

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Monday, September 14, 2020  
5:15 PM - City Council Chambers**

Open Meetings Act Announcement.

Items

1. Approve the minutes of the August 10, 2020 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
  - A. Public Hearing - Consider Replat No. 1 of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.
    1. Adjourn the Public Hearing.
  - B. Recommend approval to the City Council the Final Replat No. 1 of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

Adjournment.

**CITY MANAGER'S REPORT  
SEPTEMBER 14, 2020 PLANNING COMMISSION MEETING**

---

**ITEM:**          1  

**RECOMMENDATION:**

Approve the minutes of the August 10, 2020 regular meeting.

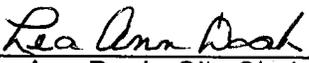
---

**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**    None.

**APPROVALS:**

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

September 10, 2020

McCook Planning Commission  
August 10, 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, McDowell, Graham.

Absent: Commissioners Dueland, Friehe, Lyons (arrived 5:18 P.M.), Stevens.

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 August 6, 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 July 13, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the July 13, 2020 regular Planning Commission meeting. This motion, made by Hilker and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: ABSENT, McDowell: YEA, Stevens: ABSENT  
YEA: 6, NAY: 0, ABSENT: 4

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.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the 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, with the City Attorney to act as hearing officer. This motion, made by Kurt Vosburg and seconded by McDowell, passed.

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

ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: ABSENT  
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the August 10, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - ownership list for mailing of Notice of Hearing (1 page); Exhibit #4 - Land Use Action Request Form and attachments (5 pages); Exhibit #5 - Koch Subdivision Preliminary Plat (1 page); Exhibit #6 - Koch Subdivision Final Plat (1 page); and Exhibit #7 - Future Land Use Map (1 page).

City Manager Schneider reviewed the following information contained in Exhibit #1:

“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.”

Scott Clifford, Miller & Associates, and Stephanie Montes, representing the Koch's, presented the request and addressed questions from the Commission.

Steve Walters and Richard Cappel, adjoining property owners, were present. Neither expressed any

objections or concerns regarding the proposed subdivision.

City Manager Schneider stated that Commissioner Friehe had contacted him before the meeting stating he had no concerns or objections to the proposal.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Kurt Vosburg and seconded by McDowell, passed.  
Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: ABSENT  
YEA: 7, NAY: 0, ABSENT: 3

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.

Motion to recommend approval to the City Council Final Plat 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. This motion, made by McDowell and seconded by Chad Lyons, passed.  
Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: ABSENT  
YEA: 7, NAY: 0, ABSENT: 3

City Manager Schneider stated that he was not sure if there would be a meeting in September and that Commissioner Friehe expressed an interest in have a presentation at a future meeting regarding the process of future development/annexation of the City.

It was the consensus of the Commission to have something similar to what Craig Bennett, Miller & Associates, presented to the Council regarding future land development of the City.

### **Adjournment.**

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 5:34 P.M.

  
\_\_\_\_\_  
Recording Secretary

**CITY MANAGER'S REPORT  
SEPTEMBER 14, 2020 PLANNING COMMISSION MEETING**

**2.A.**

ITEM NO. \_\_\_ Public Hearing - Consider Replat No. 1 of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

**2.B.**

ITEM NO. \_\_\_ Recommend final approval to the McCook City Council of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

---

**BACKGROUND:**

An application has been received from MNB Bank, by and through their project developer, Engineering International, for the approval of a replat of a portion of Block 1 of the Westview Plaza Subdivision. The Westview Plaza Subdivision is zoned Business Commercial (BC). MNB Bank currently owns the lot located in the extreme southeastern corner of the Westview Plaza Subdivision. Tramlaw Remainderman Limited Partnership and WLM Retail Trust own the property surrounding MNB Bank's property. MNB Bank desires to purchase a portion of Tramlaw Remainderman Limited Partnership's and WLM Retail Trust's adjacent property in order to locate a professional building. The combination of the two parcels is necessary to provide MNB Bank with the space necessary to achieve their desired building design. MNB Bank has standing to bring this application forward due to the fact it owns the extreme southeastern lot and it has executed a purchase agreement with the current owners. The City has reviewed the purchase agreement and notes that a subdivision via the replat process is necessary to achieve the purchase agreement's objective. In order to perfect the sale, the impacted properties must be combined to form a new lot. If the replat request is approved, a new lot, Lot 1R, would be created and MNB would become the record title holder (pending closing).

Staff has reviewed the application and the proposed Replat No. 1 of Block 1, Westview Plaza Subdivision. Staff has also met with Matthew Clause of Engineering International to assure the City of McCook's subdivision regulations are complied with. After review, staff has no concerns with the application and support the replat request. Lot 1R meets the area regulations established for lots in a BC District. An access easement has been granted which will provide ingress and egress to the proposed Lot 1R. All utility concerns have been addressed.

**RECOMMENDATIONS:**

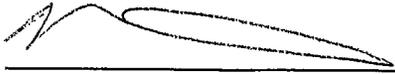
ITEM NO. \_\_\_ Public Hearing - Consider Replat No. 1 of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

ITEM NO. \_\_\_ Recommend final approval to the McCook City Council of Block 1, Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

**EXHIBIT #1**

**PAGE(S) - 2**

**APPROVALS:**



Nathan A. Schneider, City Manager

September 9, 2020



Lea Ann Doak, City Clerk

September 9, 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 Replat No. 1 of Block 1, Westview Plaza Subdivision:

A tract of land being part of Block One (1), Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska.

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

SEPTEMBER 14, 2020 - 5:15 P.M.  
MCCOOK PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

SEPTEMBER 21, 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: September 4, 2020.  
Mail: September 4, 2020.  
Post: September 4, 2020.

**EXHIBIT #2**

**PAGE(S) - 1**

Property Owners Notified:

GOODWILL INDUSTRIES  
1804 S EDDY  
GRAND ISLAND, NE 68801

LEWIS MOTOR SPORTS  
401 N HWY 83  
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

TRACTOR SUPPLY, INC.  
PO BOX 2440  
SPOKANE, WA 99210

DOLLAR GENERAL CORPORATION  
STORE #4666/CASS INFO  
PO BOX 182595  
COLUMBUS, OH 43211

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

**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 (Replat)
- Major Subdivision
- Planned Development (Includes Zone Change)

Name of Project: MNB - REPLAT

Description of Project: REPLAT NO. 1 OF BLOCK 1 WESTVIEW PLAZA SUBDIVISION TO THE CITY  
OF McCOOK, RED WILLOW COUNTY, NEBRASKA

Project sponsor or developer:

Name: MNB BANK

Address: 220 NORRIS AVE. MCCOOK, NE 69001

Phone number: (308) 345-4240

Fax number: (308) 345-3767

E-mail Address: BEsch@MNB.BANK

Land owner or owners:

Name: MNB BANK

Address: 220 NORRIS AVE. MCCOOK, NE 69001

Phone number: (308) 345-3767

Fax number: (308) 345-3767

E-Mail Address: BEsch@MNB.BANK

\*SEE "ADDITIONAL LANDOWNERS ATTACHMENT" FOR ALL OTHER LANDOWNERS

**EXHIBIT #4**

**PAGE(S) - 6**

ADDITIONAL LANDOWNERS AND SIGNATURES

Land owner or owners:

Name: WLM Retail Trust

Address: 30019 Smith Road Deer Grove, IL 61243

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

E-Mail Address: jclorentzen@gmail.com

Land owner or owners:

Name: Tramlaw Remainderman Limited Partnership

Address: 30019 Smith Road Deer Grove, IL 61243

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

E-Mail Address: jclorentzen@gmail.com

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. (Attached evidence of ownership or control, e.g. power of attorney, deed, or purchase agreement)

\_\_\_\_\_

Printed Name:

\_\_\_\_\_

Printed Name:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Date:

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)

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

Address and physical location of the Proposed Land Use Action: 202 WESTVIEW PLAZA  
McCOOK, NEBRASKA 69001

Property Description (Of the parent parcel for subdivisions): SOUTH EAST CORNER OF  
WESTVIEW PLAZA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Required Information:**

See Attached sheets for required information for:

- Subdivisions (**REPLAT**)
- Zone Changes and special exceptions
- Planned developments

**FEE PAID:**      \$ 200.00      (See attached schedule of fees)

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

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## REQUIRED ATTACHMENTS:

### For Subdivisions:

REPLAT OF EXISTING Sketch Plan:  
SUBDIVISION  
NOT APPLICABLE.  
REPLAT DOCUMENT  
ATTACHED

- (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.

REPLAT OF EXISTING  
SUBDIVISION  
NOT APPLICABLE

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)

NA 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:

X 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:

NA 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.

NA 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.

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

- NA 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.
- NA (8) The general arrangement of lots and their approximate size.
- NA (9) Location and width of proposed streets, alleys, pedestrian ways, and easements. Control elevation shall be shown for all street intersections.
- NA (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.
- NA (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.
- NA (12) General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.
- NA (13) The subdivider shall indicate by letter when improvements as required will be installed or requested.
- NA (14) Any proposed restrictive covenants for the land involved shall accompany the plat.
- NA (15) a letter requesting annexation of the subdivision if it is in the planning jurisdiction to be served with city utilities.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that Tramlaw Remainderman Limited Partnership, WLM Retail Trust, and MNB Bank, being the sole owners of the land described herein, have caused the same to be surveyed, subdivided, platted and designated as "Replat No. 1 of Block 1, Westview Plaza Subdivision", a subdivision to the City of McCook, Red Willow County, Nebraska, and hereby dedicate to the use and benefit of the public, the streets and utility easements (if any) as shown on said plat, and acknowledge said addition to be made with the free consent and in accord with the desires of said owners.

**ACKNOWLEDGEMENTS**

Tramlaw Remainderman Limited Partnership

By its General Partner, Lorentzen Investment Manager, LLC

By its Manager, Lorentzen Investments, L.L.C.

John C. Lorentzen, Manager

State of Nebraska

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by John C. Lorentzen, Manager, Lorentzen Investments, L.L.C.

(SEAL)

Notary Public

My commission expires \_\_\_\_\_

WLM Retail Trust

By Wilmington Trust Company, not in its individual capacity but solely as Owner Trustee

Mark H. Brzoska, Vice President

State of Nebraska

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by Mark H. Brzoska, Vice President, Wilmington Trust Company, Owner Trustee.

(SEAL)

Notary Public

My commission expires \_\_\_\_\_

MNB Bank

Brian D. Esch, President and CEO

State of Nebraska

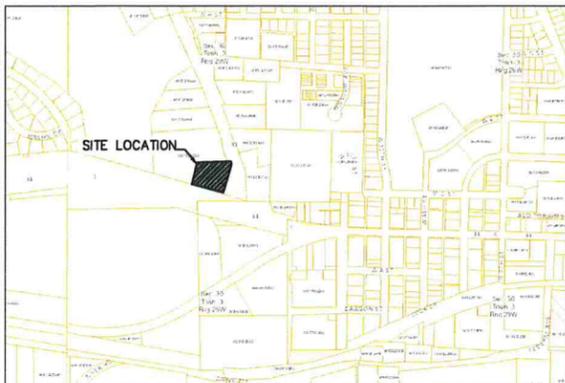
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by Brian D. Esch, President and CEO, MNB Bank.

(SEAL)

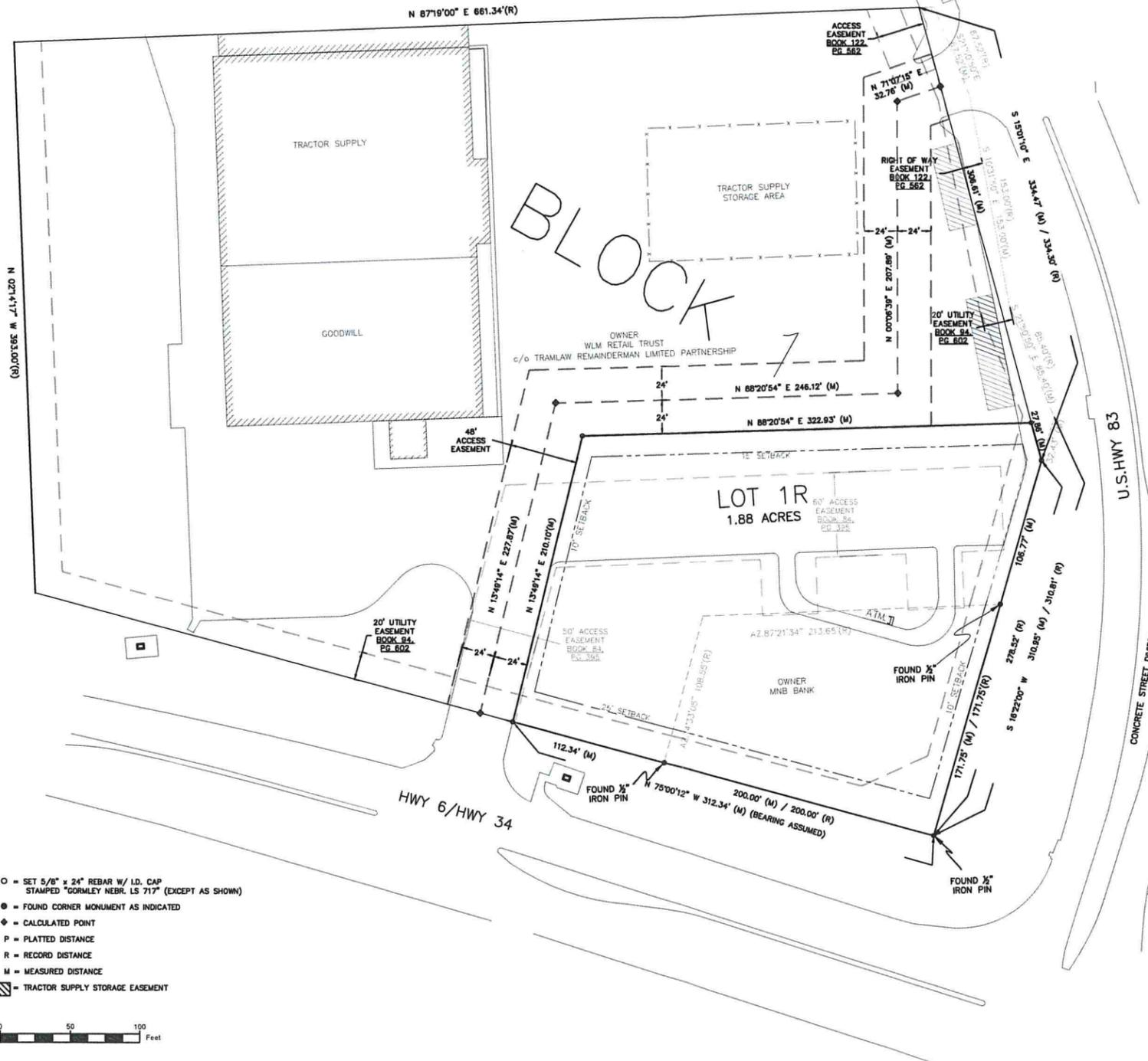
Notary Public

My commission expires \_\_\_\_\_



**1 VICINITY MAP**  
SCALE: NTS

**REPLAT NO. 1 OF BLOCK 1**  
**WESTVIEW PLAZA SUBDIVISION TO THE CITY OF MCCOOK,**  
**RED WILLOW COUNTY, NEBRASKA**



- = SET 5/8" x 24" REBAR W/ I.D. CAP STAMPED "GORMLEY NEBR. LS 717" (EXCEPT AS SHOWN)
- = FOUND CORNER MONUMENT AS INDICATED
- ◆ = CALCULATED POINT
- P = PLATTED DISTANCE
- R = RECORD DISTANCE
- M = MEASURED DISTANCE
- ▨ = TRACTOR SUPPLY STORAGE EASEMENT



**2 REPLAT BLOCK 1, LOT 1R**  
SCALE: 1" = 50' (22'x34")  
1" = 100' (11'x17")

**SURVEYOR'S CERTIFICATE**

I, Jay D. Gormley, a Registered Land Surveyor in the State of Nebraska, do hereby certify that, under my personal supervision, this plat of "Replat No. 1 of Block 1, Westview Plaza Subdivision", a subdivision to the City of McCook, Red Willow County, Nebraska, was prepared from an actual survey completed on the \_\_\_\_ day of \_\_\_\_\_, 2020, and is true and correct to the best of my knowledge. The lot corners are marked with rebar firmly driven in the ground (except as shown on the above plat), the dimensions of the lots are as shown on the above plat and the lots bear their own number.

(SEAL)

Nebraska Land Surveying, LLC

Jay D. Gormley, Manager  
Nebraska Registered Land Surveyor No. 717

Date \_\_\_\_\_

**PLANNING COMMISSION**

BE IT RESOLVED BY THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, that the plat of "Replat No. 1 of Block 1, Westview Plaza Subdivision", a subdivision to the City of McCook, Red Willow County, Nebraska, being duly made out, acknowledged and certified, and the same hereby is approved.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

Kurt Vosburg, Chairman

Chad Lyons, Secretary

**CITY OF MCCOOK**

BE IT RESOLVED BY THE MAYOR AND CITY CLERK OF THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA, that the plat of "Replat No. 1 of Block 1, Westview Plaza Subdivision", a subdivision to the City of McCook, Red Willow County, Nebraska, being duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the Office of the Register of Deeds, Red Willow County, Nebraska.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

Mike Gonzales, Mayor

LeaAnn Doak, City Clerk

**LEGAL DESCRIPTION**

A tract of land being part of Block One (1), Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of Block 1, Westview Plaza Subdivision and assuming the South line of Block 1, Westview Plaza Subdivision as bearing N 75°00'12" W and all bearings contained herein are relative thereto; thence N 75°00'12" W, on the South line of said Block 1, a distance of 312.34 feet; thence leaving the South line of said Block 1, N 13°49'14" E a distance of 210.10 feet; thence N 88°20'54" E a distance of 322.93 feet to a point on the West line of U.S. Highway No. 83; thence S15°01'10" E, on the West line of said U.S. Highway No. 83, a distance of 27.86 feet; thence continuing on the West line of said U.S. Highway No. 83, S 16°22'00" W a distance of 278.52 feet to the place of beginning. Containing 1.88 acres, more or less.

**LEGAL DESCRIPTION FOR THE ACCESS EASEMENT**

A 48.00 foot wide strip of land being part of Block One (1), Westview Plaza Subdivision to the City of McCook, Red Willow County, Nebraska, with said 48.00 foot wide strip of land being 24.00 feet on each side of the following described centerline: Referring to the Southeast corner of Block 1, Westview Plaza Subdivision and assuming the South line of Block 1, Westview Plaza Subdivision as bearing N 75°00'12" W and all bearings contained herein are relative thereto; thence N 75°00'12" W, on the South line of said Block 1, a distance of 336.34 feet to the ACTUAL PLACE OF BEGINNING; thence leaving the South line of said Block 1, N 13°49'14" E a distance of 222.87 feet; thence N 88°20'54" E a distance of 246.12 feet; thence N 00°06'39" E a distance of 207.89 feet; thence N 71°07'15" E a distance of 32.76 feet to a point on the West line of U.S. Highway No. 83 and the termination of said centerline.

**EXHIBIT #5**

**PAGE(S) - 1**

(308) 540-5963  
**ENGINEERING INTERNATIONAL**  
 P.O. Box 401  
 402 North Ave Ste 203  
 McCook, NE 69001-0401

© 2020 Engineering International, Inc.

**NEBRASKA**  
**LAND SURVEYING, LLC**  
 SERVING CENTRAL NEBRASKA  
 OFFICE: 308-472-6699 TEL: 308-291-1400

**REPLAT NO. 1 OF BLOCK 1**  
**WESTVIEW PLAZA SUBDIVISION TO THE CITY OF**  
**MCCOOK, RED WILLOW COUNTY, NEBRASKA**