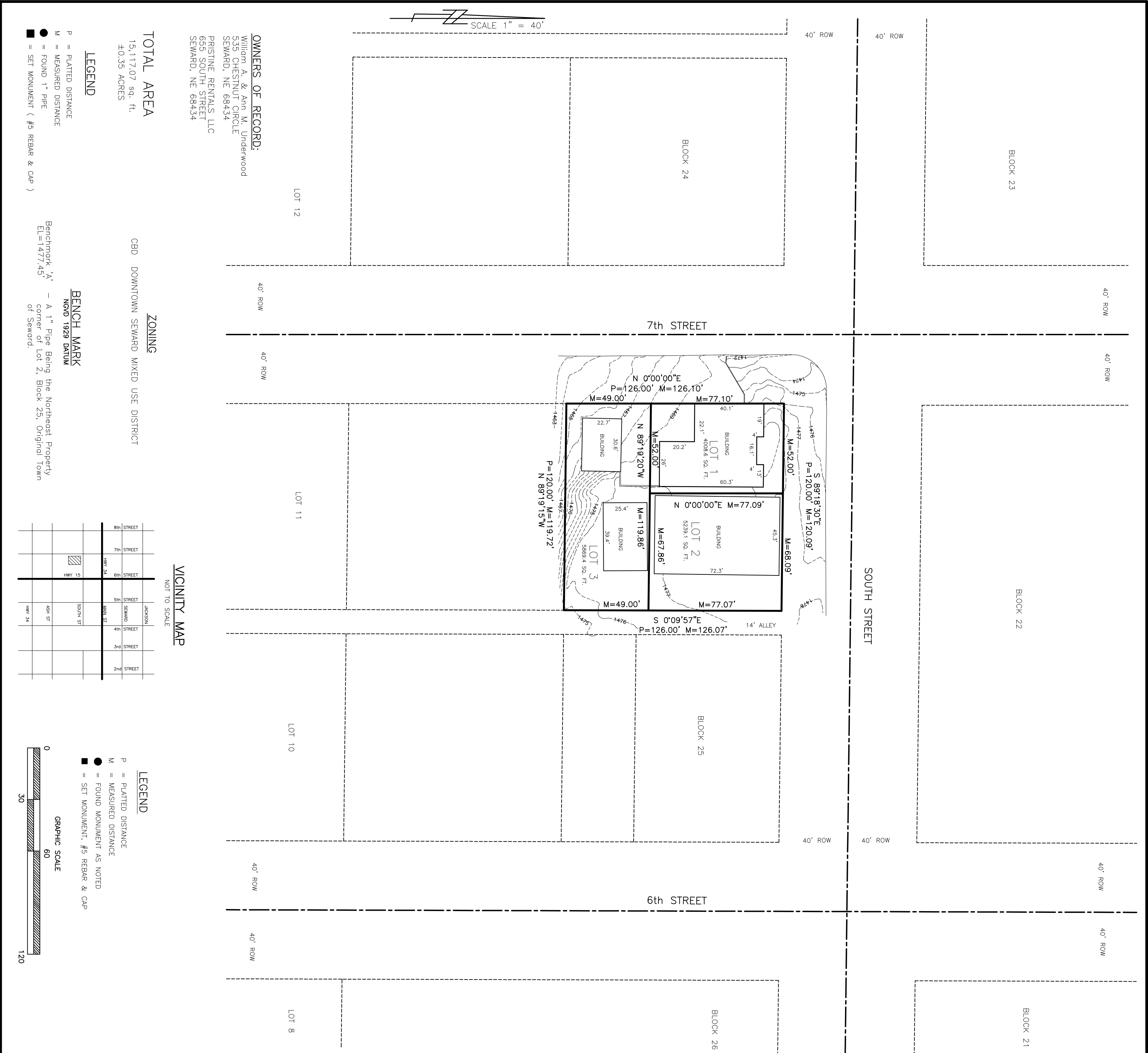
Staff Review

Electric Dept _____
Street Dept _____
Water/Waste _____
Police Dept _____
Park/Rec Dept _____

Agency Review

Cable TV _____
Gas Co _____
Telephone Co _____
School Board _____
County P.C. _____

Final Plat _____



PERIMETER DESCRIPTION:

Lot A, B & C, Administrative Report of Lot 2, 3, and 6, Block 25, Original Town to the East of the 6th Principal Meridian, Seward County, Nebraska and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 2, Block 25, Original Town of Seward; THENCE easterly along the North line of said Lot 2, on a bearing of S 89°18'30"E 126.09', to the East line of Lots 2, 3, and 6, Block 25, S 0°09'57"E 126.07', to the Southeast corner of said Lot 6; THENCE Westerly along the South line of said Lot 6, N 89°19'15"W 119.72', to the Southwest corner of said Lot 6; THENCE Northerly along the West line of Lots 2, 3, and 6, Block 25, N 0°00'00"E 126.10', to the POINT OF BEGINNING.

Containing a total calculated area of 15,117.07 Square feet, or 0.35 acres, more or less. Subject to all easements, restriction, and reservations of record.

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, A DULY REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT I CAUSED A SURVEY TO BE MADE OF THE FOREGOING DESCRIBED PROPERTY, AND THAT THE RESULTS OF SAID SURVEY ARE TRULY AND ACCURATELY DEPICTED HEREON, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN TESTIMONY WHEREOF WITNESS MY HAND AND SEAL THIS 2nd DAY OF December, 2015.

BILLY JOE KERR, LS #483

APPROVAL OF THE CITY COUNCIL
THIS PLAT APPROVED BY THE CITY COUNCIL OF SEWARD, NEBRASKA
THIS _____ DAY OF _____, 20____

MAYOR _____
ATTEST: _____
CITY CLERK _____

APPROVAL OF THE PLANNING COMMISSION
THIS PLAT OF UNDERWOOD COMMERCIAL ADDITION HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION THIS _____ DAY OF _____, 20____

CHAIRPERSON _____
ATTEST: _____
SECRETARY OF PLANNING COMMISSION _____

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 20____ AT _____
AND RECORDED IN DRAWER _____ OF THE PLAT RECORDS.

REGISTER OF DEEDS _____
FEE: _____

OWNER'S CERTIFICATION

We, the undersigned William A. Underwood and Ann M. Underwood, owners of the property shown and described herein, do hereby certify that we have laid out, platted and subdivided, and do hereby lay out, plot and subdivide said real estate in accordance with this plat. This subdivision shall be known and designated as UNDERWOOD COMMERCIAL ADDITION, to the City of Seward, Seward County, Nebraska. Other public lands shown and not dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessment are explained as follows:

There are signs of land shown on this plat and marked "Reserved" reserved for the use of public utilities and subject to the proportion right of utility to install, repair, replace and maintain its installations. No permanent buildings or structures shall be placed in said easement ways, but the same may be used for landscaping and other purposes that do not now or later interfere with the aforesaid uses or rights granted herein.

WITNESS OUR HAND THIS _____ DAY OF _____, 2015.

William A. Underwood _____ Ann M. Underwood _____

ACKNOWLEDGEMENT OF NOTARY
STATE OF NEBRASKA S.S.
COUNTY OF SEWARD

On this _____ day of _____, 20____ before me, the undersigned, a duly qualified and acting Notary Public for the State of Nebraska, personally came William A. Underwood and Ann M. Underwood, who are personally known to me to be the identical persons whose names are affixed to the Owners Certificate of the foregoing plat and she acknowledges the same to be their voluntary act and deed.

Notary Public _____

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 20____
REGISTER OF DEEDS _____

DATE: 12-4-2015
SCALE: 1" = 40'
PROJECT # 1510108
SHEET 1 OF 1

UNDERWOOD COMMERCIAL ADDITION
PRELIMINARY PLAT
SEWARD, SEWARD COUNTY, NEBRASKA

K & M INC.
LAND SURVEYING

6811 SOUTHFORK CIRCLE
LINCOLN, NE 68516
PHONE 402-476-3020
FAX 402-476-3138

Return to:
City of Seward
PO Box 38
Seward, NE 68434

ORDINANCE NO.

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "UNDERWOOD COMMERCIAL ADDITION", CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED AT THE SOUTHEAST CORNER OF SOUTH 7TH STREET AND SOUTH STREET; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. **Plat and Dedication Approved.** The Plat and dedication of the following described real estate is hereby approved:

Legal Description: Lots A, B, & C, Administrative Replat of Lots 2, 3, and 6, Block 25, Original Town to the City, of Seward, located in Southwest Quarter of Section 21, Township 11 North, Range 3 East, of the 6th Principal Meridian, Seward County, Nebraska and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 2, Block 25, Original Town of Seward:

THENCE Easterly along the North line of said Lot 2, an assigned bearing of S 89°18'30"E a distance of 120.09', to the Northeast corner of said Lot 2;

THENCE Southerly on the East line of Lots 2, 3, and 6, Block 25, S 0°09'57"E 126.07', to the Southeast corner of said Lot 6;

THENCE Westerly along the South line of said Lot 6, N 89°19'15"W 119.72', to the Southwest corner of said Lot 6;

THENCE Northerly along the West line of Lots 2, 3, and 6, Block 25, N 0°00'00"E 126.10', to the POINT OF BEGINNING.

Containing a total calculated area of 15,117.07 Square feet, or 0.35 acres, more or less. Subject to all easements, restrictions, and

reservations of record.

Section 2. **Plat Designated.** The plat of said real estate is hereby designated as "Underwood Commercial Addition", City of Seward, Seward County, Nebraska."

Section 3. **Filing and Recording of Plat.** An accurate plat of said real estate as platted and dedicated as heretofore set forth, certified to by an Engineer or Surveyor, together with a certified copy of this Ordinance shall be filed in the office of the Seward County Clerk, Seward, Nebraska.

Section 4. **Pamphlet form; publication; when operative.** This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication as provided by law and City Ordinance.

Passed and approved this 15th day of December, 2015.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

Bonnie Otte
Assistant Administrator/
Clerk-Treasurer
Budget & HR Director