

**RESOLUTION NO. 2014-13**

**A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVISION AGREEMENT FOR “HERMAN COMMERCIAL SUBDIVISION” AND AUTHORIZING THE EXECUTION OF THE SUBDIVISION AGREEMENT.**

WHEREAS, the Planning Commission, upon review of the Preliminary and Final Plat of “Herman Commercial Subdivision”, legally described as:

A tract of land located in the Southwest Quarter of the Southwest Quarter of Section 8, Township 26 North, Range 4 East of the 6<sup>th</sup> P.M., Wayne County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 8, T26N, R4E of the 6<sup>th</sup> P.M., Wayne County, Nebraska; thence N02°33’52”W on an assumed bearing on the West line of said Southwest Quarter, 100.00 feet to a point on the North right-of-way line of State of Nebraska Highway #35, said point being the Southwest corner of a tract of land surveyed by LaVern F. Schroeder, R.L.S. #312, dated October 13, 2000, and the Point of Beginning; thence N02°33’52”W on the West line of said surveyed tract, 309.63 feet (recorded as 310.60 feet – Deed) to the Northwest Corner of said surveyed tract, said point being on the South right-of-way line of the Chicago Northwestern Railway Company (now removed); thence N59°02’53”E on said South right-of-way line, 529.63 feet; thence S02°31’40”E on the East line of said surveyed tract, 569.62 feet to a point on said North right-of-way line of State of Nebraska Highway #35; thence S89°01’09”W on said right-of-way line, 237.27 feet; thence S87°50’28”W on said right-of-way line, 228.41 feet to the point of beginning, containing 4.70 acres, more or less, hereafter known as Lot 1, Lot 2, Lot 3, Lot 4, and Lot 5 of the Herman Commercial Subdivision.

on February 3, 2014, recommended approval thereof, based upon the following “Findings of Fact”: Consistency with the Comprehensive Plan and the current and future land use map, and staff’s recommendation; and

WHEREAS, the same is also conditioned upon the execution of a Subdivision Agreement, as required in Section 404.05 of the Wayne Subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Preliminary and Final Plat of “Herman Commercial Subdivision” be approved subject to the recommendations of the Planning Commission and the foregoing “Findings of Fact”, and that the Mayor is hereby authorized to sign the Subdivision Agreement on behalf of the City of Wayne.

PASSED AND APPROVED this 18<sup>th</sup> day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk