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PRELIMINARY PLAT CHECKLIST

O'Neill, Nebraska

Name of Subdivision: \_\_\_\_\_

Location: \_\_\_\_\_ Applicable Zoning District(s) \_\_\_\_\_

Owner/ Subdivider: \_\_\_\_\_ Owner's / Subdivider's Address: \_\_\_\_\_

Owner's Telephone: (\_\_\_\_) \_\_\_\_\_

Surveyor: \_\_\_\_\_ Surveyor's Telephone: (\_\_\_\_) \_\_\_\_\_

Engineer: \_\_\_\_\_ Engineer's Telephone: (\_\_\_\_) \_\_\_\_\_

Engineer's Address: \_\_\_\_\_

Date Submitted for Preliminary Plat Approval: \_\_\_\_\_, 20\_\_

**ZONING ADMINISTRATOR CHECKLIST:**

- \_\_\_ 10 copies of preliminary plat submitted 21 days prior to Planning Commission meeting
- \_\_\_ 4 copies of supplemental information on preliminary plat submitted 21 days prior to Planning Commission meeting
- \_\_\_ Preliminary plat filing and review fee has been paid by subdivider
- \_\_\_ Preliminary plat legal description is indicated
- \_\_\_ Preliminary plat includes all contiguous land holdings of subdivider (*verify at County Assessor's Office if necessary*)
- \_\_\_ Preliminary plat drawn to scale not exceeding 100' per inch
- \_\_\_ Locations of existing building(s) and trees indicated
- \_\_\_ Names and locations of applicable existing street rights-of-way, proposed street rights-of-way, proposed street names, dimensions of street rights-of-way and approximate grades, curve radii and pavement widths proposed are indicated
- \_\_\_ Existing and proposed sewers, water mains and appurtenances and proposed pipe sizes and approximate grades to serve the subdivision are indicated
- \_\_\_ The location of all existing and proposed utility and other easements are indicated
- \_\_\_ Topography at proper scale and any areas subject to flooding are indicated on plat
- \_\_\_ Drainage plan and report, which complies with the requirements of the Subdivision Ordinance, has been submitted
- \_\_\_ Proposed phasing of development indicated (if applicable)
- \_\_\_ Notice of Planning Commission Public hearing to newspaper and notice has been published
- \_\_\_ Copies of Preliminary Plat distributed to all review entities
- \_\_\_ Meeting of Subdivision Review Committee has been scheduled and meeting notices mailed to review entities, subdivider and subdivision engineer.
- \_\_\_ Comments and recommendations received from Subdivision Review Committee and Zoning Administrator recommendations ready for Planning Commission review

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**PLANNING COMMISSION PRELIMINARY PLAT REVIEW CHECKLIST**

- Preliminary Plat includes all contiguous land holdings of the subdivider and makes adequate provision for future access and utility service to all portions of such contiguous holdings
  
- Preliminary Plat is consistent with Comprehensive Plan with regard to land use, land use intensity, and public use (land reservation) recommendations of the Plan and is consistent with the regulations of the applicable zoning district(s)
  
- Preliminary Plat is consistent with the Major Street Plan with regard to extension of major streets
  
- If Preliminary Plat indicates areas subject to flooding, provisions for building site and street elevations are in accordance with the requirements of the Subdivision Ordinance
  
- Preliminary Plat provides for proper sizing of lots and blocks, particularly appropriate sizing of corner lots
  
- Preliminary Plat provides proper extension of existing streets and extensions of proposed streets for access to abutting properties and proper marginal access streets (frontage roads), if applicable and such extensions are acceptable with regard to flood hazards and / or topography
  
- Preliminary Plat includes the required drainage study and makes proper provision for adequate surface drainage into, through and out of the subdivision based upon the findings of the drainage study
  
- Preliminary Plat provides easements which are adequate in location and width for intended uses
  
- Preliminary Plat provides proposed utility locations and capacities acceptable in accordance with the requirements of the Subdivision Ordinance and such utility locations and capacities provide for further extension of such utilities into adjoining properties when such properties may be developed.
  
- Preliminary Plat provides sidewalks as required by the Subdivision Ordinance
  
- If the Preliminary Plat proposes the development of common open space, adequate provisions for creation of Owner's association or other owner entity for assessment of owners to maintain such common open space in accordance with the requirements of the Subdivision Ordinance is proposed
  
- Subdivider has provided an indication of financing of infrastructure improvements in the proposed subdivision and, if City participation in financing is proposed in the form of assessments against the property in the subdivision, the Preliminary Plat provides development phasing consistent with the requirements of the Subdivision Ordinance

**PLANNING COMMISSION ACTION RECORD**

With regard to a Preliminary Plat of (Name of Subdivision) \_\_\_\_\_ the Planning Commission voted on \_\_\_\_\_ to recommend to the City Council:  
(date)

- Approval of Preliminary Plat and supplemental information as submitted
  
- Approval of Preliminary Plat and supplemental information subject to the following changes or conditions:  
List Conditions (or attach conditions): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Approval of the following variance(s) from the requirements of the Subdivision Ordinance is/are recommended:  
\_\_\_\_\_  
\_\_\_\_\_
  
- Rejection of Preliminary Plat is recommended for the following reason(s) \_\_\_\_\_  
\_\_\_\_\_

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**CITY COUNCIL PRELIMINARY PLAT REVIEW CHECKLIST**

- \_\_\_ City Council has received and reviewed the recommendations of the Planning Commission
- \_\_\_ If Planning Commission has recommended approval of Preliminary Plat with conditions or variances, the City Council agrees with such conditions and / or variances. (If the City Council does not agree with recommended conditions and / or variances, the Council may modify or attach additional conditions and / or variances.
- \_\_\_ City Council finds the Preliminary Plat consistent with the adopted Comprehensive Plan, Zoning Regulations and Subdivision Regulations (Refer to Planning Commission Preliminary Plat Review Checklist.)
- \_\_\_ Drainage provisions, based upon the required drainage study, are acceptable
- \_\_\_ If subdivider is petitioning the City Council seeking financial participation in the final plat engineering and / or development of the infrastructure improvements in the proposed subdivision, the City Council shall determine if such participation is warranted in accordance with the following conditions for such City participation, as set forth in Section 712.05 of the Subdivision Ordinance:
  - \_\_\_ the subdivision shall be platted as an addition to the City, or will be otherwise annexed to the City,
  - \_\_\_ the expenditure of public funds, in addition to any such expenditure normally provided by the City by the City, would be in the interest of the economic development of the City because the type of development proposed in the subdivision addresses a need of the City with regard to maintaining and / or enhancing the strength of the City's economy and enhancing the tax base.
  - \_\_\_ the reasonableness of the costs of such improvements and the prospect of the City recovering the costs of any such improvements and the engineering cost thereof through assessment districts, property and sales taxes, service fees, or other legal means within a reasonable period of time, with a maximum time frame being fifteen (15) years. (See restriction on assessment of costs, Section 713.03 of Subdivision Ordinance.),
  - \_\_\_ the subdivision is consistent with the prioritized growth areas of the City, as indicated in the City's Comprehensive Plan (Future Land Use Plan and Annexation Areas), and there will be a benefit to surrounding subdivisions in existence or proposed, with regard to the benefits of street extensions, utility extensions and drainage improvements,
  - \_\_\_ the subdivision can be adequately served by water, sewer, electrical and natural gas utilities without undue expenditures of public funds to extend services or expand capacities of such utilities,
  - \_\_\_ the City has the financial ability to pay such costs without undue impact on the budget of the City,
  - \_\_\_ the subdivision will not place undue burdens on the City for provision of law enforcement, fire protection, ambulance and rescue and other services of the City,
- \_\_\_ If the City Council shall conditionally determine that financial participation by the City complies with the above conditions and if any such participation is proposed to include assessment of all or a portion of the costs of final plat engineering and development of the subdivision against the property contained with the subdivision, the City Council and the subdivider have reached an agreement with regard to phasing of the final platting and subdivision development which complies with the following requirement, as set forth in Section 713.03 of the Subdivision Ordinance:
  - \_\_\_ The subdivider and the City Council have agreed on the number of lots to be included in each final plat phase of the subdivision to relate the number of lots to be developed with a reasonable expectation that such lots can be sold and assessments paid within a period not exceeding five (5) years

**CITY COUNCIL ACTION RECORD**

With regard to a Preliminary Plat of \_\_\_\_\_ the City Council voted on \_\_\_\_\_ to:  
(name of subdivision) (date)

\_\_\_ Approve the Preliminary Plat, supplemental information and plans and specifications as submitted

\_\_\_ Approve the Preliminary Plat, supplemental information and plans and specifications subject to the following changes or conditions: (List or Attach conditions): \_\_\_\_\_

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\_\_\_ Approve the following variance(s) from the requirements of the Subdivision Ordinance:

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

\_\_\_ Reject the Preliminary Plat for the following reason(s) \_\_\_\_\_

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

\_\_\_ If City financial participation in the form of assessments against properties within the proposed subdivision has been tentatively approved, phasing of development of the subdivision has been agreed as follows: \_\_\_\_\_

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**FINAL PLAT CHECKLIST**

**O'Neill, Nebraska**

Name of Subdivision: \_\_\_\_\_

Location: \_\_\_\_\_ Applicable Zoning District(s) \_\_\_\_\_

Owner/ Subdivider: \_\_\_\_\_ Owner's / Subdivider's Address: \_\_\_\_\_

Owner's Telephone: (\_\_\_\_) \_\_\_\_\_

Surveyor: \_\_\_\_\_ Surveyor's Telephone: (\_\_\_\_) \_\_\_\_\_

Engineer: \_\_\_\_\_ Engineer's Telephone: (\_\_\_\_) \_\_\_\_\_

Engineer's Address: \_\_\_\_\_

Date Submitted for Final Plat Approval: \_\_\_\_\_, 20\_\_

**ZONING ADMINISTRATOR CHECKLIST:**

- \_\_\_ Final plat submitted for approval within 2 years of preliminary plat approval
- \_\_\_ 10 copies of final plat submitted 21 days prior to Planning Commission meeting
- \_\_\_ 4 copies of final plat supplemental information, construction plans and specifications for improvements submitted 21 days prior to Planning Commission meeting
- \_\_\_ Final plat filing and review has been paid by subdivider
- \_\_\_ Final plat is consistent with phasing approved by City Council (if applicable)
- \_\_\_ Final plat is drawn to scale not exceeding 100' per inch and is on sheet size not exceeding eighteen (18) inches by twenty four (24) inches and accurately contains the following information:
  - \_\_\_ The name of the proposed subdivision, the acreage of the land in the final plat and the location of the land within the subdivision final plat by specific legal description indicating boundary lines with accurate lengths, angles and bearings based upon an accurate traverse. Said boundary lines shall be determined by a balanced and closed survey conducted in the field. (See Section 602, Subdivision Ordinance).
  - \_\_\_ The name(s) of the owner(s) of the land within the subdivision are properly indicated in Owner's Certification
  - \_\_\_ Date, north point and graphic scale of the plat map is indicated on the plat
  - \_\_\_ The name of the surveyor and/or engineer who prepared the final plat is indicated
  - \_\_\_ The name, location and dimensions in feet and hundredths of feet with bearings or deflection angles, radii, arcs and central angles of all curves of the rights-of-way of all streets, alleys and other rights-of-way, all lot lines and other sites, and building setback lines, if such building setback lines are to be in excess of these required by the applicable zoning regulations
  - \_\_\_ The radii, central angles, tangents, lengths of arcs, curvature angles at street intersections and a complete traverse of each street within and on the perimeter of the plat
  - \_\_\_ The location, dimensions in feet and purpose of all easements is indicated on the plat
  - \_\_\_ If applicable, all lake, pond, stream or river shore meander lines established by the surveyor indicating the high and low water marks are indicated. If any area within the plat is subject to flooding, the minimum floor elevation for each lot which is subject to flooding shall be indicated

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- \_\_\_ All lot and block numbers
  - \_\_\_ Accurate location, size, type and material of all monuments, an indication of whether such monuments were found or set and the elevation of at least one (1) such monument
  - \_\_\_ Accurate locations of any area to be dedicated or reserved for public use or acquisition with the purpose(s) indicated thereon. Any area to be reserved by covenant or deed restriction for the common use by the owners in the subdivision shall also be located and noted and provisions have been made for assessment of owners for the maintenance of such common open space
  - \_\_\_ Restrictive covenants or deed restrictions applicable to the land contained in the plat, either placed directly on the plat or attached thereto. Such covenants or restrictions shall clearly indicate the disposition of all land within the plat with respect to liability, maintenance and other responsibility (See Section 503.04, Subsection L of Subdivision Regulations)
  - \_\_\_ All required certifications appear on the final plat and are properly worded
  - \_\_\_ Construction plans and specifications for all proposed streets, storm sewers, culverts, drainageways, sanitary sewers, water mains, sidewalks and other applicable improvements are complete
  - \_\_\_ Notice of Planning Commission Public hearing to newspaper and notice has been published
  - \_\_\_ Copies of final plat, supplemental information and construction plans and specifications distributed to all Subdivision Review Committee entities
  - \_\_\_ Meeting of Subdivision Review Committee has been scheduled and meeting notices mailed to all review entities
  - \_\_\_ Comments and recommendations received from Subdivision Review Committee and Administrator recommendations ready for Planning Commission review

**PLANNING COMMISSION FINAL PLAT REVIEW CHECKLIST**

- \_\_\_ Final Plat is consistent with the approved preliminary plat
- \_\_\_ Final Plat is consistent with the phasing approved by the City Council, if applicable
- \_\_\_ Final Plat is consistent with Comprehensive Plan with regard to land use, land use intensity, and public use (land reservation) recommendations of the Plan
- \_\_\_ Final Plat is consistent with the regulations of the applicable zoning district(s), with particular reference to adequate sized lots, particularly corner lots
- \_\_\_ Final Plat is consistent with the Major Street Plan with regard to extension of major streets, right-of-way widths and, if applicable, marginal access streets
- \_\_\_ All required certifications appear on the final plat and are properly worded
- \_\_\_ Required minimum restrictive covenants, as described in Subdivision Ordinance, are indicated or attached to plat
- \_\_\_ Storm sewers and drainage facilities comply with the findings of the drainage report submitted in the preliminary plat review process and have been reviewed for adequacy
- \_\_\_ Infrastructure improvement plans and specifications for streets, storm sewers and drainage facilities, sanitary sewers, water supply, sidewalks, street signs and street lighting have been reviewed and are acceptable in accordance with the requirements of the Subdivision Ordinance and the City's specifications
- \_\_\_ Final Plat meets all other requirements of a final plat set forth in the Subdivision Ordinance

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**PLANNING COMMISSION FINAL PLAT ACTION RECORD**

With regard to a Final Plat of (Name of Subdivision) \_\_\_\_\_ the Planning Commission voted on \_\_\_\_\_ to recommend to the City Council:

(date)

\_\_\_ Approval of Final Plat and supplemental information as submitted

\_\_\_ Approval of Final Plat and supplemental information subject to the following changes or conditions: List Conditions:

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\_\_\_ Approval of the following variance(s) from the requirements of the Subdivision Ordinance is/are recommended \_\_\_\_\_

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\_\_\_ Rejection of Final Plat is recommended for the following reason(s) \_\_\_\_\_

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**CITY COUNCIL FINAL PLAT REVIEW CHECKLIST**

- \_\_\_ City Council has received and reviewed the recommendations of the Planning Commission.
- \_\_\_ If Planning Commission has recommended approval of Preliminary Plat with conditions or variances, the City Council agrees with such conditions and / or variances. (If the City Council does not agree with recommended conditions and / or variances, the Council may modify or attach additional conditions and / or variances.
- \_\_\_ Final Plat is consistent with the approved preliminary plat.
- \_\_\_ Final Plat is consistent with the phasing approved by the City Council, if applicable.
- \_\_\_ Final Plat is consistent with Comprehensive Plan with regard to land use, land use intensity, and public use (land reservation) recommendations of the Plan.
- \_\_\_ Final Plat is consistent with the regulations of the applicable zoning district(s), with particular reference to adequate sized lots, particularly corner lots.
- \_\_\_ Final Plat is consistent with the Major Street Plan with regard to extension of major streets, right-of-way widths and, if applicable, marginal access streets.
- \_\_\_ All required certifications appear on the final plat and are properly worded.
- \_\_\_ Required minimum restrictive covenants, as described in Subdivision Ordinance, are indicated or attached to plat.
- \_\_\_ Storm sewers and drainage facilities comply with the findings of the drainage report submitted in the preliminary plat review process and have been reviewed for adequacy.
- \_\_\_ Infrastructure improvement plans and specifications for streets, storm sewers and drainage facilities, sanitary sewers, water supply, sidewalks, street signs and street lighting have been reviewed and are acceptable in accordance with the requirements of the Subdivision Ordinance and the City's specifications.
- \_\_\_ If City financial participation is requested by the subdivider and if the City Council has determined that such participation is consistent with the conditions for such participation set forth in the Subdivision Regulations, and if the subdivider has provided cost estimates for the various infrastructure components necessary to the proposed subdivision and such costs are determined to be acceptable and affordable to the City, the City Council shall determine which infrastructure components the City will pay for, provide or assess against property in the proposed subdivision and which infrastructure components shall be provided and paid for by the subdivider, with such determination being formalized in a written Subdivision Agreement.



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**CITY COUNCIL FINAL PLAT ACTION RECORD**

With regard to a Final Plat of \_\_\_\_\_ the City Council voted on \_\_\_\_\_ to:  
(name of subdivision) (date)

\_\_\_ Approve the Final Plat, supplemental information, and plans and specifications as submitted

\_\_\_ Approve the Final Plat, supplemental information and plans and specifications subject to the following changes or conditions: List or Attach conditions): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Approve the following variance(s) from the requirements of the Subdivision Ordinance: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Reject the Final Plat for the following reason(s) \_\_\_\_\_  
\_\_\_\_\_

\_\_\_ If City financial participation is requested by the subdivider and if the City Council has determined at the preliminary plat stage that such participation complies with the conditions for such participation set forth in the Subdivision Ordinance, including the requirement that the subdivision has been platted as an addition to the City or will be otherwise annexed, the City Council has authorized the following participation: \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ If the approved City participation is in the form of assessments against properties within the proposed subdivision has been tentatively approved, phasing of development of the subdivision complies with prior agreement.

\_\_\_ A Subdivider's Agreement, setting forth the City and Subdivider participation in construction infrastructure improvements, including posting of acceptable financial guarantees by the Subdivider as been prepared by the subdivider, reviewed City Attorney and approved by the City Council

\_\_\_ If applicable, assessment districts shall be created for the following area and improvements: \_\_\_\_\_  
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# REAL ESTATE SUBDIVISION REGULATION INFORMATION AND CHECKLIST

for use by persons wishing to subdivide real estate within the City of O'Neill, Nebraska AND its 2 mile jurisdictional area

The following is a procedural guide and listing of requirements for preparation, submission, review and approval of subdivisions of real estate, as set forth in the Subdivision Ordinance of the City of O'Neill, Nebraska:

## **PROCEDURES:**

**Step 1** Subdivider requests initial consultation with Zoning Administrator to determine the various requirements for the proposed subdivision, including, but not limited to: the zoning requirements, platting requirements, infrastructure development considerations, plat filing and review fees and other factors which will affect the proposed subdivision.

In this consultation, the Zoning Administrator shall indicate which of three types of subdivision review and procedures are required for the proposed subdivision. These three types include:

1. **Preliminary and final plat review process.** This process is required for larger multiple lot subdivisions (more than 3 lots) and where development of new infrastructure is needed to serve the lots in the subdivision.

This two-step process involves the preparation of a PRELIMINARY plat of the subdivision in which the proposed lot layout and proposed infrastructure improvements for all of the contiguous land owned by the subdivider is presented to the City for review and approval. Review and approval by the City requires review by the City Planning Commission, which recommends action on the proposed subdivision to the City Council and review and approval by the City Council.

Review and approval of a preliminary plat by the City authorizes the subdivider to then prepare a FINAL plat for all or a portion of the land contained in the preliminary plat. Each FINAL plat is then reviewed and approved by the City using the same Planning Commission and City Council review process.

2. **Minor plat review process.** This process is allowable for smaller multiple lot subdivisions which contain 3 or fewer lots where no additional infrastructure is necessary to serve the lots in the subdivision. This MINOR plat process combines the City's review and approval of the subdivision into a single review by the City Planning Commission and review and approval by the City Council.
3. **Administrative plat review process.** This process is allowable for very simple subdivisions involving re-subdivisions of existing platted lots where no infrastructure improvements are needed and there is no street right-of-way dedications or easements involved or affected. This ADMINISTRATIVE plat process allows the City Zoning Administrator to approve the re-subdivision without review and approval by the Planning Commission or City Council.

**Step 2** Subdivider hires a licensed engineer / surveyor to conduct the necessary land survey, prepare the plat drawing and, if applicable, conduct the necessary engineering and design of needed infrastructure improvements. *(It is advisable for the subdivider to provide a copy of the City's Subdivision Regulations to the engineer / surveyor, if such engineer / surveyor does not already have a copy)*

**Step 3** Subdivider submits the proposed subdivision documents prepared by the Engineer / Surveyor to Zoning Administrator and pays filing and review fee in preparation for Planning Commission and City Council review. (Refer to Subdivision Application Checklist.)

**Step 4** Zoning Administrator checks the subdivision application for completeness prior to initiating review process. If application is incomplete, Zoning Administrator shall notify the subdivider that the application is incomplete, indicating the items which are lacking and shall indicate to the subdivider that the review process cannot be initiated until the application is complete.

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- Step 5** All subdivisions, except simple re-subdivisions, are reviewed by representatives of public utilities, telephone, cable television providers, City Engineer and Zoning Administrator at a joint meeting to determine appropriateness of the subdivision with regard to infrastructure. Subdivider and/or subdivider's representative must attend this meeting.
- Step 6** All subdivisions, except simple re-subdivisions (Administrative Plats), are scheduled for review at a meeting of the City Planning Commission. The subdivider or the subdivider's representative presents the proposed subdivision to the Commission and the Commission determines the appropriateness of the subdivision design with regard to compliance with the City's Comprehensive Plan, Zoning Regulations and the Subdivision Regulations and formalizes a recommendation to the City Council regarding approval of the proposed subdivision. The Commission may recommend approval of the subdivision as presented, approval of the subdivision subject to conditions that certain aspects of the subdivision be modified or the Commission may recommend rejection of the subdivision due to non-compliance with the City's Comprehensive Plan, Zoning Regulations or Subdivision Regulations.
- Step 7** All subdivisions, except simple re-subdivisions (Administrative Plats), are scheduled for review at a meeting of the City Council. The subdivider or the subdivider's representative presents the proposed subdivision to the Council and the Council considers the recommendations of the Planning Commission and determines the appropriateness of the subdivision design with regard to compliance with the City's Comprehensive Plan, Zoning Regulations and the Subdivision Regulations. The Council then takes action regarding approval of the proposed subdivision. The Council may approve of the subdivision as presented, approve of the subdivision subject to conditions that certain aspects of the subdivision be modified or the Council may reject the proposed subdivision due to non-compliance with the City's Comprehensive Plan, Zoning Regulations or Subdivision Regulations.

If the subdivider is presenting a preliminary plat to the City Council and if the subdivider believes the proposed subdivision would qualify for financial participation by the City in the development of the proposed infrastructure within and bordering the subdivision, the subdivider may request that the City Council determine if such participation by the City is appropriate under the conditions set forth in the Subdivision Ordinance. If the City Council determines that such participation may be appropriate and if all or any part of the infrastructure improvements are to be assessed against lots within the proposed subdivision, the subdivider and City Council shall agree on a plan for phasing of the subdivision development which minimizes the financial risk to the City. Final platting of the land within any such subdivision shall then comply with the agreed upon phasing.

If the subdivider is presenting a final plat, which is not a MINOR plat, to the City Council and if the City Council has determined during the preliminary plat review that financial participation by the City in the development of the proposed infrastructure may be appropriate, the subdivider and the City may negotiate a SUBDIVISION AGREEMENT which sets forth the infrastructure components to be paid for by the City, assessed against the property within the Subdivision, and those infrastructure components which are to be paid for by the subdivider. If the subdivider wishes to sell lots in the subdivision prior to completion of installation of the required infrastructure components, the subdivider shall post a type of financial guarantee in a form and amount acceptable to the City to insure that such components shall be constructed.

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# SUBDIVISION APPLICATION SUBMISSION CHECKLIST

**The following is a checklist of information which must be included with any PRELIMINARY plat application:**

- \_\_\_ A preliminary plat drawing at a scale of one (1) inch to fifty (50) feet or one (1) inch to one hundred (100) feet on a maximum sheet size of twenty-four (24) inches by thirty-six (36) inches. The plat or attached information shall include the following information:
- \_\_\_ The name of the proposed subdivision, the acreage of the land in the proposed subdivision and the location of the subdivision by specific legal description;
- \_\_\_ The name(s) of the owner(s) of the land within the subdivision and the name of the land planner, surveyor or engineer who prepared the preliminary plat;
- \_\_\_ Date, north point and graphic scale of the plat map;
- \_\_\_ The names and addresses of owners of property abutting the proposed subdivision;
- \_\_\_ The location and dimensions in feet and hundredths of feet of the property lines and the locations and dimensions in feet of lot lines, and building setback lines, if such building setback lines are to be in excess of those required by the applicable zoning regulations;
- \_\_\_ The location(s) of any existing building(s) or structure(s) to be retained;
- \_\_\_ The names and dimensions of all existing streets and the proposed names and dimensions of all proposed street rights-of-way with approximate grades and curve radii and pavement widths;
- \_\_\_ The location of existing and proposed water and sewer lines;
- \_\_\_ Existing and proposed topographic contours at two (2) foot intervals if the average slope is less than five (5) percent and at five (5) foot intervals if the average slope is five (5) percent or more and an indication of any areas within the proposed subdivision which are subject to flooding, provided that topographic information for any portion of the contiguous land holdings included in the preliminary plat which are not proposed to be subdivided may be provided utilizing enlargements of topographic maps provided by the United States Geological Survey instead of detailed topographic survey data.
- \_\_\_ The location of existing trees with trunks twelve (12) inches in diameter or greater, measured two (2) feet above the ground. Clumps of trees may be identified as a group of trees without precisely locating each tree;
- \_\_\_ A clear indication of the proposed course of surface water drainage from the point(s) where the water enters and leaves the subdivision together with the courses of all surface drainage within the subdivision and outside of the subdivision to the point where such water enters a water course or existing recognized storm drain and the locations of proposed storm sewers, culverts and related drainage facilities: (Refer to Section 710 of the Subdivision Ordinance for drainage report requirements).
- \_\_\_ The location and size of proposed easements, dedications and reservations of land, including any proposed park or common open space sites reserved for common or public use;
- \_\_\_ An indication of the proposed phasing of the subdivision development.
- \_\_\_ An indication of how the proposed subdivision improvements are to be financed. Such improvements shall be financed by the subdivider unless the City Council shall agree to finance a portion of the improvements, under the conditions set forth in Section 712.05 of the Subdivision Ordinance, and / or assess all or a portion of the cost of such improvements and / or the final plat engineering thereof against the lots in the proposed subdivision.

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**The following is a checklist of information which must be included with any FINAL plat application**

**(MINOR final plat applications must include the same information, but will not involve any construction plans or specifications)**

\_\_\_ Final plats shall be drawn in ink on dimensionally stable and reproducible plastic film only at a scale of one (1) inch to fifty (50) feet or one (1) inch to one hundred (100) feet on a maximum sheet size of eleven (11) inches by seventeen (17) inches. Where the size of the subdivision requires larger sheet sizes, said final plats shall be drawn on multiple sheets not exceeding eleven (11) inches by seventeen (17) inches, or, if the subdivision can be presented on one (1) sheet, a single eighteen (18) inch by twenty four (24) inch sheet may be used, and shall include the following information:

\_\_\_ The name of the proposed subdivision, the acreage of the land in the final plat and the location of the land within the subdivision final plat by specific legal description indicating boundary lines with accurate lengths, angles and bearings based upon an accurate traverse. Said boundary lines shall be determined by a balanced and closed survey conducted in the field. (See Section 702 of the Subdivision Ordinance).

\_\_\_ The name(s) of the owner(s) of the land within the subdivision (See Owner's Certification below).

\_\_\_ Date, north point and graphic scale of the plat map;

\_\_\_ The name of the surveyor and/or engineer who prepared the final plat (See Surveyor's Certificate below).

\_\_\_ The name, location and dimensions in feet and hundredths of feet with bearings or deflection angles, radii, arcs and central angles of all curves of the rights-of-way of all streets, alleys and other rights-of-way, all lot lines and other sites, and building setback lines, if such building setback lines are to be in excess of those required by the applicable zoning regulations;

\_\_\_ The radii, central angles, tangents, lengths of arcs, curvature angles at street intersections and a complete traverse of each street within and on the perimeter of the plat.

\_\_\_ The location, dimensions in feet and hundredths of feet of all easements, together with an indication of the purpose or purposes of each easement.

\_\_\_ All lake, pond, stream or river shore meander lines established by the surveyor indicating the high and low water marks. If any area within the plat is subject to flooding, the minimum floor elevation for each lot which is subject to flooding shall be indicated.

\_\_\_ All lot and block numbers.

\_\_\_ Accurate location, size, type and material of all monuments, an indication of whether such monuments were found or set and the elevation of at least one (1) such monument.

\_\_\_ Accurate locations of any area to be dedicated or reserved for public use or acquisition with the purpose(s) indicated thereon. Any area to be reserved by covenant or deed restriction for the common use by the owners in the subdivision shall also be located and noted.

\_\_\_ Restrictive covenants or deed restrictions applicable to the land contained in the plat, either placed directly on the plat or attached thereto. Such covenants or restrictions shall clearly indicate the disposition of all land within the plat with respect to liability, maintenance and other responsibility, and shall provide for the following items:

1. Provisions for the prohibiting maintaining of nuisances.
2. Provisions with reference to utility and drainage easements including the specific provision that any tree, shrub, fence or other structure or installation placed or allowed to grow in any easement shall be subject to the paramount right of the utility or City to install, repair, replace and maintain its installations and the utility and City shall not be liable for replacement or reinstallation of such trees, shrubs, fences or other installation placed or allowed to grow in such easement.

3. Provisions for maintaining proper site distances at street and alley intersections, within and on the periphery of the subdivision, as set forth in Section 602.12 of the Zoning Ordinance.
4. Such other provisions as may be consistent with the use and protection of the subdivision, including provisions for the amendment and enforcement of the covenants or restrictions by any aggrieved property owner in the subdivision.

\_\_\_ Certification and signature of the surveyor certifying to the effect that the final plat accurately represents a survey made by him/her or under his/her direct supervision, that any changes from the description appearing in the last record transfer of the land contained in the final plat are so indicated, that all monuments shown on the plat actually exist on the ground or will be installed and their position and description is correctly shown and that all dimensional and geodetic data are correct. The following surveyor's certificate shall be used on all final plats:

SURVEYOR'S CERTIFICATION

I \_\_\_(name)\_\_\_ hereby certify that I am a professional land surveyor, registered in compliance with the laws of the State of Nebraska, that this plat correctly represents a survey conducted by me or under my direct supervision on \_\_\_(date)\_\_\_, that any changes from the description appearing in the last record transfer of the land contained in this plat are so indicated, that all monuments shown hereon actually exist as described on the ground or will be installed and their position is correctly shown, and that all dimensional and directional data are correct.

\_\_\_\_\_(Signature)\_\_\_\_\_

\_\_\_\_\_(Date)\_\_\_\_\_

\_\_\_ Certification signed and notarized by all parties holding title or having a title interest in the land contained in the final plat and consenting to the preparation and recording of the plat as submitted and consenting to all dedications noted thereon. The certification shall also indicate that the title to all land contained in the plat is free and unencumbered. The following owner's certification shall be used on all final plats:

OWNER'S CERTIFICATION

I / We the undersigned, \_\_\_\_\_(names)\_\_\_\_\_ owner(s) of the real estate shown and described herein, do hereby certify that I / we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the plat.

This subdivision shall be known and designated as \_\_\_\_\_(name)\_\_\_\_\_, an addition to the City of O'Neill, Nebraska. *(delete this last sentence if the subdivision is located outside of the corporate limits and will not be platted as an addition to the City or otherwise annexed to the City.)*

All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public unless specifically noted hereon. Any other public lands shown hereon and not heretofore dedicated are hereby reserved for public use with provisions for maintenance by the owners of property within the subdivision unless specifically noted hereon. *(this language is to be used where streets and / or alleys are proposed to the dedicated to the public and this City Council has agreed to accept such dedications.)*

*Where private streets are proposed, where the City does not agree to accept any dedications of streets and / or alleys or when the subdivision is located outside of the corporate limits of the City and will not be platted as an addition to the City or otherwise annexed by the City, the following language shall be used:* All streets and alleys shown and not heretofore dedicated are hereby established as public access easements to be maintained by owners of property within this subdivision unless specifically noted hereon. Any other public lands shown hereon and not heretofore dedicated are hereby reserved for public use with provisions for maintenance by the owners of property within the subdivision unless specifically noted hereon.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessments are explained as follows: \_\_\_\_\_.

There are strips of land shown on this plat and marked easement, reserved for the use of public utilities or other entity so indicated and such easements are subject to the paramount right of the utility or other entity so indicated to install, repair, replace and maintain its installations.

(Additional covenants or restrictions and enforcement provisions thereof may be inserted here or attached to the plat.)

Witness our hands on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

STATE OF NEBRASKA

COUNTY OF HOLT

Before me, the undersigned Notary Public, in and for the County and State, personally appeared and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed for the purposes therein expressed. Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

\_\_\_\_\_  
Notary Public

Notarial Seal

\_\_\_ Each final plat shall also contain the following approval certifications:

**PLANNING COMMISSION CERTIFICATION**

The foregoing plat was reviewed at public hearing by the Planning Commission of O'Neill, Nebraska on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. This plat is void unless recorded before the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Planning Commission Chairperson

**ACCEPTANCE CERTIFICATE**

*If the proposed subdivision is platted as an addition to the City or is to be otherwise annexed to the City and dedication of streets, alleys or other dedications has been approved by the City Council in the approval of the Preliminary Plat, the following language shall be used:*

The foregoing plat and dedications are approved and accepted by the Mayor and City Council of the City of O'Neill, Nebraska on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Attest: City Clerk

*Where private streets are proposed, where the City does not agree to accept any dedications of streets and / or alleys or when the subdivision is located outside of the corporate limits of the City and will not be platted as an addition to the City or otherwise annexed by the City, the following language shall be used:*

The foregoing plat is hereby approved and accepted by the Mayor and City Council of the City of O'Neill, Nebraska on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Attest: City Clerk

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\_\_\_ Customary recording notations for transfer and recording, indicating the date and time of recording, the plat book location thereof, the instrument number and the date and time duly entered for taxation including the following certifications:

HOLT COUNTY TREASURER CERTIFICATION

This is to certify that I have found no regular or special taxes or assessments due or delinquent against the real property described in this plat, as shown by records of this Office as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Holt County Treasurer

REGISTRAR OF DEEDS CERTIFICATION

This instrument was filed for record on \_\_\_\_\_, \_\_\_\_ at \_\_\_\_\_ o'clock \_\_ M. and duly recorded and entered for taxation in Vol. \_\_\_\_ of Book \_\_\_\_, Page \_\_\_\_\_. A recording fee of \$\_\_\_\_\_ was paid. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Holt County Registrar of Deeds

\_\_\_ Construction Plans and Specifications: The subdivider shall submit construction plans and specifications in accordance with the design requirements for all improvements and installations required by the Subdivision Ordinance. The construction plans and specifications shall consist of all cross-sections, profiles and all other engineering data necessary for the proper design and construction of all improvements and installations required by this Ordinance including, but not limited to, the following:

- A. Streets;
- B. Storm sewers and all other elements of the drainage system;
- C. Sanitary sewer system;
- D. Water system;
- E. Monuments and markers;
- F. Sidewalks and pedestrian ways;
- G. Street signs and street lighting and any construction / improvement elements peculiar to the subdivision.

\_\_\_ If the subdivider is proposing that the City Council agree to finance all or any portion of the final plat engineering fees and cost of infrastructure development in the subdivision, engineering cost estimates for each of the above infrastructure components shall be submitted with the final plat application.