

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Monday, August 10, 2020  
5:15 PM - City Council Chambers**

Open Meetings Act Announcement.

Items

1. Approve the minutes of the July 13, 2020 regular Planning Commission meeting.
2. Public Hearing and Regular Agenda.
  - A. Public Hearing - Application regarding the Final Plat (for a minor subdivision) for Koch Subdivision, said tract generally described as a tract of land being part of the Southeast Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.
    1. Adjourn the Public Hearing.
  - B. Recommend approval to the City Council the Final Plat (for a minor subdivision) for Koch Subdivision, said tract generally described as a tract of land being part of the Southeast Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Adjournment.

**CITY MANAGER'S REPORT  
AUGUST 10, 2020 PLANNING COMMISSION MEETING**

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**ITEM:**          1.  

**RECOMMENDATION:**

Approve the minutes of the July 13, 2020 regular meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

August 5, 2020

McCook Planning Commission  
July 13, 2020  
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley, Davidson, Dueland, Lyons, McDowell, Stevens.

Absent: Commissioners Friehe, Graham.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on July 9, 2020, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the May 11, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the May 11, 2020 regular Planning Commission meeting. This motion, made by McDowell and seconded by Hilker, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - To consider the preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed preliminary plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (2 pages); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Preliminary Plat (1 page).

City Manager Schneider reviewed the following information contained in Exhibit #1: "An application for a minor subdivision has been submitted by Miller & Associates Consulting Engineers, P.C., on behalf of the A.M. Bishop Family Trust. Staff and Miller & Associates have worked together to determine the best way to bring this item forward to the Planning Commission and City Council. The A.M. Bishop Family Trust would like to break a portion of the property they own in the SW1/4 of Section 24, T3N, R30W, of the 6th P.M., Red Willow County, Nebraska into a separate lot. A communication tower is located on the land that the applicant would like to create into a separate lot. While the land at issue is currently zoned for agriculture, McCook's Comprehensive Plan contemplates the future land use to be residential. Despite the designation, the proposed lot would not be used, nor could it be used, for residential purposes due to the existing tower."

"The tract of property considered in this request has already been subdivided by the owner, both administratively and through the minor subdivision process. The Planning Commission has stated that before there is additional development, a comprehensive development plan needs to be developed. As such, city staff has asked the developer and owner to provide a more concrete plan. In order to provide a more definite vision for the development of the Bishop property, the developer and owner agreed to provide a preliminary plat of the entirety of the Bishop property located in Section 24, T3N, R30W. The preliminary plat is similar to the conceptual design proffered by the owner when Bishop Acres Second Subdivision was created in 2019. The preliminary plat of Bishop Acres Third Subdivision has been attached for the Planning Commission's review. The proposal consists of four blocks, with each block containing a varying number of lots. All of the proposed lots would have access to street frontage as required by McCook's Subdivision Regulations. All of the lots meet the size requirements required by McCook's Zoning Code."

"If approved, the preliminary plat would be filed with the City of McCook. It would not be filed with the Red Willow County Register of Deeds. This is because a preliminary plat may be modified if the owner believes a change is warranted due to development needs. McCook's Subdivision Regulations allow for the adoption of a preliminary plat in anticipation of a final plat. The final plat will need to be brought back to the Planning Commission and City Council for adoption at a later date."

"As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for

commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

City Manager Schneider stated the Commissioner Friehe was unable to attend, but did call to ask about a drainage plan and if the streets will be required to be paved. John Palic, owner of property to the west, called with similar questions.

Craig Bennett, Miller & Associates Consulting Engineers, P.C., representative for the Bishop Family, reviewed the proposal with the Commission. This preliminary plan is similar to the conceptual plan presented during the consideration of Bishop Acres 2<sup>nd</sup> Subdivision; it meets all zoning and subdivision requirements; Lot 1, where a cell tower is located, is being pulled out for consideration as a Final Plat; Lot 1 has access to Road 716 so no paved street would be required; because of the terrain, drainage would not be required at this time; future subdivisions or phases will require paving and storm water cells or detention ponds; it is likely that the detention ponds would be on the southern lots and could possibly become outlots; future subdivisions/plats will be required to provide ROW to back lots to provide access and streets will be developed at that time; the City's Subdivision Regulations state that a preliminary plat is good for one year, the City might want to look at changing that;

Commissioner discussion included concerns about piece milling, developing areas with access, so no streets are required; is the radius of the cul-de-sacs large enough for fire equipment to turn around in; should a main arterial street be developed; are the three acre lots too large if the subdivision is annexed at some point; it would not be cost effective for the City to serve this area with water and sewer; some other areas around the community would be more cost effective the City to serve with water and sewer; and three acres are necessary to meet state requirements for septic tanks.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.B. Recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska.

Motion to recommend approval to the City Council the preliminary plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska. This motion, made by McDowell and seconded by

Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friche: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.C. Public Hearing - To consider the final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed final plat on the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friche: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the July 13, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (2 pages); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); and Exhibit #5 - Bishop Acres Third Subdivision Final Plat (1 page).

City Manager Schneider reviewed that last paragraph of Exhibit #1: "As for the creation of Lot 1, staff is comfortable with completing the final plat at this time. As mentioned, proposed Lot 1 currently is home to a communication tower. Due to the tower, proposed Lot 1 is unique in that it would not be suitable for a residence. It is an area that is better fit for commercial. Staff asked the developer and owner to take into consideration the road frontage issue when developing the proposal. The developer's proposal envisions a "flag lot", with the northern portion being wide enough to provide for adequate ingress and egress. There is an easement that straddles proposed Lot 1 and anticipated Lot 2. The easement provides access to a communication tower located to the south. If proposed Lot 1 is created through this subdivision process, the owner of Lot 1 would be subject to the easement."

Discussion included whether the tower meets current height requirements and whether the easement on the east is dedicated and recorded.

With no further comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friche: ABSENT,

Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

2.D. Recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision.

Motion to recommend approval to the City Council the final plat of the following described property to be known as Bishop Acres Third Subdivision, said tract generally described as a tract of land being part of the Southwest Quarter of Section 24, Township 3 North, Range 30 West of the 6th P.M., in Red Willow County, Nebraska, and more specifically, proposed Lot 1 of said Bishop Acres Third Subdivision. This motion, made by Vosburg and seconded by Lyons, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Graham: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA  
YEA: 8, NAY: 0, ABSENT: 2

Commissioner Dueland requested that city staff consider providing the future Planning Commission meetings to the public through zoom or some other means. Commissioner Stevens also supported the request.

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:18 P.M.

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Lea Ann Doak, Recording Secretary

**CITY MANAGER'S REPORT  
AUGUST 10, 2020 PLANNING COMMISSION MEETING**

**2.A.**  
ITEM NO. 2.A. Public Hearing - Application regarding the Final Plat (for a minor subdivision) for Koch Subdivision, Part of the SE 1/4 Section 24, T3N, R30W, of the Sixth P.M., Red Willow County, Nebraska.

**2.B.**  
ITEM NO. 2.B. Recommend approval of the Final Plat (for a minor subdivision) for Koch Subdivision, Part of the SE 1/4 Section 24, T3N, R30W, of the Sixth P.M., Red Willow County, Nebraska.

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**BACKGROUND:**

In 2010, a new lot was created in the AG District by the Bishop Family Trust. Eugene and Joan Koch purchased the lot and they currently remain the record owners. The lot is legally described as Part of the SE 1/4 Section 24, T3N, R30W, of the Sixth P.M., Red Willow County, Nebraska. The lot was created for commercial purposes. An application has been submitted by Eugene and Joan Koch, by and through their project sponsor, Miller & Associates Consulting Engineer, P.C., requesting that their lot be subdivided, creating two distinct lots. Due to the fact the lot has been subdivided once before, the request is in the form of a minor subdivision. Per the application, the northern most lot would become Lot 1 of the Koch Subdivision, and would consist of 5.51 net acres. The southern most lot would become Lot 2 of the Koch Subdivision, and would consist of 7.13 net acres. Currently, there is a business located on proposed Lot 1. Proposed Lot 2 remains unimproved. Proposed Lot 2 would be a flag lot, assuring ingress and egress off of Drive 716 and providing for the means of assigning an address. The Koch family would like to build a residence on proposed Lot 2 if the subdivision request is approved by the City Council.

As mentioned above, the land is currently zoned for agricultural use. On review of McCook's future land use map, it appears that both proposed lots are zoned for future industrial and/or commercial use. The land to the west and south is zoned for residential use. Based on prior zoning requests, it appears that land owners in this area intend to develop their properties for residential purposes. This type of development is consistent with McCook's Comprehensive Plan. The Koch's request follows suit with the trend the City has observed over the past few years with respect to the development of residential lots in this area.

As a result of our annexation discussions over the past few years (and particularly noting the discussion held by the City Council in July of 2020), the City Council has required that subdivision agreements be executed when new subdivisions are approved in areas located within McCook's two-mile extraterritorial district. The planning commission can recommend a subdivision agreement be executed as a condition precedent to the creation of the Koch Subdivision which would require the property owners to submit to a future annexation without protest.

**RECOMMENDATIONS:**

ITEM NO. 2.A. Public Hearing - Application regarding the Final Plat (for a minor subdivision) for Koch Subdivision, Part of the SE 1/4 Section 24, T3N, R30W, of the Sixth P.M., Red Willow County, Nebraska.

ITEM NO. 2.B. Recommend approval of the Final Plat (for a minor subdivision) for Koch Subdivision, Part of the SE 1/4 Section 24, T3N, R30W, of the Sixth P.M., Red Willow County, Nebraska.

**EXHIBIT #1**

**PAGE(S) - 2**

**APPROVALS:**

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

August 3, 2020

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

August 3, 2020

**NOTICE OF PUBLIC HEARING  
PRELIMINARY PLAT AND FINAL PLAT APPROVAL**

NOTICE IS HEREBY GIVEN that a public hearing will be held to consider the preliminary plat and the final plat on the following described property to be known as Koch Subdivision:

A tract of land being part of the N1/2 SE1/4 Section 24, Township 3 North, Range 30 West of the 6th P.M. in Red Willow County, Nebraska. This tract of land will be referred to as KOCH SUBDIVISION, and more particularly described as follows:

Referring to the E1/4 corner of said section 24, thence S83°10'43"W (assumed and all bearings relative to) along the quarter section line a distance of 1972.84 feet to the point of beginning,  
thence continuing S83°10'43"W along the quarter section line a distance of 400.96 feet to the center corner of said Section 24,  
thence S05°21'21"W along the quarter section line a distance of 1385.47 feet to the 1/16 corner,  
thence N82°24'37"E along the 1/16 line a distance of 435.08 feet to a point,  
thence N04°01'00"E, a distance of 1372.96 feet to the point of beginning.  
Said tract containing 12.95 acres more or less of which 0.30 acres is county road right of way leaving a net of 12.65 acres more or less.

Subject to any easements, right-of-ways, or reservations of record.

A PUBLIC HEARING ON THE ABOVE-DESCRIBED FINAL PLAT APPROVAL WILL BE HELD ON THE DATE, TIME, AND AT THE PLACE LISTED BELOW:

AUGUST 10, 2020 - 5:15 P.M.  
MCCOOK PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

AUGUST 17, 2020 - 5:30 P.M.  
MCCOOK CITY COUNCIL  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described preliminary plat may attend the public hearing and will be given an opportunity to be heard. For additional information regarding this notice please contact Nate Schneider, City of McCook City Manager, at 345-2022 ext. 225.

-s- Lea Ann Doak  
City Clerk

Publish: July 31, 2020.  
Mail: July 31, 2020.  
Post: July 31, 2020.

**EXHIBIT #2**

**PAGE(S) - 1**

Property Owners Notified:

RANDY AND CAROL LASHLEY  
38355 DRIVE 716  
MCCOOK, NE 69001

CAROL LASHLEY  
38335 DR 716  
MCCOOK, NE 69001

AARON MARK BISHOP, TRUSTEE  
9001 OLD 81 LOOP  
RUDY, AR 72952-8519

TOM BREDVICK, PRESIDENT  
MCCOOK PUBLIC SCHOOLS  
600 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW CO. PLANNING COMMISSION  
502 NORRIS AVE  
MCCOOK, NE 69001

RICHARD AND KATHLEEN CAPPEL  
#5 BRASSIE DRIVE  
MCCOOK, NE 69001

NEIL AND SARAH GOHL  
2311 WEST J  
MCCOOK, NE 69001

MARSHALL AND JENNIFER TUCKER  
108 W 9  
MCCOOK, NE 69001

RED WILLOW CO. SCHOOL DIST. #17  
700 WEST 7<sup>TH</sup>  
MCCOOK, NE 69001

RED WILLOW COUNTY  
C/O TAMI TEEL  
502 NORRIS AVE  
MCCOOK, NE 69001

STEVEN AND DEBRA WALTER  
#3 BRASSIE DR  
MCCOOK, NE 69001

B & S PROPERTIES, LLC  
PO BOX 994  
MCCOOK, NE 69001

**EXHIBIT #3**

**PAGE(S) - 1**

**CITY OF McCOOK**

**LAND USE ACTION REQUEST FORM**

This request is for a:  
(Check all that apply)

- Zone Change
- Special Exception
- Administrative Permit (Personal Wireless Facility)
- Special Exception (Personal Wireless Facility)
- Minor Subdivision
- Major Subdivision
- Planned Development(Includes Zone Change)

Name of Project: Koch Subdivision

Description of Project: 2 lot minor subdivision in SE1/4 of Section 24, T3N, R30W

Project sponsor or developer:

Name: Miller & Associates Consulting Engineers, P.C.  
Address: 109 East 2nd Street, McCook, NE 69001  
Phone number: 308-345-3710  
Fax number: 308-345-7370  
E-mail Address: sclifford@miller-engineers.com

Land owner or owners:

Name: Eugene F. & Joan P. Koch  
Address: 2402 West J Street, McCook, NE 69001  
Phone number: 308-340-5315  
Fax number: NA  
E-Mail Address: NA

Authorization of the land use action by land owner:

I hereby certify that I own and/or control the following land where the land use action is being requested. (Attach evidence of ownership or control. e.g. power of attorney, deed, or purchase agreement)

Eugene F. Koch

Joan P. Koch

Printed Name:

Printed Name:

*E. F. Koch*

*Joan P. Koch*

Signature:

Signature:

Date:

Address and physical location of the Proposed Land Use Action: 38356 Drive 716, McCook, NE 69001

Property Description (Of the parent parcel for subdivisions): Portion of the Southeast 1/4 of Section 24, T3N, R30W

**Required Information:**

See Attached sheets for required information for:

- Subdivisions
- Zone Changes and special exceptions
- Planned developments

**FEE PAID:** \$ 900 (\$500 preliminary plat, \$200 per lot final plat)  
(See attached schedule of fees)

**Fee, complete application, and required attachments accepted by:**

Printed name

Signature

Date

## REQUIRED ATTACHMENTS:

For Subdivisions:

X Sketch Plan:

- (1) General lot layout on a topographic background of the proposed subdivision including approximate location of streets, alleys, lots and other significant features.
- (2) Surrounding streets, alleys, and land use features.
- (3) General location of existing sewer and waterlines (developments not intending to use city sewer and water are to include a written explanation of the proposal to satisfy these utility needs.)
- (4) General location of utility easements and types of utilities to be included.
- (5) General location of any open space and an explanation of the type of facilities that will be provided.

\_\_\_\_\_ Attachments: in addition to the above noted sketch plat, the subdivider shall attach the following:

- (1) A letter requesting only zoning change or special exception required for the development to proceed.
- (2) Written description of the type of housing, commercial, industrial, or public uses to be included in the subdivision.
- (3) An explanation of what the general character of the area will be when it is developed and how it will relate to the adjacent surrounding areas.
- (4) An explanation of how the proposed development relates to the Comprehensive Plan (Particularly in regard to land use, thoroughfare, and public facilities)
- (5) Is it the intent to use Deed Restrictions or any other method of controlling the character and/or the quality of the area?

\_\_\_\_\_ If so, briefly explain what they might consist of.

\_\_\_\_\_ (Attach explanation)

\_\_\_\_\_ Attach proposed Subdivision Agreement. (See Part D of the Subdivision Regulations)

X Preliminary Plat Submission:

X (a) Plat Submission Requirements: The subdivider shall submit to the Zoning Administrator:

       five (5) copies of the preliminary plat and any supplemental materials specified by the Planning Commission of conditional approval. (The plat submission requirements are stipulated under C-3 Procedure for conditional approval of Preliminary Plat of the City of McCook Subdivision Regulations)

X (b) Fees: A plat review fee shall accompany the preliminary plat in the amount specified in the City Fee Ordinance. (See Attached list of fees for building, zoning, and subdivision actions)

X (c) Scale and Preliminary Plat contents. Preliminary plats shall be a scale of one (1) inch to one hundred (100) feet or 1" = 200' if seventy-five percent (75%) of the lots are one (1) acre or larger, and shall be prepared with the following information:

X (1) The proposed name of the subdivision (the name shall not duplicate or too closely resemble the name or names of any existing subdivision).

X (2) The location of the boundary lines of the subdivision and reference to the section or quarter section lines.

X (3) The names and addresses of the owner, developer, and the engineer who prepared the plat.

X (4) Scale of the plat, one inch = one hundred feet or larger.

X (5) Date of preparation and north point.

X (6) Present zoning.

X (7) Existing conditions:

X aa. Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision shall be shown on the Preliminary Plat.

X bb. All existing sewers, water mains, gas mains, culverts, or other underground installations, within the proposed subdivision, or adjacent thereto, with pipe size and manholes, grades and location shall be shown. Control elevation of surface drainage entering and existing from the property.

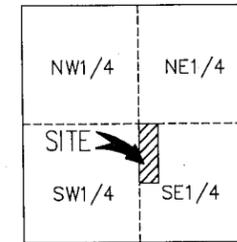
X cc. Names of adjacent subdivisions together with arrangement of streets and lots, and owners of adjacent parcels of unsubdivided land shall be shown.

- dd. Topography (unless specifically waived) with contour intervals of not more than five (5) feet, referred to City or U.S.G.S. datum shall be shown; also location of water courses, bridges, wooded areas, lakes, ravines, and such other features as may be pertinent to the subdivision shall be shown.
- (8) The general arrangement of lots and their approximate size.
- (9) Location and width of proposed streets, alleys, pedestrian ways, and easements. Control elevation shall be shown for all street intersections.
- (10) The general plan of sewage disposal, water supply and utilities in areas where public sewers and/or water are proposed to serve the subdivision. In other cases a notation shall be made on the plat indicating type of sewage disposal, and water system proposed.
- (11) Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.
- (12) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.
- (13) The subdivider shall indicate by letter when improvements as required will be installed or requested.
- (14) Any proposed restrictive covenants for the land involved shall accompany the plat.
- (15) a letter requesting annexation of the subdivision if it is in the planning jurisdiction to be served with city utilities.

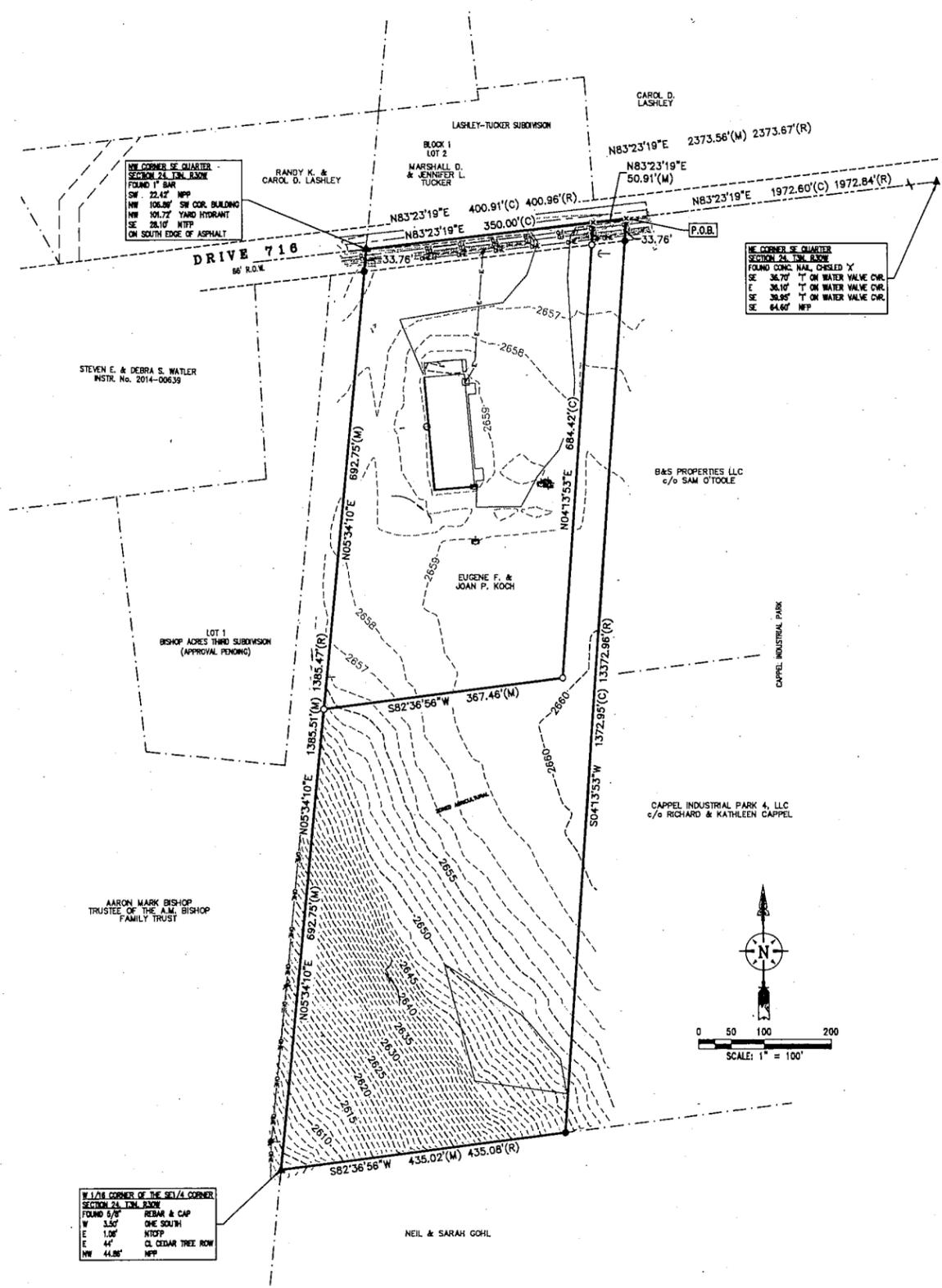
**PRELIMINARY PLAT  
-KOCH SUBDIVISION-  
PART OF THE SE1/4 SECTION 24, T3N, R30W,  
OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA**

**LOCATION MAP**

SEC. 24-T3N-R30W



NOT TO SCALE



**LEGAL DESCRIPTION**

Part of the NE1/4 Section 24, Township 3 North, Range 30 West of the 6th P.M. in Red Willow County, Nebraska, more particularly described as follows:

Referring to the E1/4 corner of said section 24, thence S83°10'43"W (assumed and all bearings relative to) along the quarter section line a distance of 1972.84 feet to the point of beginning, thence continuing S83°10'43"W along the quarter section line a distance of 400.96 feet to the center corner of said Section 24, thence S05°21'21"W along the quarter section line a distance of 1385.47 feet to the 1/16 corner, thence N82°24'37"E along the 1/16 line a distance of 435.08 feet to a point, thence N04°01'00"E a distance of 1372.96 feet to the point of beginning. Said tract containing 12.95 acres more or less of which 0.30 acres is county road right of way leaving a net of 12.65 acres more or less.

Subject to any easements, right-of-ways, or reservations of record.

**LEGEND**

- ▲ = SECTION CORNERS FOUND
- = CORNERS FOUND (5/8" REBAR UNLESS OTHERWISE NOTED)
- = CORNERS ESTABLISHED (CAPPED 5/8" x 24" REBAR)
- x = TEMPORARY POINT
- (M) = MEASURED DISTANCES
- (P) = PLATTED DISTANCES
- (R) = RECORDED DISTANCES
- (D) = DEEDED DISTANCES
- = SECTION LINE
- = BOUNDARY LINE
- = EXISTING R.O.W. LINE
- = EXISTING LOT LINES
- = OVERHEAD ELECTRIC LINE
- = UNDERGROUND ELECTRIC LINE
- = STORM SEWER LINE
- = SANITARY SEWER LINE
- = FENCE
- = UNDERGROUND FIBER-OPTIC LINE
- = UNDERGROUND TELEPHONE LINE
- = GAS LINE
- = WATER LINE
- ⊠ = ELECTRIC TRANSFORMER
- ⊕ = GUY ANCHOR
- ⊞ = TELEPHONE PEDESTAL
- ⊟ = GAS METER OR RISER
- ⊠ = SIGN
- ⊡ = FIRE HYDRANT
- ⊢ = WATER VALVE
- ⊣ = POWER OR TELEPHONE POLE
- ⊤ = LIGHT POLE
- ⊥ = YARD HYDRANT
- ⊦ = MANHOLE

**EXHIBIT #5**

**PAGE(S) - 1**

THIS PLAT PREPARED JULY, 2020 FOR:

EUGENE F. & JOAN P. KOCH  
2402 WEST J STREET  
MCCOOK, NEBRASKA 69001

CURRENT ZONING: AG (AGRICULTURAL)  
PROPOSED ZONING: AG (AGRICULTURAL)

SHEET 1 OF 1

**MA**  
Miller & Associates  
Consulting Engineers, P.C.  
1111 CENTRAL AVENUE  
NEBRASKA, NE 68667-4833  
TEL: 308-234-6156  
FAX: 308-234-1148  
www.miller-engineers.com

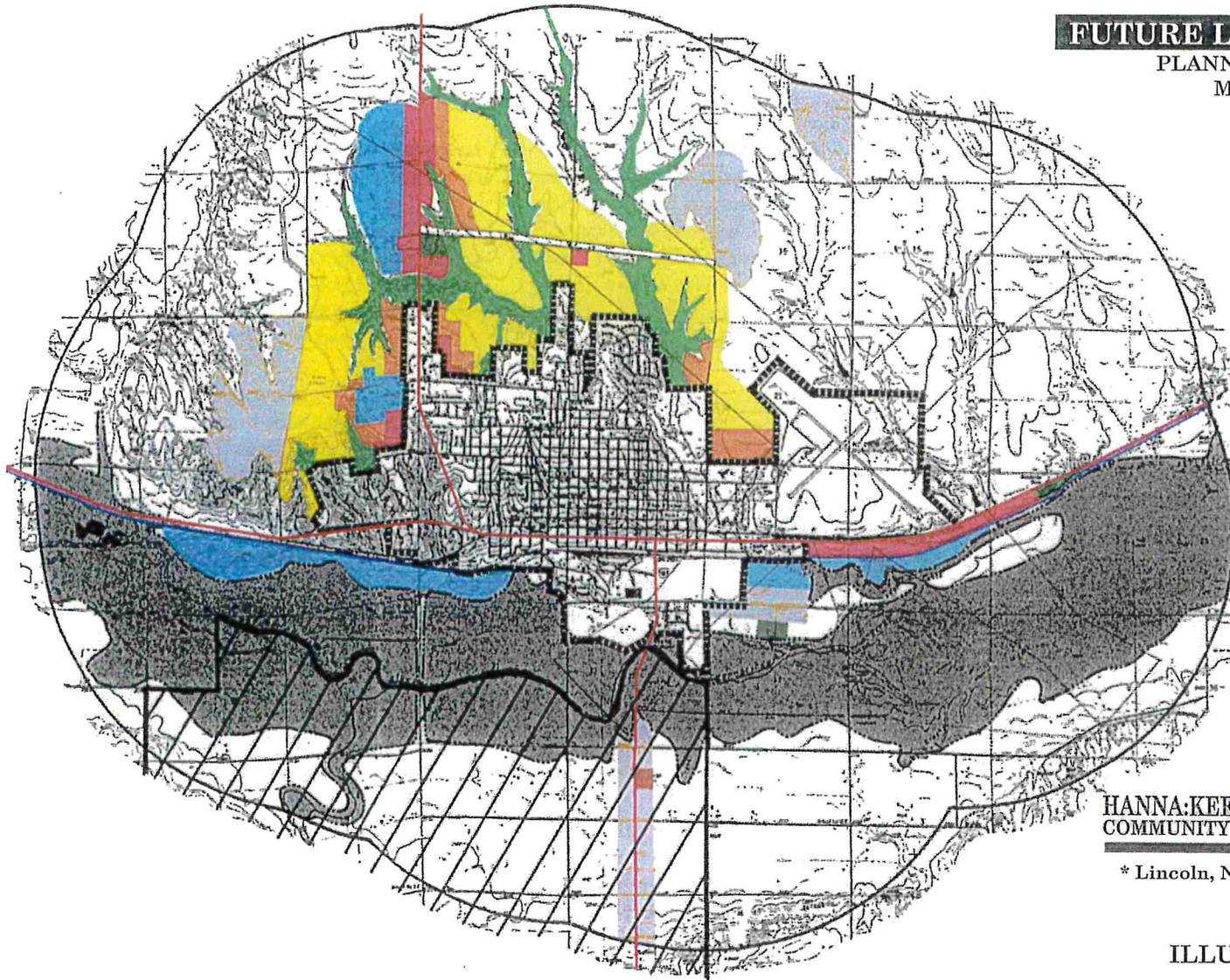
RED WILLOW CO-KOCH SUBDIVISION

PLOTTED: 8/5/2020 3:13 PM  
 C:\ProgramData\2020\LS-535-30 Road Sub\Call-Dwg\Design\Survey\Design\20-LS-535-30 Koch Sub.dwg



**FUTURE LAND USE MAP**

PLANNING JURISDICTION  
MCCOOK, NEBRASKA



- LEGEND**
- VACANT/AGRICULTURE
  - PARKS/RECREATION
  - PUBLIC/QUASI-PUBLIC
  - SINGLE FAMILY RESIDENTIAL
  - MULTIFAMILY RESIDENTIAL
  - MOBILE HOME RESIDENTIAL
  - LARGE LOT RESIDENTIAL
  - COMMERCIAL
  - INDUSTRIAL
  - 100-YEAR FLOODPLAIN
  - WELLHEAD PROTECTION AREA
  - CORPORATE LIMIT LINE
  - HIGHWAY CORRIDOR
  - RAILWAY CORRIDOR

HANNA-KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH

\* Lincoln, Nebraska \* 402.464.5383 \*

ILLUSTRATION 4.5

**EXHIBIT #7**