

## **AGENDA ITEM 4A**

**Replat – B&T Addition – Lots 880, 881, and 1301 La  
Vista - Wyatt & Liz Buls, and Terry & Mary Frecks**



**CITY OF LA VISTA  
PLANNING DIVISION  
RECOMMENDATION REPORT**

CASE #S: PSPP21-0001 & PSFP21-0001;

FOR HEARING ON: OCTOBER 19, 2023

REPORT PREPARED ON: OCTOBER 12, 2023

**I. GENERAL INFORMATION**

**A. APPLICANT(S):**

Wyatt & Liz Buls  
7801 Park View Blvd  
La Vista, NE 68128

Terry & Mary Frecks  
7741 Park View Blvd  
La Vista, NE 68128

**B. PROPERTY OWNERS:**

Same as applicants

**C. LOCATION:** 7741 Park View Blvd and 7801 Park View Blvd, along Park View Blvd adjacent to S. 78<sup>th</sup> St.

**D. LEGAL DESCRIPTION:** Lots 880, 881, and 1301 La Vista, to be replatted as Lots 1 and 2 B&T Addition.

**E. REQUESTED ACTION(S):** Approval of a replat to incorporate a portion of vacated 78<sup>th</sup> Street right-of-way into two adjoining properties.

**F. EXISTING ZONING AND LAND USE:** R-1 Single Family Residential Zoning District.

**G. PURPOSE OF REQUEST:** Applicants are seeking to obtain ownership from the City of a portion of unused 78<sup>th</sup> Street right-of-way that they have been maintaining. As part of the right-of-way vacation process, the properties need to be replatted in order to incorporate the additional land into the two adjoining properties. One of the applicants is seeking official ownership of the property to increase the buildable area on his lot, to allow for the future construction of an attached garage.

**H. SIZE OF SITE:** Approximately 0.67 acres.

**II. BACKGROUND INFORMATION**

**A. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

<b><u>Direction From Subject Property</u></b>	<b><u>Future Land Use Designation</u></b>	<b><u>Current Zoning Designation</u></b>	<b><u>Surrounding Development</u></b>
North	Urban Medium Intensity Residential	R-1 Single Family Residential	Single Family Homes; La Vista Subdivision
East	Urban Medium Intensity Residential	R-1 Single Family Residential	Single Family Homes; La Vista Subdivision
South	Urban Medium Intensity Residential	R-1 Single Family Residential	Single Family Homes; La Vista Subdivision
West	Parks & Open Space	R-1 Single Family Residential	Central Park

**B. RELEVANT CASE HISTORY:**

1. On November 16, 2021 La Vista City Council adopted Ordinance No. 1431 approving the vacation and conveyance of unused 78<sup>th</sup> Street right-of-way to Wyatt and Elizabeth Buls and Terry and Mary Frecks, neighboring property owners who have been maintaining the right-of-way, contingent upon the replatting of the properties.
2. The required remonstrance period for the sale of the property was completed, without the filing of remonstrance, on 12/27/2021. The formal sale and transfer of the property may take place upon completion of the platting process.
3. The application for a replat was submitted on January 11, 2022. City staff issued the initial review letter to the applicant on January 26, 2022. The applicant resubmitted for further review on September 19, 2023.

**C. APPLICABLE REGULATIONS:**

1. Section 5.06 of the City of La Vista Zoning Ordinance – R-1 Single-Family Residential
2. La Vista Subdivision Regulations

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

1. The Future Land Use Map of the La Vista Comprehensive Plan designates this property for urban medium intensity residential development.

**B. OTHER PLANS:** N/A.

**C. TRAFFIC AND ACCESS:**

1. Access to this site will not change, and will be maintained through separate driveway entrances to the two residential properties off of Park View Blvd.

**D. UTILITIES:**

1. The property has access to all necessary utilities.

**E. PARKING REQUIREMENTS:**

1. N/A

**IV. REVIEW COMMENTS**

- A.** A 30' drainage and utility easement is included on the final plat to ensure that adequate maintenance access is retained to the storm sewer line located under a portion of the right-of-way to be vacated.

**V. STAFF RECOMMENDATION – REPLAT:**

Staff recommends approval of the replat for Lots 880, 881, and 1301 La Vista, to be replatted as Lots 1 and 2 B&T Addition, as the replat is consistent with La Vista's Subdivision Regulations.

**VI. ATTACHMENTS TO REPORT:**

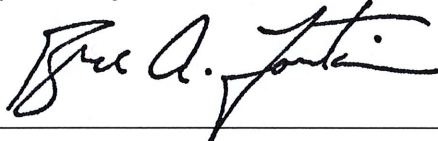
- A. Vicinity Map
- B. Review letter & Response Letter
- C. Preliminary Plat
- D. Final Plat

**VII. COPIES OF REPORT SENT TO:**

- A. Wyatt and Liz Buls
- B. Terry and Mary Frecks
- C. Public Upon Request



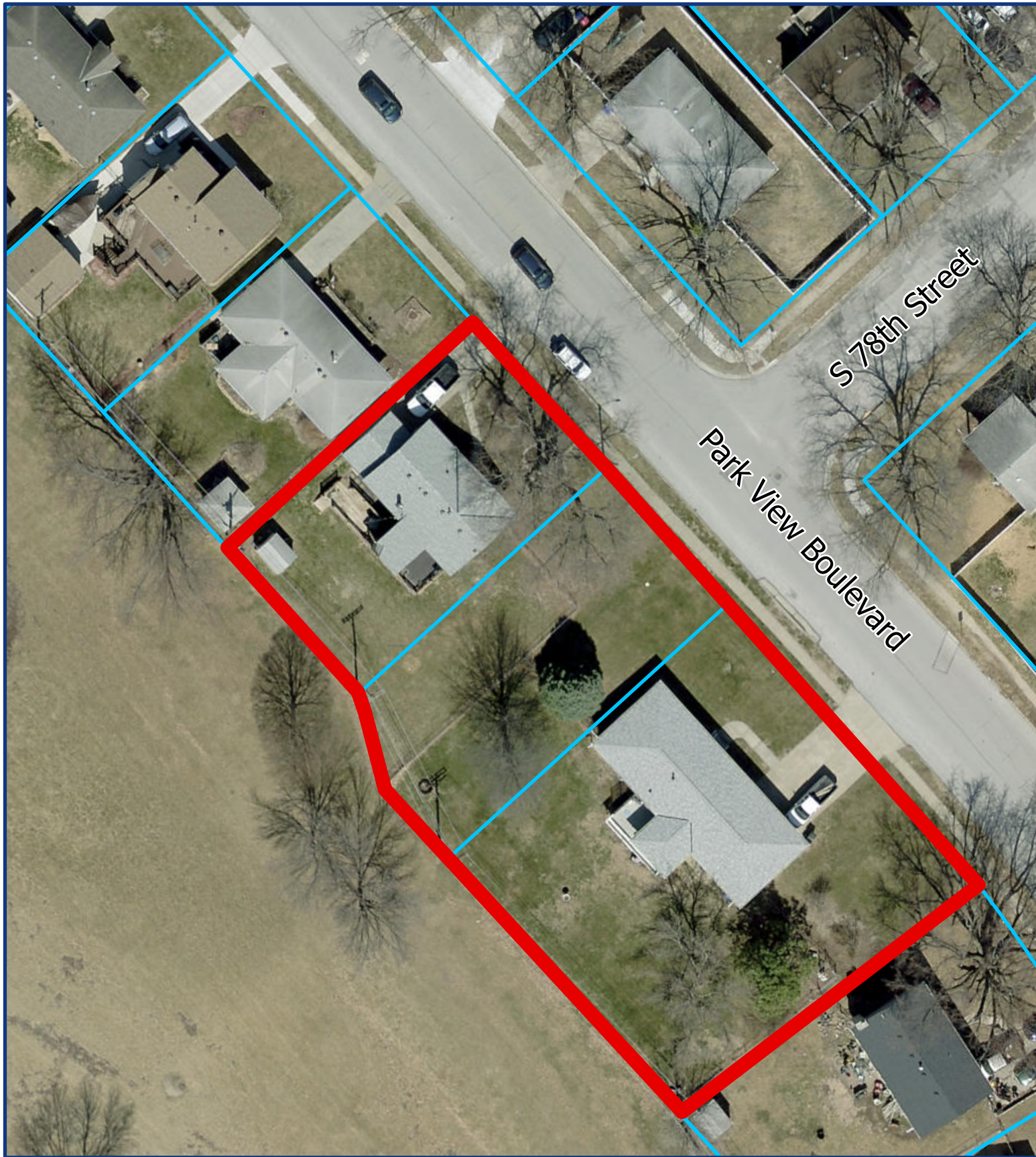
Prepared by: Associate Planner



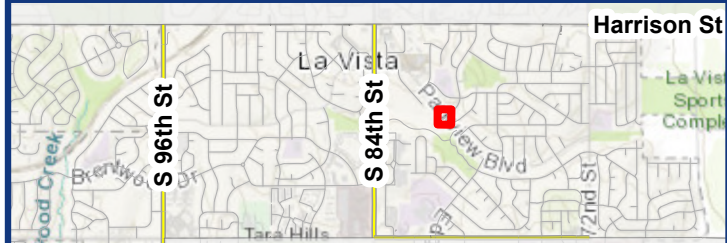
Community Development Director

10-12-23

Date



**Vicinity Map: Replat; B & T Addition**



**Legend**

-  La Vista Parcels
-  Proposed Replat Boundary





January 26, 2022

Michael Frecks  
TREKK Design Group, LLC  
2858 Sprague Street  
Omaha, NE 68111

RE: B&T Addition – Preliminary & Final Plat Applications – Initial Review Letter

Mr. Frecks,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations, the City has the following comments:

1. It is believed that a 36" diameter storm sewer runs in the vicinity of the centerline of the ROW, or the proposed lot line between Lot 1 and Lot 2, B&T Addition. Attached is a hand drawn sheet provided from Public Works' files for your consideration. The 36" diameter storm sewer pipe will need an easement on either side of the alignment for Public Works to access the pipe.
2. Please state the flowlines and sizes of the existing public utilities (storm and sanitary sewer) within the proposed ROW vacation on the preliminary plat, per Section 3.03.10 of La Vista's Subdivision Regulations.
3. The existing OPPD power line varies from what would be considered a typical back lot easement through the vacated ROW. Please contact OPPD to confirm there are no concerns in terms of access to the line and/or if a back-lot utility easement should be dedicated through the area to be vacated.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
402.331.4343 P  
402.331.4375 F

**Community Development**  
8116 Park View Blvd.  
402.593.6400 P  
402.593.6445 F

**Library**  
9110 Giles Rd.  
402.537.3900 P  
402.537.3902 F

**Police**  
7701 S. 96th St.  
402.331.1582 P  
402.331.7210 F

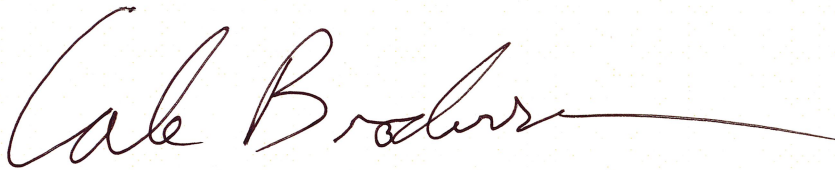
**Public Works**  
9900 Portal Rd.  
402.331.8927 P  
402.331.1051 F

**Recreation**  
8116 Park View Blvd.  
402.331.3455 P  
402.331.0299 F

4. Please confirm there are no other private utilities running through the side lots of the former lot lines of Lot 1301 and Lot 880 that abuts the ROW vacation. If there are, additional easements may need to be granted for said utilities.
5. Per Section 3.05.11, the notarized dedication on the Final Plat should be revised to include a notary block for all parties having any titled interest in or lien upon the land (including mortgage holders).
6. Please provide a County Treasurer Approval Block on the Final Plat that is consistent with Section 10.07 of the Subdivision Regulations, stating that there are no regular or special taxes due or delinquent against the platted land use.
7. Please remove the Sarpy County Planning and Zoning and Sarpy County Commission blocks from the Final Plat. These are not required.
8. Please provide a La Vista Planning Commission approval block on the Final Plat consistent with Section 10.03 of the Subdivision Regulations.
9. Please revise the La Vista City Council approval block on the Final Plat to be consistent with Section 10.04 of the Subdivision Regulations.
10. The City of La Vista Planning and Zoning block can be removed.
11. Please see attached the review comments provided by Sarpy County Public Work. Please make the revisions as necessary, except please remove the Sarpy County Board of Commissioners title block in its entirety.
12. Please provide a 5" X 2.5" space in the upper right-hand corner to allow for the placement of a recording sticker to show acceptance by the Sarpy County Register of Deeds, per Section 10.05 of the Subdivision Regulations.
13. The La Vista City Council approved an ordinance to vacate the old 78<sup>th</sup> Street ROW on 11/16/2021, the ordinance was published on 11/24/2021, then subsequent notices of the real estate sale were published for three weeks (12/1, 12/8, and 12/15). The required 30-day remonstrance period following the publication of ordinance was concluded, without the filing of remonstrance, on 12/27/2021. The date and details of closing on this vacated right-of-way will be determined upon resubmittal of the Preliminary and Final Plats.

Please resubmit 2 paper copies of the revised Preliminary and Final Plats (along with electronic copies) to the City for further review. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,

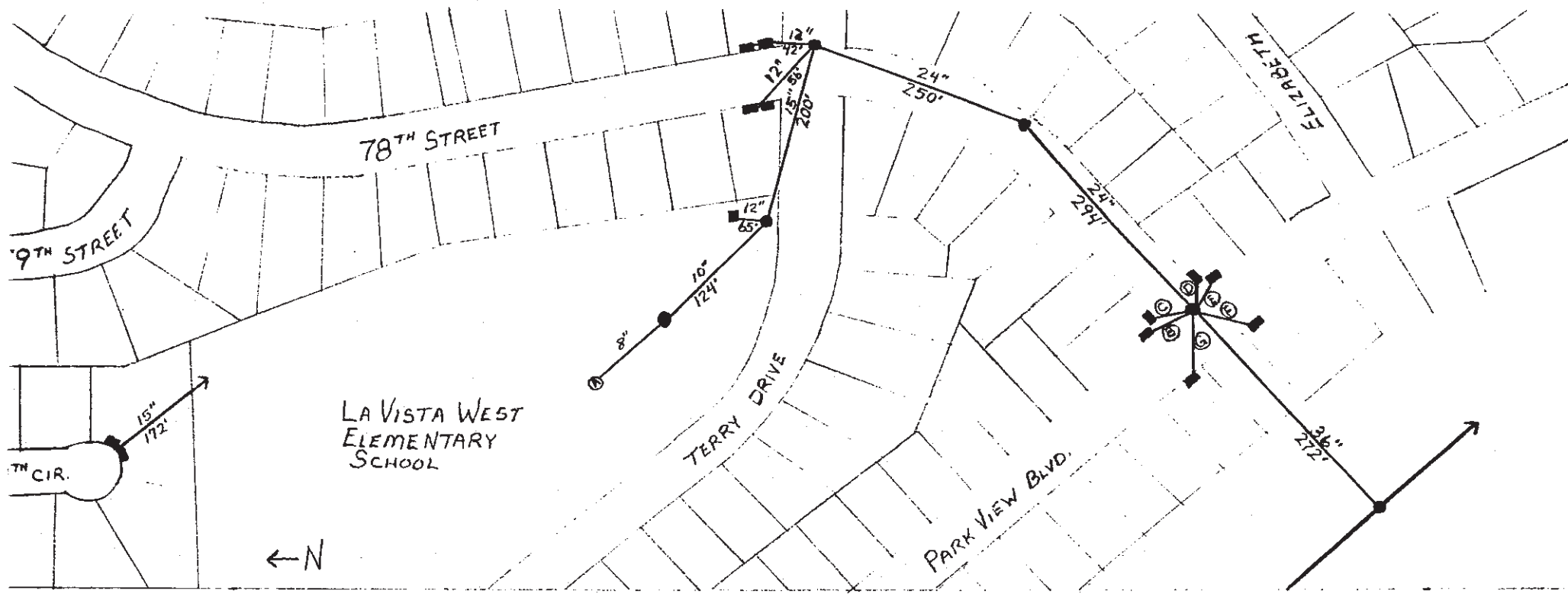
A handwritten signature in dark ink, reading "Cale Brodersen", followed by a long horizontal flourish.

Cale Brodersen, AICP  
Assistant Planner  
City of La Vista  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

cc:

Terry Frecks, Property Owner  
Wyatt Buls, Property Owner  
Bruce Fountain, Community Development Director – City of La Vista  
Christopher Solberg, Deputy Community Development Director – City of La Vista  
Pat Dowse, City Engineer – City of La Vista

Enclosures



## 78<sup>TH</sup> STREET SUB-BASIN STORM SYSTEM

- - CURB IN-LET
- - MAINTENANCE HOLE
- - COLLECTION LINE
- - AREA IN-LET

- A - DRAINAGE FROM SCHOOL BUILDING
- B - 12" x 54'
- C - 12" x 42'
- D - 12" x 31'
- E - 12" x 32'
- F - 12" x 40'
- G - 12" x 61'

\* - THIS LINE EMPTIES INTO THE THOMPSON CREEK  
AT THE GOLF COURSE BY HOLE #3.



## SARPY COUNTY

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Dennis L. Wilson, P.E., PhD  
Sarpy County Engineer

**PUBLIC WORKS DEPARTMENT**  
15100 South 84th Street ♦ Papillion, NE 68046-2895  
Phone (402) 537-6900 ♦ FAX (402) 537-6955 ♦ [www.sarpy.com](http://www.sarpy.com)

TO: Cale Brodersen, City of La Vista, Assistant Planner  
Meghan Enberg, City of La Vista, Permit Technician

FROM: Michael R. Sharp, RLS, Registered Land Surveyor

DATE: Thursday, January 13, 2022

RE: B & T Addition

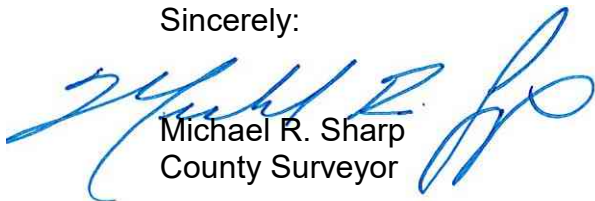
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Sarpy County Public Works has reviewed the application, as submitted. Please see the attached plan with comments for the Final Plat.

- Add Lots (1 and 2) in caption below subdivision name.
- Insert Subdivision name in Property Description.
- Take out the Missouri Standards.
- Add Sarpy County Review Block (See Attached).
- Change to (Sarpy County Board of Commissioners).
- Take out (To be) in the vacation and add the Ordinance Number.
- Is the Easement with the Plat or separate document to be filed?

Any questions please contact me at (402)537-6909.

Sincerely:



Michael R. Sharp  
County Surveyor



January 26, 2022

Michael Frecks  
TREKK Design Group, LLC  
2858 Sprague Street  
Omaha, NE 68111

RE: B&T Addition – Preliminary & Final Plat Applications – Initial Review Letter

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1. It is believed that a 36" diameter storm sewer runs in the vicinity of the centerline of the ROW, or the proposed lot line between Lot 1 and Lot 2, B&T Addition. Attached is a hand drawn sheet provided from Public Works' files for your consideration. The 36" diameter storm sewer pipe will need an easement on either side of the alignment for Public Works to access the pipe. *Added Storm Line onto Prelim and an additional 15' Utility Esmt. on Lot 1.*
2. Please state the flowlines and sizes of the existing public utilities (storm and sanitary sewer) within the proposed ROW vacation on the preliminary plat, per Section 3.03.10 of La Vista's Subdivision Regulations. *DONE*
3. The existing OPPD power line varies from what would be considered a typical back lot easement through the vacated ROW. Please contact OPPD to confirm there are no concerns in terms of access to the line and/or if a back-lot utility easement should be dedicated through the area to be vacated.

*Revised layout.*

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4. Please confirm there are no other private utilities running through the side lots of the former lot lines of Lot 1301 and Lot 880 that abuts the ROW vacation. If there are, additional easements may need to be granted for said utilities. *No Known.*  
*See Utility Note.*
5. Per Section 3.05.11, the notarized dedication on the Final Plat should be revised to include a notary block for all parties having any titled interest in or lien upon the land (including mortgage holders). *DONE*
6. Please provide a County Treasurer Approval Block on the Final Plat that is consistent with Section 10.07 of the Subdivision Regulations, stating that there are no regular or special taxes due or delinquent against the platted land use. *DONE*
7. Please remove the Sarpy County Planning and Zoning and Sarpy County Commission blocks from the Final Plat. These are not required. *DONE*
8. Please provide a La Vista Planning Commission approval block on the Final Plat consistent with Section 10.03 of the Subdivision Regulations. *DONE*
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13. The La Vista City Council approved an ordinance to vacate the old 78<sup>th</sup> Street ROW on 11/16/2021, the ordinance was published on 11/24/2021, then subsequent notices of the real estate sale were published for three weeks (12/1, 12/8, and 12/15). The required 30-day remonstrance period following the publication of ordinance was concluded, without the filing of remonstrance, on 12/27/2021. The date and details of closing on this vacated right-of-way will be determined upon resubmittal of the Preliminary and Final Plats.

*Added Vacation Ordinance # onto FP*



## SARPY COUNTY

Dennis L. Wilson, P.E., PhD  
Sarpy County Engineer

PUBLIC WORKS DEPARTMENT  
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TO: Cale Brodersen, City of La Vista, Assistant Planner  
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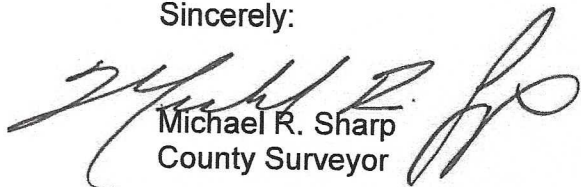
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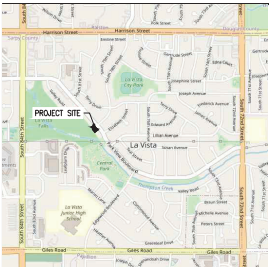
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- Insert Subdivision name in Property Description. *DONE*
- Take out the Missouri Standards. *DONE*
- Add Sarpy County Review Block (See Attached). *DONE*
- Change to (Sarpy County Board of Commissioners). *← Removed per City Comment #11*
- Take out (To be) in the vacation and add the Ordinance Number. *DONE*
- Is the Easement with the Plat or separate document to be filed? *Dedicated by Plat. See OWNER'S CERT.*

Any questions please contact me at (402)537-6909.

Sincerely:

  
Michael R. Sharp  
County Surveyor



LOCATION MAP  
LA VISTA, NEBRASKA  
(NOT TO SCALE)

#### UTILITY NOTE

ONE CALL UTILITY LOCATION (811), TICKETING SERVICE WAS USED TO REQUEST THE LOCATION OF EXISTING UTILITIES.

\*\*\*NO WATER SERVICES WERE MARKED DURING REQUEST\*\*\*

TREKK DESIGN GROUP DOES NOT GUARANTEE THE ACCURACY AND COMPLETENESS OF EXISTING UTILITIES FOR THIS PROJECT. THERE MAY BE ADDITIONAL UTILITIES, WHETHER PRIVATE OR PUBLIC THAT WERE NOT ACCURATELY OR COMPLETELY LOCATED BY THE REQUEST FOR UTILITY LOCATES UTILIZING (811). ONLY VISIBLY MARKED UTILITY'S WERE GATHERED FOR THIS PROJECT AND ARE AS DISPLAYED.

#### OWNERS

OWNER LOT 1301, LA VISTA  
(N/F): BULLS, WYATT & ELIZABETH  
ADDRESS: 7801 PARK VIEW BLVD.  
PARCEL# 010542337  
SURVIVORSHIP WARRANTY DEED INST.#2014-18754

OWNER LOTS 880 & 881, LA VISTA  
(N/F): FRECKS, TERRY L. & MARY H.  
ADDRESS: 7741 PARK VIEW BLVD.  
PARCEL# 010548803  
CORPORATION WARRANTY DEED INST. #199206380

OWNER: PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, NEBRASKA  
ADDRESS: (N/A)  
PARCEL # (N/A)  
DEDICATION BY PLAT

#### FLOOD PLAIN STATEMENT

THESE LOTS ARE LOCATED IN (ZONE X), 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY PANEL NUMBER 31153C0070H, EFFECTIVE DATE: MAY 3, 2010.

#### ZONING REGULATIONS

THESE LOTS ARE CURRENTLY ZONED "R-1"  
SINGLE FAMILY RESIDENTIAL  
PER THE CITY OF LA VISTA, NEBRASKA ZONING MAP

##### SECTION 5.06.03

HEIGHT AND LOT REQUIREMENTS; SINGLE FAMILY DWELLING (EXISTING DWELLING)

LOT AREA: 5,000 S.F.  
LOT WIDTH: 60 FT. MINIMUM  
FRONT YARD: 30 FT. MINIMUM  
SIDE YARD: 5 FT. MINIMUM  
REAR YARD: 30 FT. MINIMUM  
MAX HEIGHT: 35 FT.  
MAX LOT COVERAGE: 35%

HEIGHT AND LOT REQUIREMENTS; SINGLE FAMILY DWELLING (FUTURE DEVELOPMENT)

LOT AREA: 7,000 S.F.  
LOT WIDTH: 70 FT. MINIMUM  
FRONT YARD: 30 FT. MINIMUM  
SIDE YARD: 10 FT. MINIMUM  
REAR YARD: 30 FT. MINIMUM  
MAX HEIGHT: 35 FT.  
MAX LOT COVERAGE: 40%

## PRELIMINARY PLAT

### B & T ADDITION

LOTS 1 AND 2

BEING A REPLAT OF LOTS 880, 881 & 1301 OF LA VISTA SUBDIVISION  
AND A VACATION OF A PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, SARPY COUNTY, NEBRASKA

NOVEMBER 26, 2021  
REVISED: SEPTEMBER 19, 2023

LA VISTA (SUBDIVISION)  
RECORDED IN PLAT BOOK 4, PAGE 7

ZONED: R-1

#### GENERAL NOTES

- RECORD TITLE INFORMATION WAS NOT PROVIDED FOR THIS SURVEY.
- OWNERSHIP, PARCEL ID, ZONING AND DEED INFORMATION WAS GATHERED UTILIZING THE SARPY COUNTY, NEBRASKA, ONLINE GIS PORTAL.
- TRACT MAY BE SUBJECT TO EASEMENT'S, RESTRICTION'S, AND COVENANT'S, WHETHER OF RECORD OR NOT.
- NO ENVIRONMENTAL ISSUES ARE ADDRESSED IN THIS SURVEY.
- NO IRRIGATION EQUIPMENT (SPRINKLER SYSTEMS) ARE SHOWN FOR THIS SURVEY.
- THE PORTION OF THE EXISTING PLATTED 78TH STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD HAS NOT BEEN DEVELOPED AND HAS MAINTAINED BY THE ADJOINING OWNERS.
- THE INTENT OF THIS SURVEY, IS TO HAVE THE PORTION OF THE EXISTING PLATTED 78TH STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, VACATED AND ADJUST THE LOT LINES FOR LOTS 1301, AND 880 - 881 TO THE CENTERLINE OF THE VACATED ROADWAY.

SCALE: 1" = 20'

BEARINGS ARE REFERENCED TO GRID NORTH OF THE NEBRASKA STATE PLANE COORDINATE SYSTEM (NAD-83) AS GATHERED FROM GPS OBSERVATION.

#### LEGEND

E	EXISTING 3/4" IRON PIPE (UNLESS OTHERWISE NOTED)	T	UNDERGROUND TELEPHONE
S	SET 1/2" REBAR WITH CAP "RLS-490" (UNLESS NOTED OTHERWISE)	S	SANITARY SEWER
o	IRON PIPE/REBAR (UNLESS NOTED OTHERWISE)	W	WATERLINE
■	PERMANENT MONUMENT (5/8" REBAR W/ALUM. CAP)	G	GAS LINE
■	STONE MONUMENT	OE	OVERHEAD ELECTRIC
X	DRILL HOLE WITH CHISELED "X"	UE	UNDERGROUND ELECTRIC
△	R/W MARKER	FO	FIBER OPTIC
R/W	RIGHT-OF-WAY	OTV	OVERHEAD CABLE TV
⊕	CENTERLINE	SS	EXIST. STORM SEWER
IP	IRON PIPE	OT	OVERHEAD TELEPHONE
RE	REBAR	PP	POWER POLE
(OTP)	OPEN TOP PIPE	●	LIGHT POLE
(CTP)	CROWDED TOP PIPE	●	BRACE POLE
(W)	MEASURED DISTANCE	+	GUY WIRE ANCHOR
(REC.)	RECORD MEASUREMENT	EM	ELECTRIC MANHOLE
CALC	CALCULATED POSITION/DISTANCE	TM	TELEPHONE/COMM MANHOLE
P.O.B.	POINT OF BEGINNING	TPED	TELEVISION PEDESTAL
P.O.C.	POINT OF COMMENCEMENT	TEPED	TELEPHONE PEDESTAL
WD XXX-XXX	DEED RECORDED IN BOOK XXX, PAGE XXXX	GV	GAS VALVE
-X-	FENCE	GM	GAS METER
MI	SANITARY MANHOLE	SWM	STORM SEWER MANHOLE
⊙	SANITARY CLEAN OUT		
WM	WATER METER		
WV	WATER VALVE		
FD	FIRE HYDRANT		
WV	WATER SHUTOFF VALVE		

#### PROPERTY DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH PRINCIPAL MERIDIAN, LA VISTA, SARPY COUNTY, NEBRASKA, SAID TRACT BEING LOT 880, LOT 881, LOT 1301 AND A PORTION OF PLATTED SEVENTY-EIGHT (78TH) STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, AS SHOWN BY LA VISTA, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 7 OF THE RECORDS OF THE REGISTER OF DEEDS OF SAID SARPY COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1301; THENCE WITH THE WEST LINE OF SAID LOT 1301, N42°45'36"E, 110.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1301 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD; THENCE LEAVING SAID WEST LINE AND WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, S44°14'24"E, 95.00 FEET TO THE CENTERLINE OF SAID (78TH) STREET; THENCE CONTINUING WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, S44°14'24"E, 111.26 FEET; THENCE 41.74 FEET ALONG A 504.80-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S41°52'16"E, 41.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 881; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND WITH THE EAST LINE OF SAID LOTS 881 AND 880, S50°22'32"W, 123.68 FEET TO THE SOUTHEAST CORNER OF SAID LOT 880; THENCE LEAVING SAID EAST LINE AND WITH THE SOUTH LINE OF SAID LOT 880, AND PROJECTION THEREOF, N44°14'24"W, 143.00 FEET TO THE SAID CENTERLINE OF (78TH) STREET; THENCE LEAVING SAID SOUTH LINE, N17°40'30"W, 33.54 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1301; THENCE WITH SAID SOUTH LINE, N44°14'24"W, 65.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 29,157 SQUARE FEET (0.67 ACRES), MORE OR LESS.

## PRELIMINARY PLAT

### B & T ADDITION

BEING A REPLAT OF LOTS 880, 881 & 1301 OF LA VISTA SUBDIVISION  
AND A VACATION OF A PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, SARPY COUNTY, NEBRASKA

DATE: SEPTEMBER 19, 2023

SCALE: 1" = 20'

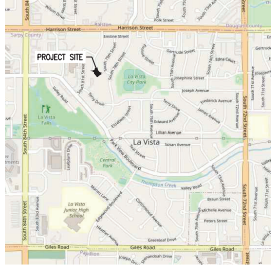
PROJECT: 21-0196

DRAWN BY: CRH

MICHAEL FRECKS  
PROFESSIONAL LAND SURVEYOR  
RLS #490

JOB # 21-0196  
PRELIMINARY PLAT - B & T ADDITION

**TREKK**  
DESIGN GROUP, LLC  
2808 SPRINGUE ST.  
OMAHA, NE 68111  
PH: (402) 330-2802  
MFRECKS@TREKDESIGNGROUP.COM



LOCATION MAP  
LA VISTA, NEBRASKA  
(NOT TO SCALE)

LEGEND

- E EXISTING 3/4" IRON PIPE (UNLESS OTHERWISE NOTED)
- S SET 1/2" REBAR WITH CAP "RLS-490" (UNLESS NOTED OTHERWISE)
- o IRON PIPE/REBAR (UNLESS NOTED OTHERWISE)
- PERMANENT MONUMENT (5/8" REBAR W/ALUM. CAP)
- STONE MONUMENT
- X<sub>TH</sub> DRILL HOLE WITH CHISELED "X"
- Δ R/W MARKER
- R/W RIGHT-OF-WAY
- CL CENTERLINE
- IP IRON PIPE
- RE REBAR
- (OTP) OPEN TOP PIPE
- (CTP) CRIMPED TOP PIPE
- (M) MEASURED DISTANCE
- (REC.) RECORD MEASUREMENT
- CALC. CALCULATED POSITION/DISTANCE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- WD XXX-XXX DEED RECORDED IN BOOK XXX, PAGE XXXX
- X- FENCE

LIEN HOLDER CONSENT

THE UNDERSIGNED HOLDER OF THAT CERTAIN LIEN AGAINST THE REAL PROPERTY DESCRIBED AS LOT 2 IN THE PLAT KNOWN AS B & T ADDITION, LOTS 1 AND 2 (HEREINAFTER "PLAT"), SAID LIEN BEING RECORDED IN THE OFFICE OF THE REGISTRY OF DEEDS OF SARPY COUNTY, NEBRASKA AS INSTRUMENT NO. 199206380 (HEREINAFTER "LIEN"), DOES HEREBY CONSENT TO THE DEDICATION OF AND SUBORDINATE THE LIEN TO ANY UTILITY (SANITARY SEWER, STORM SEWER, WATER, ELECTRIC, CABLE TV, TELEPHONE, NATURAL GAS) EASEMENTS, OR STREETS OR ROADS, PEDESTRIAN WAY EASEMENTS, AND ACCESS EASEMENTS AND ENCUMBRANCES TO ACCESS, DEDICATED TO PUBLIC, ALL AS SHOWN ON THE PLAT, BUT NOT OTHERWISE. THE UNDERSIGNED CONFIRMS THAT IT IS THE HOLDER OF THE LIEN AND HAS NOT ASSIGNED THE LIEN TO ANY OTHER PERSON.

NewRez LLC, (LIEN HOLDER)

BY: \_\_\_\_\_ (SIGNATURE)  
STATE OF \_\_\_\_\_ } SS (PRINTED NAME)

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED \_\_\_\_\_, KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THIS DEDICATION ON THIS PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED AS SAID.

NOTARY PUBLIC  
MY COMMISSION #  
EXPIRES

ACCEPTANCE BY LA VISTA CITY COUNCIL

THIS PLAT OF B & T ADDITION, LOTS 1 AND 2 WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK

APPROVAL OF THE PLANNING COMMISSION OF LA VISTA, NEBRASKA

THIS PLAT OF B & T ADDITION, LOTS 1 AND 2 WAS APPROVED BY THE LA VISTA PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CHAIRPERSON, LA VISTA PLANNING COMMISSION

B & T ADDITION

LOTS 1 AND 2  
BEING A REPLAT OF LOTS 880, 881 & 1301 OF LA VISTA SUBDIVISION  
AND A VACATION OF A PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, SARPY COUNTY, NEBRASKA



DATE:  
SEPTEMBER 19, 2023  
PROJECT:  
21-0196

SCALE:  
1" = 20'  
DRAWN BY:  
CRH

MICHAEL FRECKS  
PROFESSIONAL LAND SURVEYOR  
RLS #490

OWNERS

OWNER LOT 1301, LA VISTA  
(N/F): BULLS, WYATT & ELIZABETH  
ADDRESS: 7801 PARK VIEW BLVD.  
PARCEL# 010542337  
SURVIVORSHIP WARRANTY DEED INST.#2014-18754

OWNER LOTS 880 & 881, LA VISTA  
(N/F): FRECKS, TERRY L. & MARY H.  
ADDRESS: 7741 PARK VIEW BLVD.  
PARCEL# 010549803  
CORPORATION WARRANTY DEED INST. #199206380

OWNER: PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, NEBRASKA  
ADDRESS: (N/A)  
PARCEL # (N/A)  
DEDICATION BY PLAT

FINAL PLAT  
B & T ADDITION

LOTS 1 AND 2  
BEING A REPLAT OF LOTS 880, 881 & 1301 OF LA VISTA SUBDIVISION  
AND A VACATION OF A PORTION OF UNDEVELOPED S. 78TH STREET  
CITY OF LA VISTA, SARPY COUNTY, NEBRASKA  
SEPTEMBER 19, 2023

LA VISTA (SUBDIVISION)  
RECORDED IN PLAT BOOK 4, PAGE 7

SCALE: 1" = 20'  
0 10 20 40

BEARINGS ARE REFERENCED TO GRID NORTH OF THE NEBRASKA  
STATE PLANE COORDINATE SYSTEM (NAD-83) AS GATHERED FROM  
GPS OBSERVATION.

FLOOD PLAIN STATEMENT

THESE LOTS ARE LOCATED IN (ZONE X), 0.2% ANNUAL CHANCE FLOOD HAZARD,  
AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT  
OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE, PER THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY, COMMUNITY PANEL NUMBER 31153C0070H,  
EFFECTIVE DATE: MAY 3, 2010.

GENERAL NOTES

- RECORD TITLE INFORMATION WAS NOT PROVIDED FOR THIS SURVEY.
- OWNERSHIP, PARCEL ID, ZONING AND DEED INFORMATION WAS GATHERED UTILIZING THE SARPY COUNTY, NEBRASKA, ONLINE GIS PORTAL.
- TRACT MAY BE SUBJECT TO EASEMENT'S, RESTRICTION'S, AND COVENANT'S, WHETHER OF RECORD OR NOT.
- THE PORTION OF THE EXISTING PLATTED 78TH STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD HAS NOT BEEN DEVELOPED AND HAS BEEN MAINTAINED BY THE ADJOINING OWNERS.
- THE INTENT OF THIS SURVEY, IS TO HAVE THE PORTION OF THE EXISTING PLATTED 78TH STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, VACATED AND ADJUST THE LOT LINES FOR LOTS 1301, AND 880 - 881 TO THE CENTERLINE OF THE VACATED ROADWAY.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS NOTED OTHERWISE AS CH. FOR CHORD DIMENSIONS.

OWNERS CERTIFICATION

WE, THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE LAID OUT, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OUT, PLAT AND SUBDIVIDED, SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS B & T ADDITION, LOTS 1 AND 2, AN ADDITION TO THE CITY OF LA VISTA, NEBRASKA. ALL STREETS AND ALLEYS AS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC UNLESS SPECIFICALLY NOTED HEREIN. OTHER PUBLIC LANDS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY RESERVED FOR PUBLIC USE.

CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED. ANY ENCUMBRANCES OR SPECIAL ASSESSMENTS ARE EXPLAINED AS FOLLOWS:

THERE ARE STRIPS OF GROUND SHOWN OR DESCRIBED ON THIS PLAT AND MARKED EASEMENT, RESERVED FOR THE USE OF PUBLIC UTILITY'S AND SUBJECT TO THE PARAMOUNT RIGHT OF UTILITY OR CITY TO INSTALL, REPAIR, REPLACE AND MAINTAIN ITS INSTALLATIONS.

TERRY L. FRECKS } MARY H. FRECKS

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED TERRY L. FRECKS & MARY H. FRECKS (HUSBAND AND WIFE), KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THIS DEDICATION ON THIS PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED AS SAID.

NOTARY PUBLIC  
MY COMMISSION #  
EXPIRES

WYATT BULLS } ELIZABETH BULLS

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED WYATT BULLS AND ELIZABETH BULLS (HUSBAND AND WIFE), KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THIS DEDICATION ON THIS PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED AS SAID.

NOTARY PUBLIC  
MY COMMISSION #  
EXPIRES

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN SET AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS B & T ADDITION, LOTS 1 AND 2, BEING A REPLATTING OF LAND DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH PRINCIPAL MERIDIAN, LA VISTA, SARPY COUNTY, NEBRASKA, SAID TRACT BEING LOT 880, LOT 881, LOT 1301 AND A PORTION OF PLATTED SEVENTY-THIRD (78TH) STREET LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, AS SHOWN BY LA VISTA, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 7 OF THE RECORDS OF THE REGISTER OF DEEDS OF SAID SARPY COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1301; THENCE WITH THE WEST LINE OF SAID LOT 1301, N45°45'36"E, 110.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1301 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD; THENCE LEAVING SAID WEST LINE AND WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, S41°14'24"E, 95.00 FEET TO THE CENTERLINE OF SAID (78TH) STREET; THENCE CONTINUING WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, S41°14'24"E, 111.26 FEET; THENCE 41.74 FEET ALONG A 504.80-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S41°52'16"E, 41.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 881; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND WITH THE EAST LINE OF SAID LOTS 881 AND 880, S50°22'32"W, 123.08 FEET TO THE SOUTHEAST CORNER OF SAID LOT 880; THENCE LEAVING SAID EAST LINE AND WITH THE SOUTH LINE OF SAID LOT 880, AND PROJECTION THEREOF, N44°14'24"W, 143.00 FEET TO THE SAID CENTERLINE OF (78TH) STREET; THENCE LEAVING SAID SOUTH LINE, N17°40'30"W, 33.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1301; THENCE WITH SAID SOUTH LINE, N44°14'24"W, 65.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 29,157 SQUARE FEET (0.67 ACRES), MORE OR LESS.

SURVEY AND PLAT BY

**TREKK**  
DESIGN GROUP, LLC  
2808 SPRAGUE ST.  
OMAHA, NE 68111  
PH. (402) 339-2982  
MFRECKS@TREKDESIGNGROUP.COM

MICHAEL FRECKS RLS #490

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_

DATE

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC  
MY COMMISSION #  
EXPIRES

JOB # 21-0196  
FINAL PLAT - B & T ADDITION