

City of Seward, NE

Tuesday, January 19, 2016

Regular Session

Item G5

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: This plat involves parcels that have been Administratively Re-platted previously. City Zoning regulation 11.3802(3) (Administrative Subdivisions), requires 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 adequately with all City utilities.

The Planning Commission recommends approval of the Preliminary and Final Plat.

Following review and discussion, a motion to adopt 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 January 11, 2015, and the City Council of the City of Seward, Seward County, Nebraska on Tuesday January 19, 2016 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: Lots A, B & C, 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 A, Block 25, Original Town of Seward; THENCE Easterly along the North line of said Lots A & B, on an assigned bearing of S 89°18'30"E a distance of 120.09', to the Northeast corner of said Lot B; THENCE Southerly on the East line of Lots B & C, Block 25, S 0°09'57"E 126.07', to the Southeast corner of said Lot C; THENCE Westerly along the South line of said Lots A & C, N 89°19'15"W 119.72', to the Southwest corner of said Lot A; THENCE Northerly along the West line of Lot A, 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.

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: 12-30-15



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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Adjacent to City Limits	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Within 2 mile area	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Annexation Requested	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Subdivision Agreement submitted	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Performance Bond Required	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

Signed by Developer William A. Underwood

Preliminary Plat Review

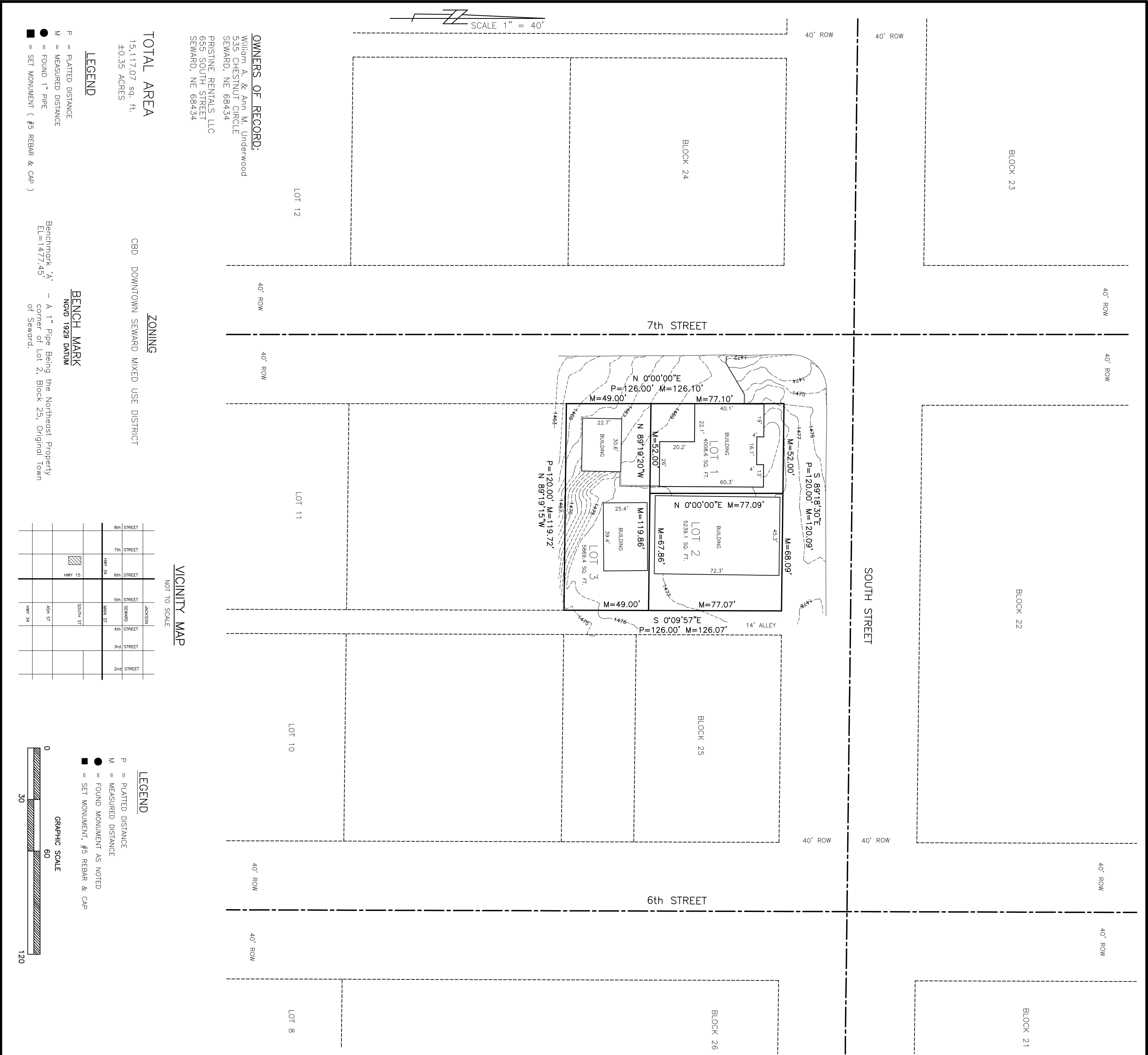
Staff Review

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:

This is a Report of Lots A, B & C, Administrative Report of Lots 2, 3, and 6, Section 21, Block 25, Seward County, Nebraska, 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 A, Block 25, Original Town of Seward, THENCE easterly along the North line of said Lot A & B, to the Southeast corner of said Lot B, THENCE S 89°18'30"E a distance of 120.09' to the North line of said Lot B, THENCE S 89°18'30"E a distance of 120.09' to the line of Lots B & C, Block 25, S 07°09'57"E 126.07' to the Southeast corner of said Lot C, THENCE Westerly along the South line of said Lots A & C, N 89°19'15"W 119.72' to the Southwest corner of said Lot A, THENCE Northerly along the West line of Lot A, Block 25, N 07°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 Pristine Rentals, LLC, 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, plat 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 strings of land shown on this plat and marked assessm, 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 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 _____
Pristine Rentals, LLC _____ Pristine Rentals, LLC _____
William A. Underwood, manager _____ Ann M. Underwood, manager _____

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

On this _____ day of _____, 20____, before me, the undersigned, a notary public, duly commissioned, qualified for residing in said county, personally came William A. Underwood and Ann M. Underwood, who are personally known to be 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 _____

POINT OF BEGINNING

SOUTH STREET

S 89°18'30"E
P=120.00' M=120.09'

1" PIPE

1" PIPE

7th STREET

N 0°00'00"E
P=126.00' M=126.10'

M=77.10'

LOT 1

LOT 2

LOT 3

N 0°00'00"E

M=77.09'

M=52.00'

N 89°19'20"W

M=19.86'

M=67.86'

M=49.00'

M=77.07'

S 0°09'57"E

P=126.00' M=126.07'

14' ALLEY

40' ROW

1" PIPE

P=120.00' M=119.72'
N 89°19'15"W

SCALE 1" = 30'

OWNER'S CERTIFICATION

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WITNESS OUR HAND THIS _____ DAY OF _____ 2015.

William A. Underwood

Ann M. Underwood

Pristine Rentals, LLC
William A. Underwood, manager

Pristine Rentals, LLC
Ann M. Underwood, manager

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA

S.S.

COUNTY OF SEWARD

On this ____ day of _____, 20____, before me, the undersigned, a notary public, duly commissioned, qualified for residing in said county, personally came William A. Underwood and Ann M. Underwood, who are personally known to be 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

PERIMETER DESCRIPTION:

This is a Replat of 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 A, Block 25, Original Town of Seward; THENCE Easterly along the North line of said Lots A & B, on an assigned bearing of S 89°18'30"E a distance of 120.09', to the Northeast corner of said Lot B; THENCE Southerly on the East line of Lots B & C, Block 25, S 0°09'57"E 126.07', to the Southeast corner of said Lot C; THENCE Westerly along the South line of said Lots A & C, N 89°19'15"W 119.72', to the Southwest corner of said Lot A; THENCE Northerly along the West line of Lot A, 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:

UNDERWOOD COMMERCIAL ADDITION
FINAL PLAT
SEWARD, SEWARD COUNTY, NEBRASKA

K & M INC.
LAND SURVEYING

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

OWNERS OF RECORD:

William A. & Ann M. Underwood
535 CHESTNUT CIRCLE
SEWARD, NE 68434
PRISTINE RENTALS, LLC
655 SOUTH STREET
SEWARD, NE 68434

LEGEND

P = PLATTED DISTANCE
M = MEASURED DISTANCE
● = FOUND 1" PIPE
■ = SET MONUMENT (#5 REBAR & CAP)

TOTAL AREA

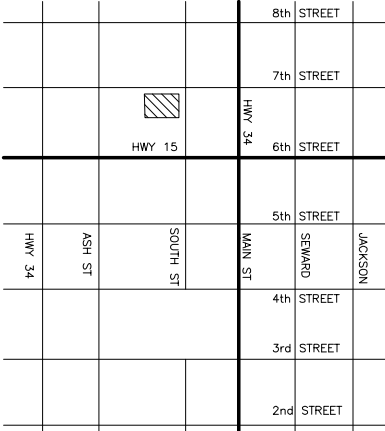
15,117.07 sq. ft.
±0.35 ACRES

BENCH MARK

NGVD 1929 DATUM
- A 1" Pipe Being the Northeast Property corner of Lot 2, Block 25, Original Town of Seward.
Benchmark, N, EL=1477.45'

VICINITY MAP

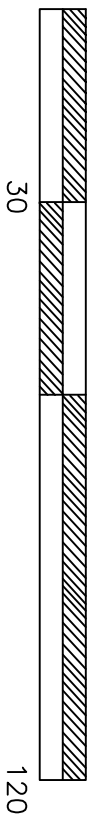
NOT TO SCALE



LEGEND

P = PLATTED DISTANCE
M = MEASURED DISTANCE
● = FOUND MONUMENT AS NOTED
■ = SET MONUMENT, #5 REBAR & CAP

GRAPHIC SCALE



DATE: 12-4-2015
SCALE: 1" = 30'
PROJECT # 1510108
SHEET 1 OF 1

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 19th day of January, 2016.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

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