

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
June 5, 2013**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, June 5, 2013, in the Council Chambers at the Lexington City Hall, 406 East 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Seth McFarland, Doug Heineman, Cathy Fagot, Ellie Vazquez, Sir Keevin Hardiman, Steve Smith, and Curt Bennett. Members Nancy Evans and Rusty Sutton were absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Building Inspector Bill Brecks, and Secretary Pamela Berke. The press was presented by the Kearney Hub.

NOTICE: Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. Notice of the meeting was simultaneously given to the Chairman and all Members of the Planning Commission. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The meeting was called to order by Chair Seth McFarland. McFarland informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska.

**MINUTES – MEETING
5-15-13** Minutes of the Regular Meeting held Wednesday, May 15, 2013, were presented to the Commission for consideration and approval. Fagot requested correction of names for the conservation easement to read “John” instead of “Larry”. Moved by Smith, seconded by Fagot, to approve Minutes as corrected. Roll call. Voting “aye” were Heineman, Vazquez, Hardiman, Fagot, Smith, McFarland. Bennett was absent from the vote. Motion carried.

PUBLIC HEARING: McFarland opened a public hearing to consider a rezoning application by Dave Fagot for property located at 209 and 211 South Adams. The owner would like the properties to be rezoned from R1 to M1 as his intent is to construct storage buildings on the lots. The lots are no longer consistent with the characteristics of the R1 designation, due to the proximity to the Adams Street viaduct. Following questioning and discussion, the public hearing was closed. Moved by Smith, seconded by Fagot, to recommend to the City Council, approval of the rezoning application as presented. Roll call.

Voting “aye” were Bennett, Hardiman, Vazquez, Heineman, Fagot, Smith, McFarland. Motion carried.

SUBDIVISION:

Irving P. Hiatt requested Commission consideration of a preliminary plat for Westminster Woods Second Addition. He explained that with changes in the zoning designation from A1 to R1, he intends to create 8 residential lots for sale. Discussion regarding the preliminary plat included public and private roads, access and maintenance of roads, topographic drainage, and drainage and access easements. Following discussion, moved by Fagot, seconded by Bennett, to table the subdivision issue until the developer has addressed concerns on the preliminary plat. Roll call. Voting “aye” were Hardiman, Smith, Bennett, Fagot, McFarland. Heineman and Vazquez abstained from the vote. Motion carries.

REZONING:

McFarland opened a public hearing to consider a rezoning application by Westminster Woods LLC for property currently zoned as A1 to R1 in Westminster Woods Second Addition. Irving P. Hiatt outlined plans for the property to be used as residential lots. The public hearing was closed. Following discussion, moved by Fagot, seconded by Bennett, to approve the zoning application contingent upon the approval of the final plat for the Westminster Woods Second Addition. Roll call. Voting “aye” were Vazquez, Hardiman, Smith, Bennett, Fagot, McFarland. Heineman abstained. Motion carries.

ROUNDTABLE:

Burnside reminded Commission and Staff of the public hearing to be held on Wednesday, June 26, which will be the next regular meeting due to holiday scheduling. This hearing will be for the final draft of the Comprehensive Plan.

ADJOURNMENT:

There being no further business to come before the Lexington Planning Commission, Chair McFarland declared the meeting adjourned.

Respectfully submitted,
Pamela Berke
Planning Commission Secretary

Administrative Use Only

Date Submitted _____ Case Number _____
Filing Fee \$100.00 _____ Accepted By _____
Date Advertised _____ Date Property Posted _____

SUBDIVISION PLAT APPLICATION CITY OF FLEXINGTON

1. Applicant's Name Irving P Hiatt
2. Applicant's Address 1405 WILLOW ROAD, BERTHOUD CO 80513
3. Applicant's Telephone Number 308) 530-4645
4. Within City Limits No Within Zoning Jurisdiction Yes

Date Paid

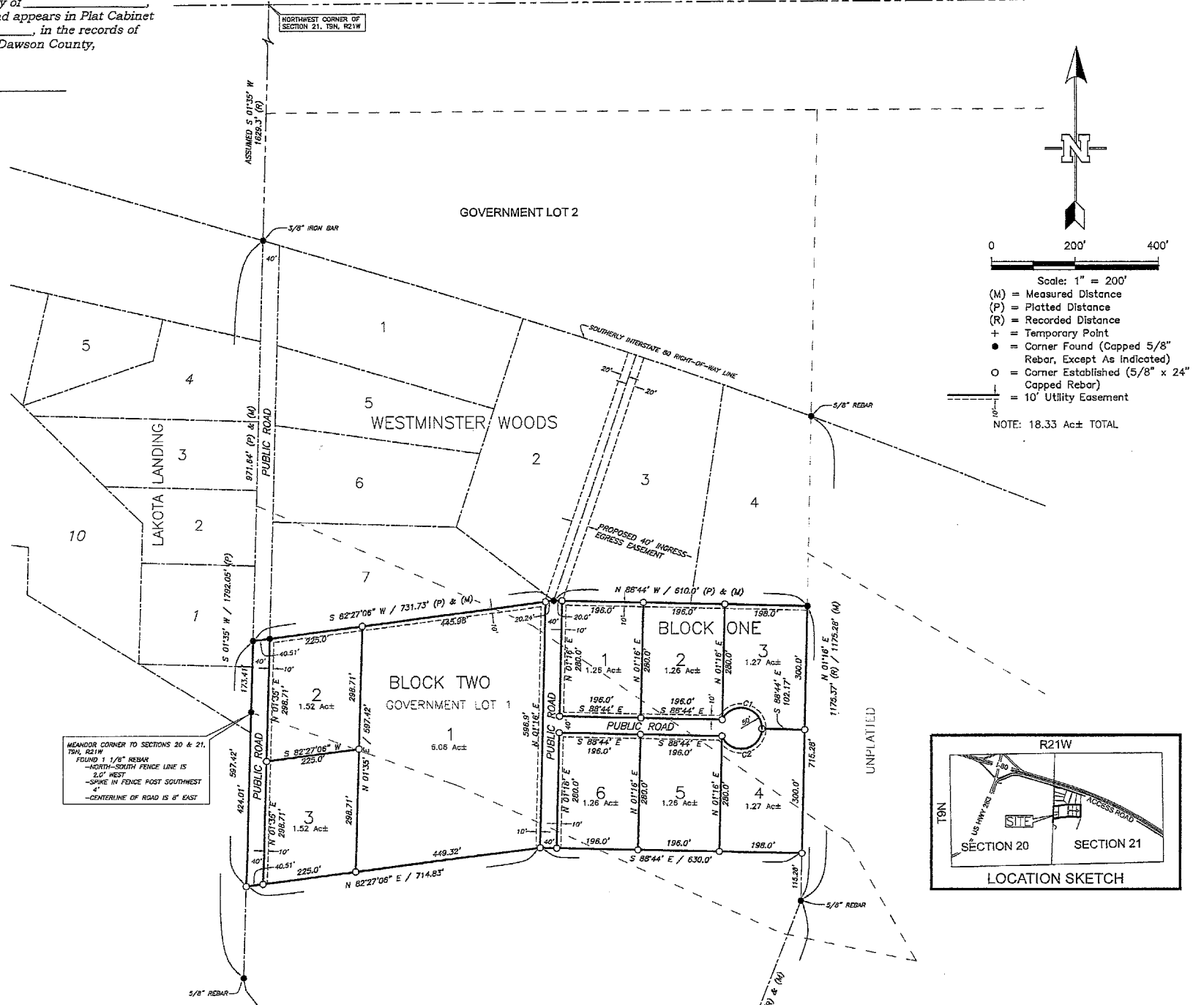
Irving P. Hiatt by [Signature]
Signature Of Applicant

WESTMINSTER WOODS SECOND

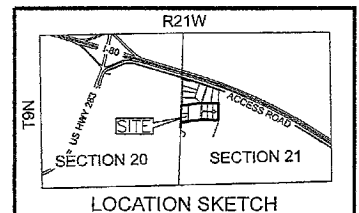
A SUBDIVISION BEING PART GOVERNMENT LOT ONE (1) AND ACCRECTIONS LOCATED IN SECTION TWENTY-ONE (21), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) WEST OF THE SIXTH PRINCIPAL MERIDIAN, DAWSON COUNTY, NEBRASKA

State of _____)
) ss
 County of _____)
 The plat was approved and accepted for filing and recording on the _____ day of _____, 20____, at _____ o'clock and appears in Plat Cabinet No. _____, at index No. _____, in the records of the Register of Deeds of Dawson County, Nebraska.

Register of Deeds



Scale: 1" = 200'
 (M) = Measured Distance
 (P) = Platted Distance
 (R) = Recorded Distance
 + = Temporary Point
 ● = Corner Found (Capped 5/8" Rebar, Except As Indicated)
 ○ = Corner Established (5/8" x 24" Capped Rebar)
 = 10' Utility Easement
 NOTE: 18.33 Ac± TOTAL



MEANDOR CORNER TO SECTIONS 20 & 21, T9N, R21W
 FOUND 1 1/8" REBAR
 -NORTH-SOUTH FENCE LINE IS 2.0' WEST
 -SHAKE IN FENCE POST SOUTHWEST 4'
 -CENTERLINE OF ROAD IS 6' EAST

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	156°25'19"	50.00'	136.50'	97.88'	N 76°56'40" W
C2	156°25'19"	50.00'	136.50'	97.88'	N 75°28'39" E

LEGAL DESCRIPTION

A tract of land being part of Government Lot One (1) and accretions abutting said lot located in Section Twenty-one (21), Township Nine (9) North, Range Twenty-one (21) West of the Sixth Principal Meridian, Dawson County, Nebraska, more particularly described as follows: Referring to the Northwest corner of said Section 21 and assuming the West line of said Section 21 as bearing S 01°35' W and all bearings contained herein are relative thereto; thence S 01°35' W on the aforesaid West line a distance of 2600.94 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being the Southwest corner of Westminster Woods, a subdivision being part of Government Lots 1 & 2 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska; thence continuing S 01°35' W on the aforesaid West line a distance of 597.42 feet; thence N 82°27'06" E a distance of 714.83 feet; thence S 88°44' E a distance of 630.0 feet; thence N 01°16' E a distance of 600.0 feet to the Southeast corner of said Westminster Woods; thence N 88°44' W on the South line of said Westminster Woods a distance of 610.0 feet; thence S 82°27'06" W continuing on the aforesaid South line a distance of 731.73 feet to the place of beginning.

SURVEYOR'S CERTIFICATE

I, Trenton D. Snow, a Professional Land Surveyor licensed in the State of Nebraska, do hereby certify that I surveyed "Westminster Woods Second", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, as shown on the above plat. The lots are well and accurately staked and marked; the dimensions of the lots are as shown on the above plat; the lots bear their own number; and the survey was made using known and recorded monuments. All information shown hereon is true and correct to the best of my knowledge and belief.

(S B A L)

Trenton D. Snow
 Nebr. Reg. L.S. No. 626
 Date: _____

DEDICATION

I/We Westminster Woods, LLC, by and through _____ (print name), its _____ (print title), being the owners and proprietors of the land shown on the accompanying plat, and having caused an accurate plat of the described area to be made, describing the Lots, Roads and Utility Easements of such Subdivision and designating the Lots by number, do hereby dedicate the Road and Utility Easements therein to the use and benefit of the public and do state and make known that said Subdivision is made in accordance with our desires.

 Westminster Woods, LLC
 _____ (Title)
 _____ (Date)

State of _____)
) ss
 County of _____)
 On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County, personally came Westminster Woods, LLC, by and through _____ (name), its _____ (title), and the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.
 In WITNESS WHEREOF I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last written above.

Notary Public _____ (SEAL)

PLANNING COMMISSION APPROVAL

This is to certify that the above plat was presented to the Planning Commission of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, and was approved and accepted by the Planning Commission on said date.

 President of the Planning Commission

CITY COUNCIL APPROVAL

This is to certify that the above plat was accepted and approved by the Council of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, by a resolution duly passed at said meeting. The Plat of "WESTMINSTER WOODS SECOND", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, duly made out, acknowledged and certified to be and the same hereby is approved, ordered, filed and recorded and recorded in the Office of the Register of Deeds of Dawson County, Nebraska.

RESOLUTION No. _____
 ATTEST: _____
 City Clerk

 President of the Council

TRENTON D. SNOW, LLC
 A Land Surveying Company



1209 Central Avenue
 P.O. Box 1772
 Kearney, NE 68846
 Office: (402) 234-1784
 Fax: (402) 237-1871
 Calculator: (402) 253-1234
 www.ndsksurveyors.com

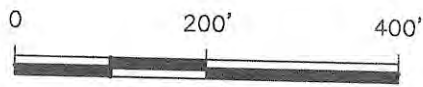
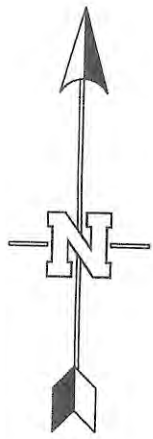
WESTMINSTER WOODS SECOND

A SUBDIVISION BEING PART GOVERNMENT LOT ONE (1) AND ACCRECTIONS LOCATED IN SECTION TWENTY-ONE (21), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) WEST OF THE SIXTH PRINCIPAL MERIDIAN, DAWSON COUNTY, NEBRASKA

State of _____)
County of _____)ss

The plat was approved and accepted for filing and recording on the _____ day of _____, 20____, at _____ o'clock and appears in Plat Cabinet No. _____, at index No. _____, in the records of the Register of Deeds of Dawson County, Nebraska.

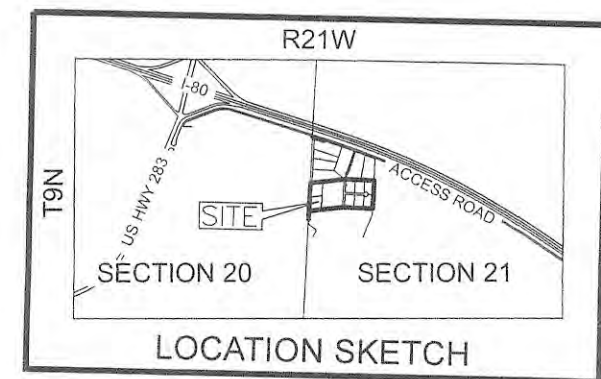
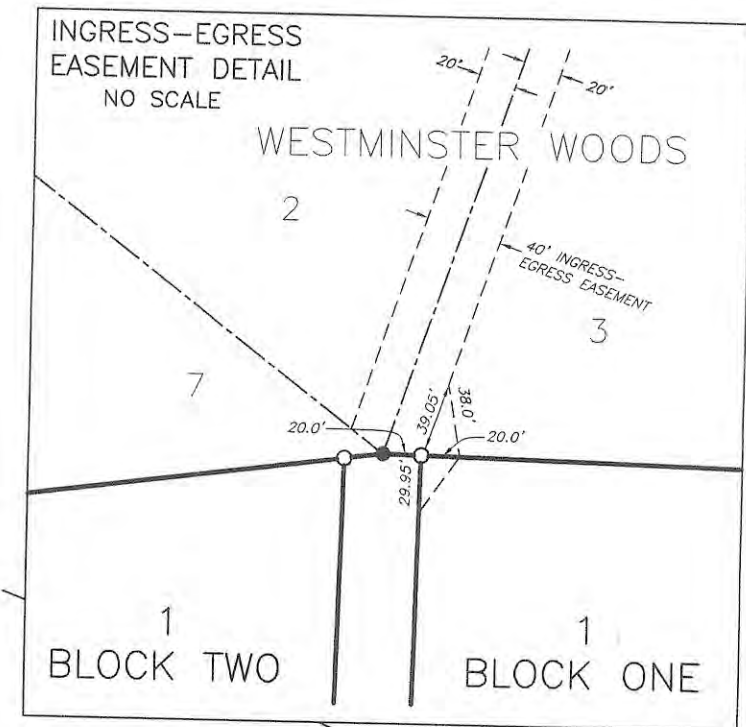
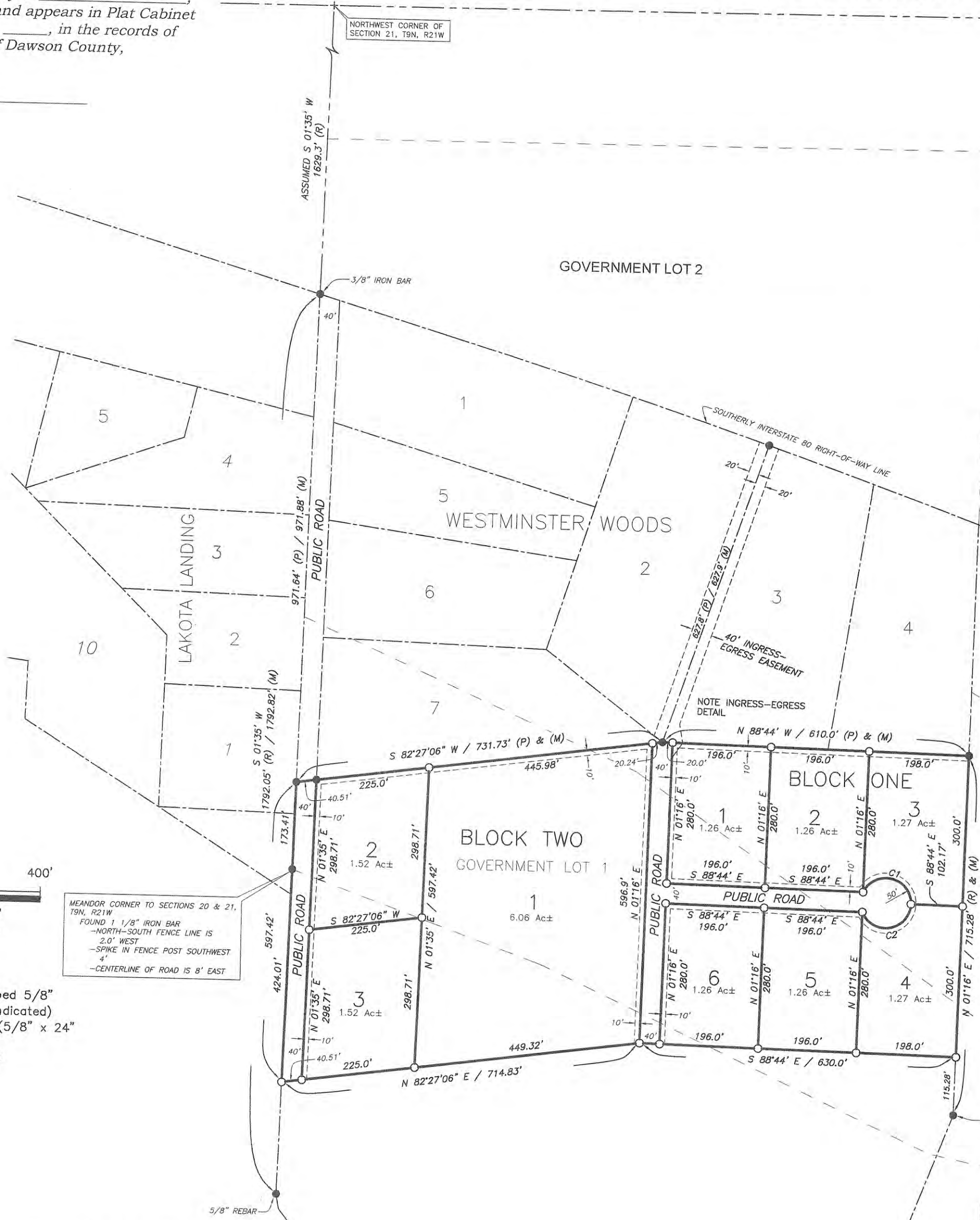
Register of Deeds



- Scale: 1" = 200'
- (M) = Measured Distance
 - (P) = Platted Distance
 - (R) = Recorded Distance
 - + = Temporary Point
 - = Corner Found (Capped 5/8" Rebar, Except As Indicated)
 - = Corner Established (5/8" x 24" Capped Rebar)
 - = 10' Utility Easement

NOTE: 18.33 Ac± TOTAL

MEANDOR CORNER TO SECTIONS 20 & 21, T9N, R21W
FOUND 1 1/8" IRON BAR
—NORTH-SOUTH FENCE LINE IS 2.0' WEST
—SPIKE IN FENCE POST SOUTHWEST 4'
—CENTERLINE OF ROAD IS 8' EAST



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	158°29'19"	50.00'	136.50'	97.89'	N 76°56'40" W
C2	158°29'19"	50.00'	136.50'	97.89'	N 79°28'39" E

LEGAL DESCRIPTION

A tract of land being part of Government Lot One (1) and accretions abutting said lot located in Section Twenty-one (21), Township Nine (9) North, Range Twenty-one (21) West of the Sixth Principal Meridian, Dawson County, Nebraska, more particularly described as follows: Referring to the Northwest corner of said Section 21 and assuming the West line of said Section 21 as bearing S 01°35' W and all bearings contained herein are relative thereto; thence S 01°35' W on the aforesaid West line a distance of 2600.94 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being the Southwest corner of Westminister Woods, a subdivision being part of Government Lots 1 & 2 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska; thence continuing S 01°35' W on the aforesaid West line a distance of 597.42 feet; thence N 82°27'06" E a distance of 714.83 feet; thence S 88°44' E a distance of 630.0 feet; thence N 01°16' E a distance of 600.0 feet to the Southeast corner of said Westminister Woods; thence N 88°44' W on the South line of said Westminister Woods a distance of 610.0 feet; thence S 82°27'06" W continuing on the aforesaid South line a distance of 731.73 feet to the place of beginning.

SURVEYOR'S CERTIFICATE

I, Trenton D. Snow, a Professional Land Surveyor licensed in the State of Nebraska, do hereby certify that I surveyed "Westminister Woods Second", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, as shown on the above plat. The lots are well and accurately staked and marked; the dimensions of the lots are as shown on the above plat; the lots bear their own number; and the survey was made using known and recorded monuments. All information shown hereon is true and correct to the best of my knowledge and belief.

(S E A L)

Trenton D. Snow
Nebr. Reg. L.S. No. 626

Date: _____

State of _____)
County of _____)ss

On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County, personally came Westminister Woods, LLC, by and through Ronald L. Hiatt, its Managing Member and the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

In WITNESS THEREOF I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last written above.

Notary Public _____ (SEAL)

State of _____)
County of _____)ss

On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County, personally came Westminister Woods, LLC, by and through Irving P. Hiatt, its Managing Member and the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

In WITNESS THEREOF I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last written above.

Notary Public _____ (SEAL)

PLANNING COMMISSION APPROVAL

This is to certify that the above plat was presented to the Planning Commission of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, and was approved and accepted by the Planning Commission on said date.

President of the Planning Commission _____ Dated _____

CITY COUNCIL APPROVAL

This is to certify that the above plat was accepted and approved by the Council of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, by a resolution duly passed at said meeting.

The Plat of "WESTMINSTER WOODS SECOND", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, duly made out, acknowledged and certified to be and the same hereby is approved, ordered, filed and recorded and recorded in the Office of the Register of Deeds of Dawson County, Nebraska.

RESOLUTION No. _____

ATTEST: _____
City Clerk

President of the Council _____

DEDICATION

I/We Westminister Woods, LLC, by and through Ronald L. Hiatt, its Managing Member and Irving P. Hiatt, its Managing Member, being the owners and proprietors of the land shown on the accompanying plat, and having caused an accurate plat of the described area to be made, describing the Lots, Roads and Utility Easements of such Subdivision and designating the Lots by number, do hereby dedicate the Road and Utility Easements therein to the use and benefit of the public and do state and make known that said Subdivision is made in accordance with our desires.

(Signature)

(Title)

11-22-13
(Date)

Ronald L. Hiatt, its Managing Member
Westminister Woods, LLC

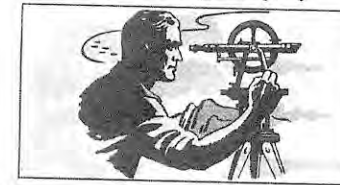
(Signature)

(Title)

11-22-2013
(Date)

Irving P. Hiatt, its Managing Member
Westminister Woods, LLC

TRENTON D. SNOW, LLC
A Land Surveying Company



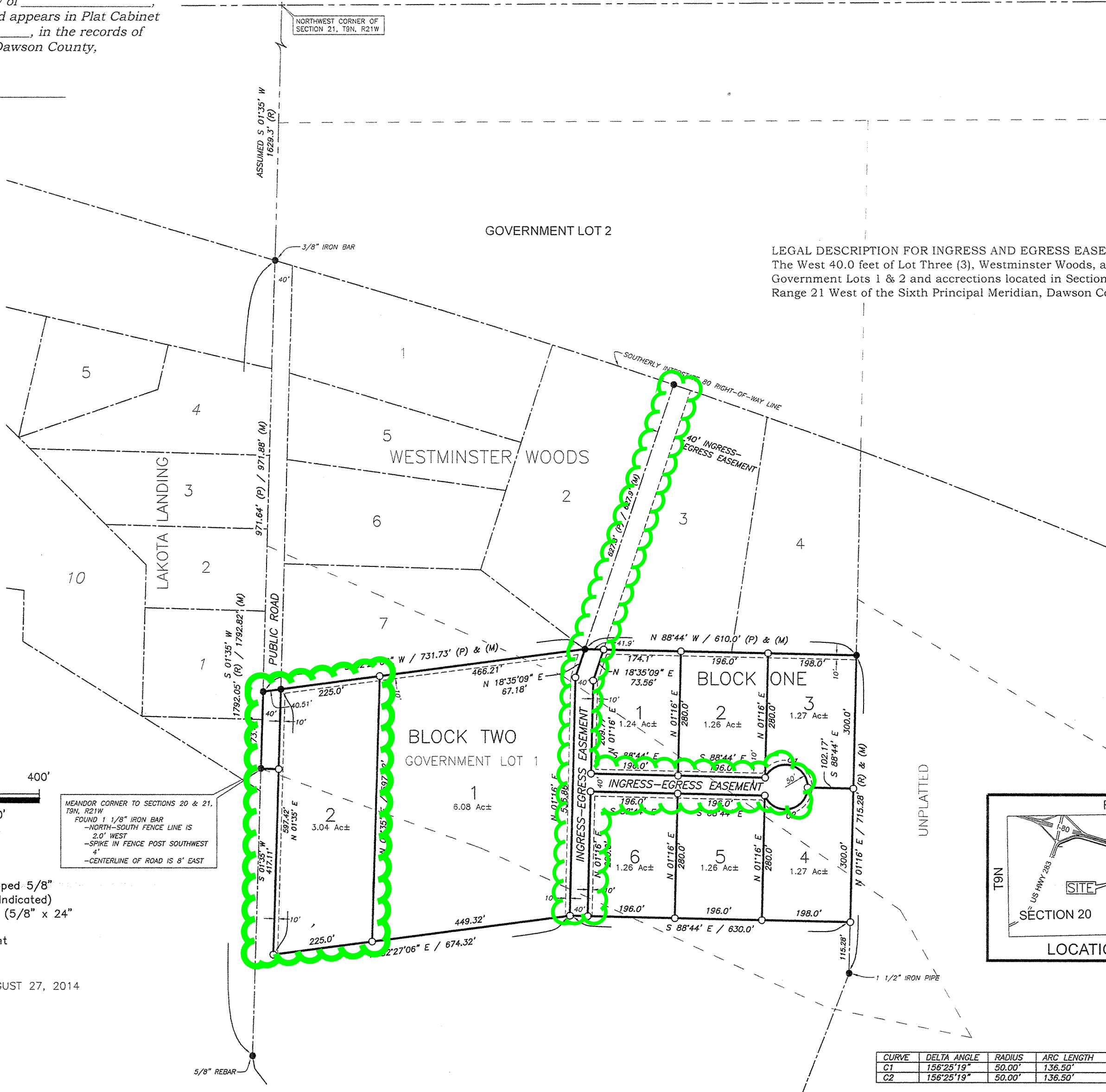
1309 Central Avenue
P.O. Box 1772
Kearney, NE 68848
Office: (308) 234-1764
Fax: (308) 237-7679
Cellular: (308) 233-1865
www.nebraskasurveys.com

WESTMINSTER WOODS SECOND

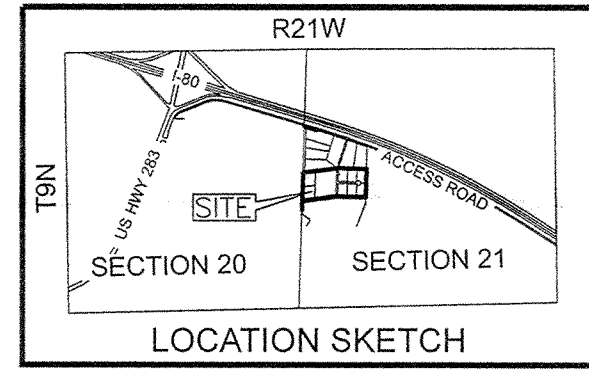
A SUBDIVISION BEING PART GOVERNMENT LOT ONE (1) AND ACCRECTIONS LOCATED IN SECTION TWENTY-ONE (21), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) WEST OF THE SIXTH PRINCIPAL MERIDIAN, DAWSON COUNTY, NEBRASKA

State of _____)
 County of _____)ss
 The plat was approved and accepted for filing and recording on the _____ day of _____, 20____, at _____ o'clock and appears in Plat Cabinet No. _____, at index No. _____, in the records of the Register of Deeds of Dawson County, Nebraska.

Register of Deeds



LEGAL DESCRIPTION FOR INGRESS AND EGRESS EASEMENT
 The West 40.0 feet of Lot Three (3), Westminister Woods, a subdivision being part of Government Lots 1 & 2 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska.



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	156°25'19"	50.00'	136.50'	97.89'	N 76°56'40" W
C2	156°25'19"	50.00'	136.50'	97.89'	N 79°28'39" E

LEGAL DESCRIPTION
 A tract of land being part of Government Lot One (1) and accretions abutting said lot located in Section Twenty-one (21), Township Nine (9) North, Range Twenty-one (21) West of the Sixth Principal Meridian, Dawson County, Nebraska, more particularly described as follows: Referring to the Northwest corner of said Section 21 and assuming the West line of said Section 21 as bearing S 01°35' W and all bearings contained herein are relative thereto; thence S 01°35' W on the aforesaid West line a distance of 2600.94 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being the Southwest corner of Westminister Woods, a subdivision being part of Government Lots 1 & 2 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska; thence continuing S 01°35' W on the aforesaid West line a distance of 173.41 feet to the Southwest corner of said Government Lot 1; thence S 88°25' E a distance of 40.0 feet; thence S 01°35' W a distance of 417.11 feet; thence N 82°27'06" E a distance of 674.32 feet; thence S 88°44' E a distance of 630.0 feet; thence; thence N 01°16' E a distance of 600.0 feet to the Southeast corner of said Westminister Woods; thence N 88°44' W on the South line of said Westminister Woods a distance of 610.0 feet; thence S 82°27'06" W continuing on the aforesaid South line a distance of 731.73 feet to the place of beginning.

SURVEYOR'S CERTIFICATE
 I, Trenton D. Snow, a Professional Land Surveyor licensed in the State of Nebraska, do hereby certify that I surveyed "Westminister Woods Second", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, as shown on the above plat. The lots are well and accurately staked and marked; the dimensions of the lots are as shown on the above plat; the lots bear their own number; and the survey was made using known and recorded monuments. All information shown hereon is true and correct to the best of my knowledge and belief.

(S E A L)
 Trenton D. Snow
 Nebr. Reg. L.S. No. 626
 Date: _____

DEDICATION
 I/We Westminister Woods, LLC, by and through Ronald L. Hiatt, its Managing Member and Irving P. Hiatt, its Managing Member, being the owners and proprietors of the land shown on the accompanying plat, and having caused an accurate plat of the described area to be made, describing the Lots, Roads and Utility Easements of such Subdivision and designating the Lots by number, do hereby dedicate the Road and Utility Easements therein to the use and benefit of the public and do state and make known that said Subdivision is made in accordance with our desires.

_____(Signature)
 _____(Title)
 _____(Date)
 Ronald L. Hiatt, its Managing Member
 Westminister Woods, LLC
 _____(Signature)
 _____(Title)
 _____(Date)
 Irving P. Hiatt, its Managing Member
 Westminister Woods, LLC

State of _____)
 County of _____)ss
 On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County, personally came Westminister Woods, LLC, by and through Ronald L. Hiatt, its Managing Member and the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.
 In WITNESS THEREOF I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last written above.

 Notary Public (SEAL)

State of _____)
 County of _____)ss
 On this _____ day of _____, 20____, before me the undersigned, a Notary Public in and for said County, personally came Westminister Woods, LLC, by and through Irving P. Hiatt, its Managing Member and the identical person(s) who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.
 In WITNESS THEREOF I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last written above.

 Notary Public (SEAL)

PLANNING COMMISSION APPROVAL
 This is to certify that the above plat was presented to the Planning Commission of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, and was approved and accepted by the Planning Commission on said date.

 President of the Planning Commission Dated _____

CITY COUNCIL APPROVAL
 This is to certify that the above plat was accepted and approved by the Council of the City of Lexington, Nebraska, at a regular meeting on the _____ day of _____, 20____, by a resolution duly passed at said meeting.
 The Plat of "WESTMINSTER WOODS SECOND", a subdivision being part of Government Lot 1 and accretions located in Section 21, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, duly made out, acknowledged and certified to be and the same hereby is approved, ordered, filed and recorded and recorded in the Office of the Register of Deeds of Dawson County, Nebraska.

RESOLUTION No. _____
 ATTEST: _____
 City Clerk

 President of the Council

TRENTON D. SNOW, LLC
 A Land Surveying Company

1309 Central Avenue
 P.O. Box 1772
 Kearney, NE 68848
 Office: (408) 234-1764
 Fax: (408) 237-7670
 Cellular: (408) 235-1385
 www.nebraskasurveyors.com