

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

Item G5

**PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF
PRELIMINARY AND FINAL PLAT OF LYLE AND ELAINE
MUELLER ADDITION (SE CORNER OF E BRADFORD ST &
EASTRIDGE DR) - John Hughes**

Consideration of an Ordinance approving the Final Plat of Lyle and Elaine Mueller Addition

Administrative Report: Since the property has not been platted previously, City Zoning regulations require that

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

The plat involves dividing 1 current large parcel into 3 parcels, located at the corner of E. Bradford and Eastridge Dr. The Subdivision conforms to the City's Comprehensive Plan Future Land Use map with the Residential 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 Residential 4 (R-4) Zoning district, and there will be no change in zoning at this time. Per the City Electric and W/WTR Superintendents, the electrical service to the area will need to be upgraded, the water and sewer utilities are currently available however, they will only serve the 2 new parcels (Lot 1 & 2).

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 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 Mueller 3rd Addition, by the Planning Commission and City Council.

The Subdivision, which is the subject of this notice and of the public hearing is described as follows (southeast corner of E Bradford St. and Eastridge Dr.).

Legal Description:

DESCRIPTION OF A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, ON AN ASSUMED BEARING OF N 00°03'13" W FOR A DISTANCE OF 317.40' TO A POINT ON THE SOUTH LINE OF BRADFORD STREET

THENCE S 89°51'47" E, ALONG THE SOUTH LINE OF BRADFORD STREET, FOR A DISTANCE OF 307.73' TO A POINT ON THE EAST LINE OF EASTRIDGE DRIVE

THENCE N 00°22'39" W, ALONG THE EAST LINE OF EASTRIDGE DRIVE, FOR A DISTANCE OF 339.21' TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21

THENCE S 89°38'45" E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 347.30' TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21

THENCE S 00°07'58" E, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 270.34' TO A POINT ON THE CENTERLINE OF PLUM CREEK

THENCE S 34°57'15" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 108.16'

THENCE S 25°06'28" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 219.80'

THENCE S 28°57'41" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 111.99' TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21

THENCE N 89°42'21" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 443.66' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.49 ACRES

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views regarding the proposed Preliminary & Final Plat of Mueller 3rd 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: Nov 30, 2015

Preliminary Plat Application Fees:

Filing fee \$400.00 + \$40.00 Per Lot = \$ 520 + Notification fee \$100 = 100

Name of Subdivision: Mueller 3rd Addition - ^{Prefero} Kyle and Elaine Mueller 3rd Addition

Owner/Developer: Elaine Mueller

Legal Description: Attached

Project Engineer: Allison Summerville Number of Lots: 3

Present Zoning: R 3 Requested Zoning: W/R

Within City Limits	Yes <u>X</u>	No	NA
Adjacent to City Limits	Yes	No	NA <u>X</u>
Within 2 mile area	Yes	No	NA <u>X</u>
Annexation Requested	Yes	No	NA <u>X</u>
Restrictive covenants provided	Yes	No	NA <u>X</u>
Subdivision Agreement submitted	Yes	No	NA <u>X</u>
Performance Bond Required	Yes	No	NA <u>X</u>

Signed by Developer Elaine Mueller

Preliminary Plat Review

Staff Review

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

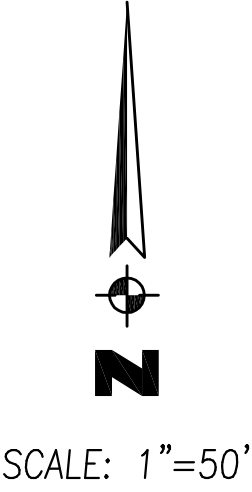
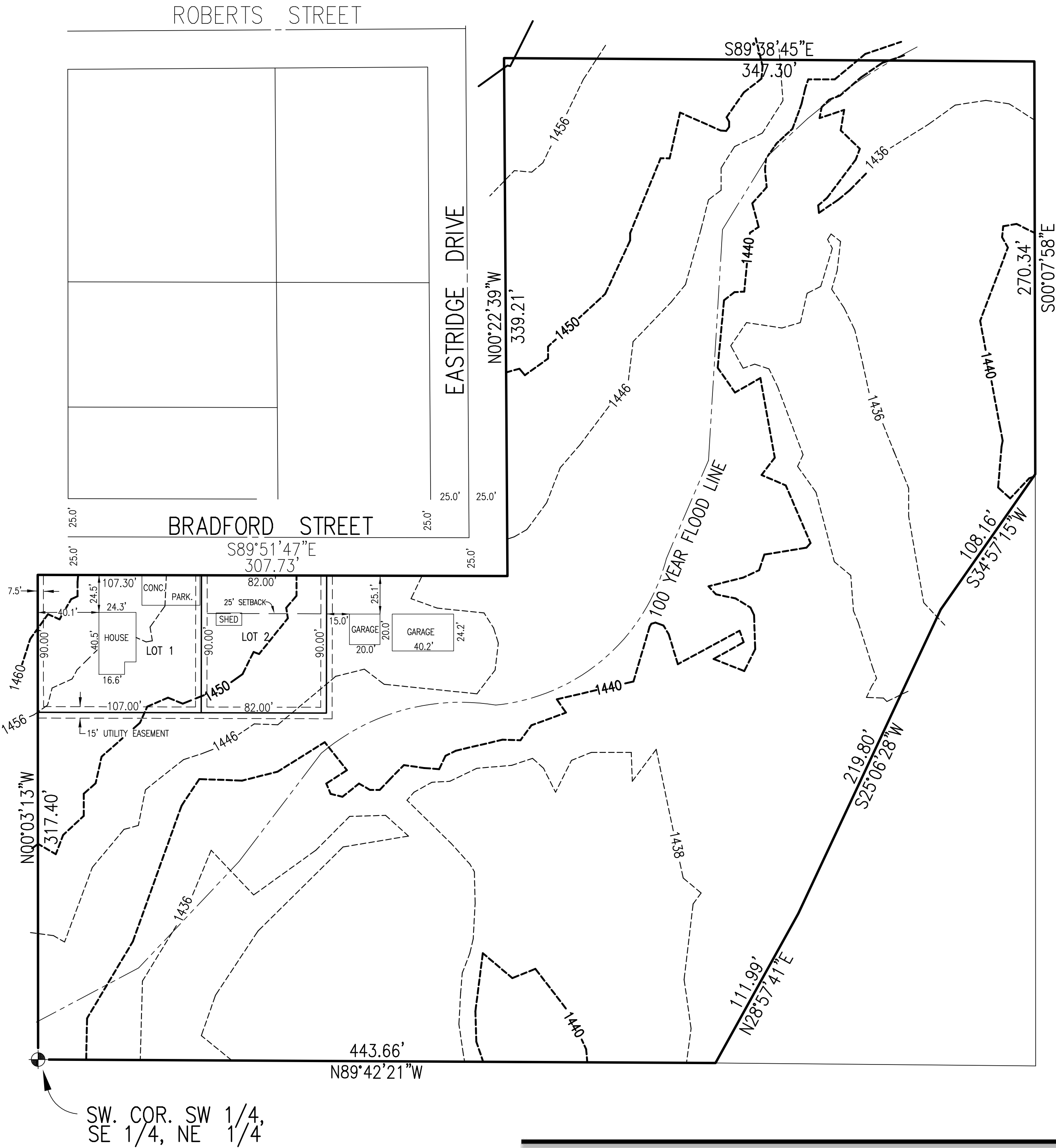
Agency Review

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

LYLE AND ELAINE MUELLER ADDITION

A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
 OF THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH, RANGE 3 EAST OF
 THE 6TH P.M., SEWARD COUNTY, NEBRASKA

PRELIMINARY PLAT



LEGAL DESCRIPTION:
 A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, ON AN ASSUMED BEARING OF N 00°03'13" W FOR A DISTANCE OF 317.40' TO A POINT ON THE SOUTH LINE OF BRADFORD STREET
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 THENCE S 34°57'15" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 108.16'
 THENCE S 25°06'28" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 219.80'
 THENCE S 28°57'41" W, ALONG THE CENTERLINE OF PLUM CREEK, FOR A DISTANCE OF 111.99' TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21
 THENCE N 89°42'21" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 443.66' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.49 ACRES

SURVEYOR'S CERTIFICATE:
 I, KERRY W. SIMONDS HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THIS PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DATA IS CORRECT.

SIGNED THIS _____ DAY OF _____, 2015

KERRY W. SIMONDS LS. #333



FLOOD ZONE:
 THIS PROPERTY APPEARS TO BE LOCATED IN ZONE "X" & ZONE "AE" ON FLOOD RATE MAP, COMMUNITY NO, 310210 PANEL NO. 0010 C, EFFECTIVE SEPTEMBER 30,1993

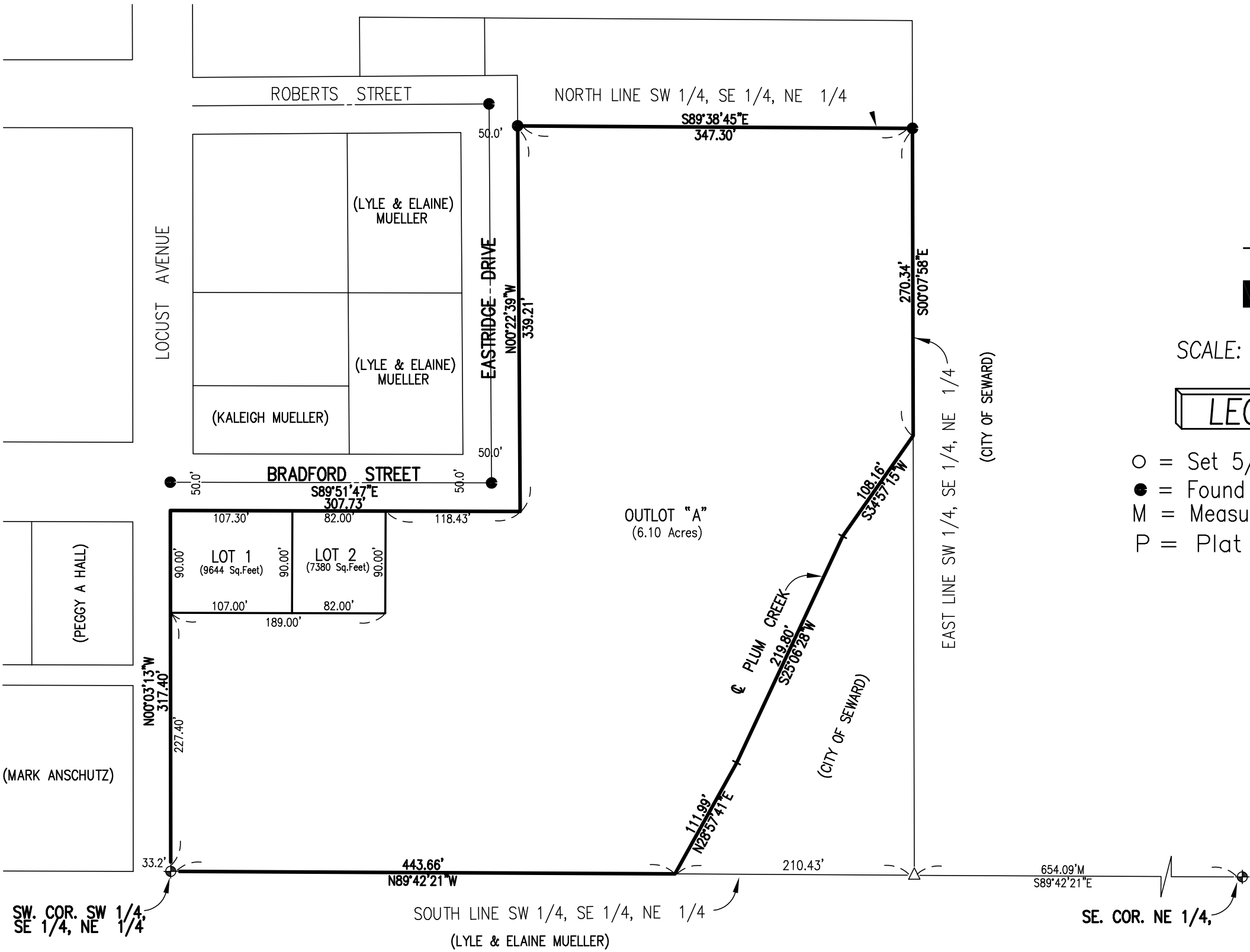
BENCH MARK:
 STEEL PIN IN LIGHT POLE @ SW COR. OF BRADFORD ST. AND EASTRIDGE DRIVE ELEVATION = 1447.80

BUILDING SETBACK LINES:
 FRONT YARD: 25'
 SIDE YARD: 0
 REAR YARD: 0

TOTAL NUMBER OF LOTS: 3
OWNER OF PROPERTY: ELAINE MUELLER
NAME OF SURVEYOR: KERRY W. SIMONDS L.S. #333

LYLE AND ELAINE MUELLER ADDITION

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OF THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 NORTH, RANGE 3 EAST OF
THE 6TH P.M., SEWARD COUNTY, NEBRASKA
FINAL PLAT



LEGEND

- = Set 5/8" Capped Rebar
- = Found corner as recorded
- M = Measured distance
- P = Plat distance

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OWNERSHIP CERTIFICATE

I, ELAINE MUELLER, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT I HAVE LAID OUT, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OUT, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "LYLE AND ELAINE MUELLER ADDITION" TO THE CITY OF SEWARD, NEBRASKA

ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC UNLESS SPECIFICALLY NOTED HEREIN.

OTHER PUBLIC LANDS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY RESERVED TO PUBLIC USE.

CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED. ANY ENCUMBRANCES OR SPECIAL ASSESSMENTS ARE EXPLAINED AS FOLLOWS:

THERE ARE STRIPS OF GROUND SHOWN ON THIS PLAT AND MARKED EASEMENT, RESERVED FOR THE USE OF PUBLIC UTILITIES AND SUBJECT TO THE PARAMOUNT RIGHT OF UTILITY OR CITY TO INSTALL, REPAIR, REPLACE AND MAINTAIN ITS INSTALLATIONS. NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON 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 ARE HAND THIS ____ DAY OF _____, 2015

ELAINE MUELLER

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SEWARD) SS

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED ELAINE MUELLER AND SHE ACKNOWLEDGES THIS EXECUTION OF THE FOREGOING INSTRUMENT AS HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, 2015

NOTARY PUBLIC

APPROVAL OF SEWARD CITY COUNCIL:

THIS PLAT OF "LYLE AND ELAINE MUELLER ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD CITY COUNCIL

SIGNED THIS ____ DAY OF _____, 2015

MAYOR

ATTEST:

CITY CLERK

SURVEYOR'S CERTIFICATE:

I, KERRY W. SIMONDS HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THIS PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DATA IS CORRECT.

SIGNED THIS ____ DAY OF _____, 2015

KERRY W. SIMONDS LS. #333



APPROVAL OF SEWARD PLANNING COMMISSION:

THIS PLAT OF "LYLE AND ELAINE MUELLER ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION

SIGNED THIS ____ DAY OF _____, 2015

CHAIRPERSON

ATTEST:

SECRETARY OF THE PLANNING COMMISSION

REGISTER OF DEEDS:

ENTERED ON TRANSFER RECORD THIS ____ DAY OF _____, 2015

IN DRAWER _____, AT _____

REGISTER OF DEEDS

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

ORDINANCE NO.

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "LYLE AND ELAINE MUELLER ADDITION", CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED AT THE SOUTHEAST CORNER OF EAST BRADFORD STREET AND EASTRIDGE DRIVE; 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:

A SUBDIVISION OF A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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OF 443.66' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.49
ACRES

Section 2. **Plat Designated.** The plat of said real estate is
hereby designated as "Lyle And Elaine Mueller 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