

Co. Clerk

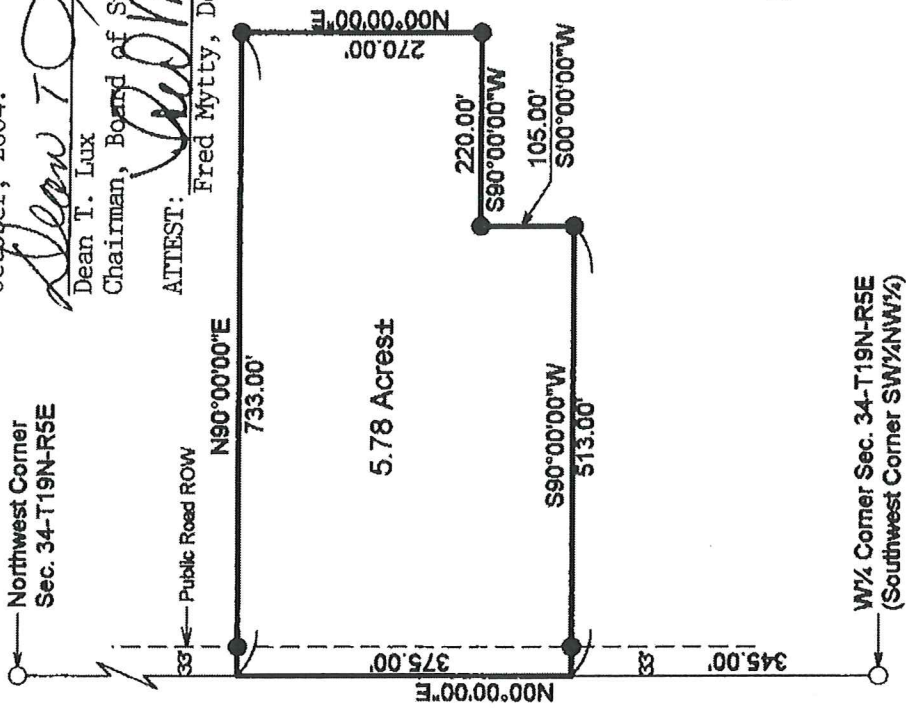
LEGAL DESCRIPTION

A tract of land located in the Southwest Quarter of the Northwest Quarter of Section 34, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska containing 5.78 Acres more or less and being more particularly described as follows:
Commencing at the Southwest Corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and going thence N00°00'00"E on an assumed bearing along the West Margin of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 345.00 feet to the point of beginning; thence continuing N00°00'00"E along said West Margin for a distance of 375.00 feet; thence N90°00'00"E for a distance of 733.00 feet; thence S00°00'00"W for a distance of 270.00 feet; thence S90°00'00"W for a distance of 220.00 feet; thence S90°00'00"W for a distance of 105.00 feet; thence S00°00'00"W for a distance of 513.00 feet to the point of beginning. Said tract being subject to Public Road Right of Way along the Westerly Margin

This plat is hereby approved this 27th day of October, 2004.

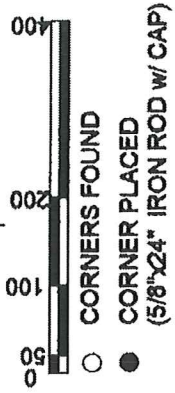
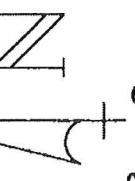
Dean T. Lux
Dean T. Lux
Chairman, Board of Supervisors

ATTEST: *Fred Mytty*
Fred Mytty, Dodge County Clerk



FILED
BOOK 2004 PAGE 8027
2004 OCT 28 AM 10:31

Carol Hinena
DODGE COUNTY
REGISTER OF DEEDS
COMBINE INDEX FILE 8



- Corner Ties**
- Northwest Corner Section 34-T19N-R5E Found 3/4" Pipe
 - 30.58' ENE to Punched Mark North End CMP
 - 45.96' NE to West Edge Sign Post
 - 39.02' SE to Nail and Disc on Telephone Service Post
 - 45.02' SW to Nail and Disc on Power Pole
 - 43.58' NW to Nail and Disc on Power Pole
- West Quarter Corner Section 34-T19N-R5E (Southwest Corner SW $\frac{1}{4}$ NW $\frac{1}{4}$)**
- Found 3/4" Pipe
 - 70.03' NW to Nail and Disc on Power Pole
 - 109.63' NE to Westerly Corner of Building
 - 116.75' ENE to Southerly Corner of Building
 - 33.48' ESE to Reference Marker

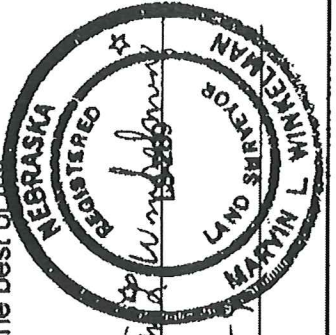
I, the undersigned licensed land surveyor, do hereby certify that I have supervised the surveying of the above and that all information is true and correct, to the best of my knowledge.

PROJECT Emanuel Survey in Section 34-T19N-R5E

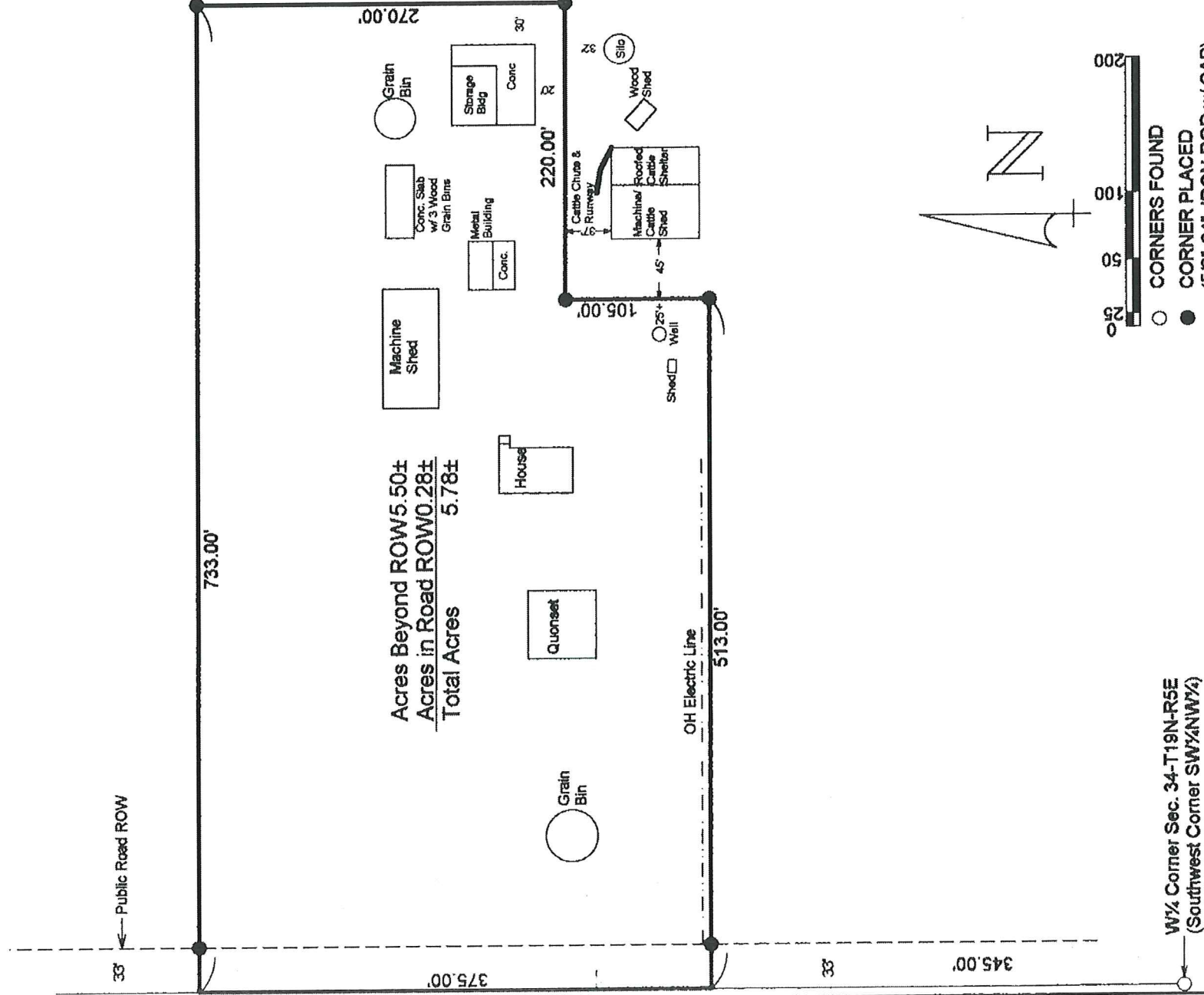
BY *Markvin L. Minkelman*

DATE August 2004

L.S. No. 28



EMANUEL TOPOGRAPHY PLAT in the Southwest Quarter of the Northwest Quarter of Section 34, Township 19 North, Range 5 East of the 6th P.M., Dodge County, Nebraska.

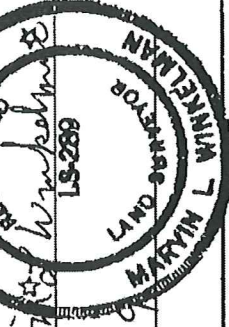


I, the undersigned licensed land surveyor, do hereby certify that I have supervised the surveying of the above and that all information is true and correct, to the best of my knowledge.

PROJECT Emanuel Topography Plat in Section 34-T19N-R5E

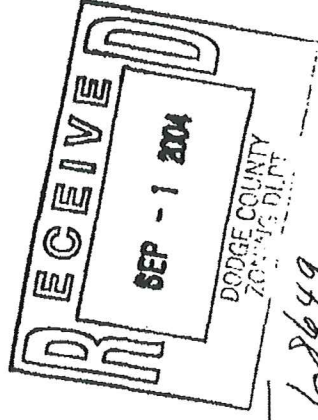
DATE August 2004

BY



L.S. No. 289

LOT SPLIT APPLICATION
Dodge County, Nebraska



Date 7-29-04

Property Owner's Name Jerome Emanuel

Address: 1236 Co Rd 4 North Bend, Neb. 68649

Phone No. (402) 568-0375

Legal Description of the Property to be split 34-19-5

Number of Acres being split off 5.6 Zoning District proposed split is in A-1

Total Number of Acres the subdivision subdivided from 40 acres

Is a new access route needed or proposed? YES or NO

Is a vacation of streets, alleys, setback lines, access control or easement required or proposed? YES or NO

Will a lot split result in significant increase in service requirements; e.g. Utilities, schools, traffic control, streets, county roads, etc. or will it interfere with maintaining existing service levels? YES or NO

Will this action result in a tract without direct access to a street or county road? YES or NO

Has the lot been previously split in accordance with these Regulations? YES or NO

Applicant's Name (print) Jerome Emanuel

Applicant's Address 1236 Co. Rd 4 North Bend, Neb. 68649

Applicant's Signature Jerome Emanuel

OFFICE USE ONLY

Permit No. 04-13

Date Sept. 21, 2004 Continued to Oct. 19, 2004
Approved Disapproved

Date Oct 27, 2004 Oct 27, 2004
Approved Disapproved

Robert Taylor
Chairman, Dodge County Planning Commission

Dean Day
Chairman, Dodge County Board of Supervisors

52
10-27-04

**MINUTES
DODGE COUNTY PLANNING COMMISSION**

Meeting of the Dodge County Planning Commission was called to order by Chairman, Robert Taylor at 7:30 P.M., Tuesday, October 19, 2004 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, Nebraska. The following members were present: Taylor, Benes, Garber, Gifford, Johnson and Reynolds. Absent: Brabec, Cooper and Rolif.

The meeting was declared legally convened, due to Public Notice given.

Motion was made by **Garber** to accept the Minutes of the September 21, 2004 meeting as mailed. Seconded by **Benes**. Motion carried by voice vote with the following voting yes: Taylor, Benes, Garber, Gifford, Johnson and Reynolds. Absent: Brabec, Cooper and Rolif.

PUBLIC HEARING: Consideration of the request Jerome Emanuel of 1236 County Rd. 4, North Bend, NE 68649 to subdivide a tract of land 5.78 acres and to obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, Section B.(1) located in SW 1/4 NW 1/4 Section 34, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag.

Motion to open the hearing was made by **Johnson** and seconded by **Garber**. Motion carried by voice vote. Those voting yes: Benes, Garber, Gifford, Johnson, Reynolds and Taylor. Absent: Brabec, Cooper and Rolif.

a. Testimony:

For: Jerome Emanuel was present to explain he wanted to split off the farmstead owning it along with his son.

Christine GrossRhode spoke not for or against the subdivision. She wanted to know the purpose of the subdivision.
Mr. Emanuel stated his son might live there.

Against: No one was present and no communication had been received.

Motion to close the hearing was made by **Garber** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes: Garber, Gifford, Johnson, Reynolds, Taylor and Benes. Absent: Brabec, Cooper and Rolif.

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b. Possible Action

Motion to approve the lot split and conditional use permit requests was made by **Garber** and seconded by **Benes** based on the proposal met with the zoning regulations. Motion carried by roll call vote. Those voting yes: Gifford, Johnson, Reynolds, Taylor, Benes and Garber. Absent: Brabec, Cooper and Rolf.

The applicant was advised the Dodge County Board of Supervisors at the regular meeting Wednesday, October 27, 2004 at 9:30 A.M would hear the item.

Public Hearing: Consideration of the request of Riverview Shores Development Inc., 1920 N. Locust, Wahdo, NE 68066 c/o Dan Martinez of Meridian Development Services, Inc. P.O. Box 610, Arlington, NE to approve the Final Plat of 65 lots for Riverview Shores Subdivision located in Tax Lot 3, NE 1/4 SE1/4 and South 1/2 SE 1/4 Section 11; Tax Lot 15 & 17 of Section 12; Tax Lot 33 & 34 of Section 13; and Tax Lot 1 & 2 of Section 14, Township 17 North, Range 5 East in South Union Township, Zoning District R-1, Residential.

Motion to open the hearing was made by **Gifford** and seconded by **Garber**. Motion carried by voice vote. Those voting yes: Johnson, Reynolds, Taylor, Benes, Garber and Gifford. Absent: Brabec, Cooper and Rolf.

a. Testimony:

For: Dan Martinez of Meridian Development Inc. was present. He stated the plat had been to the City of North Bend and would be approved by the City tonight. Plat has changed to one less outlet area and has enlarged Shoreline Road. Martinez explained all the changes from the Preliminary Plat. He stated the lots are at least 1 acre in size. The owners have purchased 16 additional acres to make the road private north of the railroad tracks. The south lake is nearly complete and then will move west to connect the smaller lake. The rest of the lake will be staged. Martinez stated the plat would show the one-mile jurisdiction of North Bend with some of the lots being split between the county and the city. Andrews stated she would prefer those lots be taken in whole by either the county or the city. She would prefer North Bend take the five lots that are split which would then make 20 lots in the county jurisdiction.

Andrews introduced a letter from Lori Laferriere of 1623 County Rd. U, Colon, NE. The letter requested information regarding the identification of the effect on the groundwater table of the adjoining properties. The letter was discussed at length. Motion was made by **Gifford** and seconded by **Reynolds** to receive the letter and place it on file. Motion carried by voice vote. Those voting yes were:

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Reynolds, Taylor, Benes, Garber, Gifford and Johnson. Absent: Brabec, Cooper and Rolif.

Martinez explained the letter meant to mean mining operation in the Lower Platte River Corridor zoning district where retail mining is involved. Martinez stated he has not received the certificate of approval from DEQ for the sewer system. He went on to say the homeowners would have private wells for drinking water. There will be no county or township maintenance of roads.

Against: No communication had been received and no one spoke against the plat.

Motion to close the hearing was made by **Garber** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes: Taylor, Benes, Garber, Gifford, Johnson and Reynolds. Absent: Brabec, Cooper and Rolif.

b. Possible Action:

Motion to approve the final plat of Riverview Shores was made by **Gifford** and seconded by **Benes** contingent that no building permit be issued until the sewer system has been installed and an approval by Department of Environmental Quality. The final plat meets with the subdivision and zoning regulations for Residential district. Motion carried by roll call vote. Those voting yes: Benes, Garber, Gifford, Johnson, Reynolds and Taylor. Absent: Brabec, Cooper and Rolif.

The applicant was advised to appear at the Dodge County Board of Supervisors meeting October 27, 2004 at 9:35 A.M.

Public Hearing: Consideration of the request of Jack H. Kloke, TR of 1570 County Rd. 13, Ames, NE 68621 to subdivide a tract of land containing 6.72 acres and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, Section B. (1) located in E 1/2 SE 1/4 Section 12, Township 18 North, Range 6 East in Cotterell Township, Zoning District A-1, Intensive Ag.

Motion to open the hearing was made by **Garber** and seconded by **Gifford**. Motion carried by voice vote. Those voting yes: Garber, Gifford, Johnson, Reynolds, Taylor and Benes. Absent: Brabec, Cooper and Rolif.

a. Testimony

For: Jack Kloke was present to explain he had purchased a home in North Bend and his son wishes to purchase the acreage. Taylor asked if there would be access to the farm ground. Kloke stated yes.

~~Against: No one was present in opposition and no communication had been received.~~

Motion to close the hearing was made by **Gifford** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes were: Gifford, Johnson, Reynolds, Taylor, Benes and Garber. Absent: Brabec, Cooper and Rolf.

b. Possible Action:

Motion to approve the subdivision and conditional use request was made by **Johnson** and seconded by **Garber** based on the proposal met with the current subdivision and zoning regulations. Motion carried by roll call vote. Those voting yes were: Johnson, Reynolds, Taylor, Benes, Garber and Gifford. Absent: Brabec, Cooper and Rolf.

The applicant was advised the Dodge County Board of Supervisors would hear his request at 9:40 A.M. on Wednesday, October 27th, 2004.

Public Hearing: Consideration of the request of David L. Grove of 1434 County Rd. N Blvd., Hooper, NE 68031 c/o Larry Flamme, agt for Don Peterson & Associates, 100 E. 6th St., Fremont, NE 68025 to subdivide a tract of land containing 5.49 acres and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions, Section B. (1) located in N 1/2 SW 1/4 Section 8, Township 18 North, Range 7 East in Maple Township, Zoning District A-1, Intensive Ag.

Motion to open the hearing was made by **Garber** and seconded by **Benes**. Motion carried by voice vote. Those voting yes: Reynolds, Taylor, Benes, Garber, Gifford and Johnson. Absent: Brabec, Cooper and Rolf.

a. Testimony

For: Larry Flamme, agt for Don Peterson & Assoc. was present to explain the request of the subdivision and conditional use. He stated the ground and the farmstead were sold at auction on September 18th. The acreage comes off of 80-acre tract. Taylor asked if there was access to the farm ground. Flamme stated yes.

Against: No one was present in opposition and no communication had been received.

Motion to close the hearing was made by **Benes** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes: Taylor, Benes, Garber, Gifford, Johnson and Reynolds. Absent: Brabec, Cooper and Rolf.

b. Possible Action:

Motion was made to approve the subdivision and conditional use request by **Benes** and seconded by **Garber** based on the proposal met with the current regulations. Motion carried by roll call vote. Those voting yes: Benes, Garber, Gifford, Johnson, Reynolds and Taylor. Absent: Brabec, Cooper and Rolif.

The applicant was advised the Dodge County Board of Supervisors would hear the matter on Wednesday, October 27th, 2004 at 9:45 A.M.

Public Hearing: Consideration of the request of William D. Snyder of HC 62 Box 525 Salyersville, KY 41465 c/o Dan Martinez of Meridian Development Inc., P.O. Box 610, Arlington, NE 68002 to subdivide a tract of land containing 5.01 acres and obtain a No-Fee Residential Registration for an existing dwelling as per Article 14 Section 1. Permitted Uses 1.3 located in Part NE 1/4 Section 16, Township 17 North, Range 9 East in Elkhorn Township, Zoning District A-3, Transitional Ag.

Motion to open the hearing was made by **Johnson** and seconded by **Benes**. Motion carried by voice vote. Those voting yes: Garber, Gifford, Johnson, Reynolds, Taylor and Benes. Absent: Brabec, Cooper and Rolif.

a. Testimony

For: Dan Martinez of Meridian Development Inc. explained the owner requested Dan to represent him as he now lives in Kentucky. He explained where the site was and that the existing tenants were proposing to purchase the property. Snyder owns the adjoining farm ground with access to the south.

Against: No one was present in opposition and no communication had been received.

Motion to close the hearing was made by **Garber** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes: Gifford, Johnson, Reynolds, Taylor, Benes and Garber. Absent: Brabec, Cooper and Rolif.

b. Possible Action:

Motion to approve the subdivision and Residential Registration was made by **Johnson** and seconded by **Garber** based on the proposal met with the regulations. Motion carried by roll call vote. Those voting yes: Johnson, Reynolds, Taylor, Benes, Garber and Gifford. Absent: Brabec, Cooper and Rolif.

The applicant was advised the Dodge County Board of Supervisors would hear the proposal at 9:50 A.M. on Wednesday, October 27th, 2004.

Public Hearing: Consideration of the request of Hazel R. Keene Trust c/o Fremont National Bank & Trust Co. c/o Dan Martinez of Meridian Development Inc. of P.O. Box 610, Anington, NE 68002 to subdivide a tract of land containing 5.01 acres and obtain a No-Fee Residential Registration for an existing dwelling as per Article 14, Section 1, Permitted Uses 1.3 located in Part SE 1/4 Section 33, Township 17 North, Range 9 East in Elkhorn Township, Zoning District A-3, Transitional Ag.

Motion to open the hearing was made by **Benes** and seconded by **Garber**. Motion carried by voice vote. Those voting yes: Reynolds, Taylor, Benes, Garber, Gifford and Johnson. Absent: Brabec, Cooper and Rolf.

a. Testimony

For: Dan Martinez of Meridian Development Inc. was present representing the Keene Trust. He stated this acreage was just south of an acreage split off a couple of months ago. He said the south line of the previous split acreage was the north line of this tract. Gifford asked if 15 feet side yard was adequate. Andrews stated yes. Martinez stated the rear yard for the buildings was 25 feet, minimum set back.

Against: No one was present to voice opposition and no communication had been received.

Motion to close the hearing was made by **Gifford** and seconded by **Johnson**. Motion carried by voice vote. Those voting yes: Taylor, Benes, Garber, Gifford, Johnson and Reynolds. Absent: Brabec, Cooper and Rolf.

b. Possible Action:

Motion to approve the subdivision and residential registration was made by **Gifford** and seconded by **Benes** based on the proposal met with the current regulations. Motion carried. Those voting yes: Benes, Garber, Gifford, Johnson, Reynolds and Taylor. Absent: Brabec, Cooper and Rolf.

The applicant was advised the Dodge County Board of Supervisors would hear the request on Wednesday, October 27th, 2004 at 9:55 A.M.

With no further business, motion was made by **Garber** and seconded by **Johnson** to adjourn at 8:12 P.M. Motion carried by voice vote. Those voting yes: Garber, Gifford, Johnson, Reynolds, Taylor and Benes. Absent: Brabec,

~~Cooper and Rolf. The next scheduled meeting will be November 16, 2004 at 7:30 P.M.~~

Respectfully submitted,



Jean Andrews,
Secretary, Dodge County
Planning Commission

Dodge County
Planning & Zoning Commission

Approval Date