

PLATTSMOUTH PLANNING COMMISSION
April 18, 2013

Meeting convened at 7:30 p.m. on April 18, 2013 at Plattsmouth City Hall, 136 N. 5TH Street, Plattsmouth, Nebraska. A copy of the agenda for the meeting is attached to these minutes. Notice of the meeting, which communicated the availability of the agenda, was published in *The Plattsmouth Journal*, Plattsmouth, Nebraska, on April 4, 2013, with the Affidavit of Printer as proof of publication attached to these minutes. Notice of the meeting and the agenda were provided to all members in advance, and their acknowledgment of receipt is attached hereto. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Vice Chairman Dewayne Prince called the meeting to order at 7:30 p.m.

ITEM 2

Prince announced the location of the Open Meetings Act and of documents pertaining to the planning agenda.

ITEM 3

Answering roll call were Richard McKinley, John Baroni, Angie Minahan, Robert Rice, Billy Hale, Dewayne Prince, Jeff Kindig, Karen Weaver. Absent were Marc Nichols, Sharon Kief.

Also present was City Inspector Kevin Larson.

ITEM 4

MOTION BY KINDIG, SECONDED BY RICE, TO APPROVE THE MINUTES OF THE MARCH 21, 2013 MEETING. A voice vote in favor was unanimous, MOTION CARRIED.

ITEM 5

Prince made corrections to the legal descriptions of the property proposed for annexation.

Prince opened a public hearing at 7:33 p.m. and read from the agenda, "A public hearing regarding the annexation of land to the City of Plattsmouth, Nebraska, described as follows:

(A) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12

NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 56' 03"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 75, THENCE N 05° 10' 08"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 30.11 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N 05° 10' 08"E ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 632.94 FEET; THENCE S 89° 53' 59"E A DISTANCE OF 458.29 FEET; THENCE S 05° 08' 48"W A DISTANCE OF 631.58 FEET, THENCE S 89° 56' 03"W A DISTANCE OF 458.65 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.62 ACRES, MORE OR LESS.

(B) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17"E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16"W A DISTANCE OF 50.00 FEET, THENCE S 89° 56' 17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2490.36 SQUARE FEET, MORE OR LESS,

AND

LOT 54 OSAGE RANCH SUBDIVISION, CASS COUNTY, NEBRASKA EXCEPT THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17" E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16"W A DISTANCE OF 50.00 FEET, THENCE S 89° 56' 17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.15 ACRES MORE OR LESS.

City Administrator Erv Portis presented a memorandum related to the annexation and answered questions. No one else spoke to the issue, and the hearing was closed at 7:45 p.m.

Minahan stated her law partner's sister is one of the owners of the property proposed for annexation

ITEM 6

Prince read from the agenda, "Consider a recommendation to the Plattsmouth City Council regarding the annexation of land to the City of Plattsmouth, Nebraska, described as follows:

(A) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 56' 03"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 75, THENCE N 05° 10' 08"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 30.11 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N 05° 10' 08"E ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 632.94 FEET; THENCE S 89° 53' 59"E A DISTANCE OF 458.29 FEET; THENCE S 05° 08' 48"W A DISTANCE OF 631.58 FEET, THENCE S 89° 56' 03"W A DISTANCE OF 458.65 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.62 ACRES, MORE OR LESS.

(B) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17"E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16"W A DISTANCE OF 50.00 FEET, THENCE S 89° 56' 17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2490.36 SQUARE FEET, MORE OR LESS,

AND

LOT 54 OSAGE RANCH SUBDIVISION, CASS COUNTY, NEBRASKA EXCEPT THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2ND AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17" E A DISTANCE OF 50.00 FEET; THENCE S 04° 56' 16"W A DISTANCE OF 50.00 FEET,

THENCE S 89° 56'17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.15 ACRES MORE OR LESS.

Following discussion, MOTION BY WEAVER, SECONDED BY KINDIG, TO RECOMMEND TO THE PLATTSMOUTH CITY COUNCIL THE ANNEXATION OF LAND TO THE CITY OF PLATTSMOUTH, NEBRASKA, DESCRIBED AS FOLLOWS:

(A) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 56' 03"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 378.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 75, THENCE N 05° 10' 08"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 30.11 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N 05° 10' 08"E ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 632.94 FEET; THENCE S 89° 53' 59"E A DISTANCE OF 458.29 FEET; THENCE S 05° 08'48"W A DISTANCE OF 631.58 FEET, THENCE S 89° 56'03"W A DISTANCE OF 458.65 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.62 ACRES, MORE OR LESS.

(B) A PARCEL OF LAND BEING SITUATE IN PART OF THE SOUTHWEST 1/4 (SW ¼) OF THE NORTHWEST 1/4 (NW ¼) OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2nd AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N 04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17"E A DISTANCE OF 50.00 FEET; THENCE S 04° 56'16"W A DISTANCE OF 50.00 FEET, THENCE S 89° 56'17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2490.36 SQUARE FEET, MORE OR LESS,

AND

LOT 54 OSAGE RANCH SUBDIVISION, CASS COUNTY, NEBRASKA EXCEPT THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 24, THENCE N 89° 45' 58" E (ASSUMED BEARING) ALONG THE SOUTH LINE OF THE NW ¼ A DISTANCE OF 896.95 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 2nd AVENUE, THENCE N 04° 58' 16" E A DISTANCE OF 629.70 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, THENCE CONTINUING ON SAID RIGHT OF WAY LINE N04° 58' 16" E A DISTANCE OF 50.00 FEET; THENCE N 89° 56' 17" E A

DISTANCE OF 50.00 FEET; THENCE S 04° 56'16"W A DISTANCE OF 50.00 FEET, THENCE S 89° 56'17"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.15 ACRES MORE OR LESS.

On roll call: VOTING YES, BARONI, MINAHAN, RICE, HALE, PRINCE, KINDIG, WEAVER, MCKINLEY. VOTING NO, NONE. ABSENT AND NOT VOTING, KIEF, NICHOLS. MOTION CARRIED.

ITEM 7

MOTION BY HALE, SECONDED BY WEAVER, TO ADJOURN. A voice vote in favor was unanimous, MOTION CARRIED. Meeting adjourned at 7:55 p.m.



Jeff Kindig
Secretary

Minutes recorded and typed by Kevin Larson