



# JANUARY 5, 2026 - PLANNING COMMISSION MEETING

MONDAY, JANUARY 05, 2026 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

## AGENDA

### CALL TO ORDER

A copy of the open meetings act is posted and is provided for the public on the billboard of the Council Chambers

### ROLL CALL

### APPROVAL OF MINUTES

1. [APPROVAL OF MINUTES OF THE DECEMBER 1, 2025 PLANNING COMMISSION MEETING](#)

### OLD BUSINESS

2. NONE

### NEW BUSINESS

3. [PUBLIC HEARING – PRELIMINARY PLAT APPLICATION FOR BLESSINGS SUBDIVISION, LEGALLY DESCRIBED AS THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 20, RANGE 6 WEST OF THE 6TH PM, BOONE COUNTY, NEBRASKA](#)
4. [PUBLIC HEARING – PRELIMINARY PLAT APPLICATION FOR MARILEE 1ST ADDITION, LEGALLY DESCRIBED AS A FRACTION OF THE WEST 1/2 OF THE SOUTHEAST ¼ OF SECTION 21-T20N-R6W OF THE 6<sup>TH</sup> PM, BOONE COUNTY, NEBRASKA](#)

### ITEMS TO BE PUT ON NEXT MEETING AGENDA

5. PUBLIC COMMENT FOR FUTURE CONSIDERATION

### ADJOURNMENT

[\\*\\*\\*THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION ONLY AS PROVIDED IN R.S.N. 84-1410\\*\\*\\*](#)



# AGENDA MEMO

**MEETING NAME:** Albion Planning Commission

**DATE:** January 5, 2026

**ITEM NAME:** APPROVAL OF MINUTES OF THE DECEMBER 1, 2025 PLANNING COMMISSION MEETING

**PRESENTER(S):**

**BACKGROUND INFORMATION:**

Minutes are enclosed for review.

**DISCUSSION:**

**MOTION:** To approve the minutes of the December 1, 2025 Planning Commission Meeting

**BY:**

**2ND:**

**ROLL CALL:** Dailey \_\_\_\_\_ Thorberg \_\_\_\_\_ Gragert \_\_\_\_\_ Wynn \_\_\_\_\_ Ruzek \_\_\_\_\_

Nathan \_\_\_\_\_ Schafer \_\_\_\_\_ Fick \_\_\_\_\_ Vacant \_\_\_\_\_

**SUMMARY OF DECISION:**



## PLANNING COMMISSION MEETING

MONDAY, DECEMBER 01, 2025 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

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# MINUTES

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### CALL TO ORDER

A copy of the open meetings act is posted and is provided for the public on the billboard of the Council Chambers.

### ROLL CALL

Commission members present were Bev Dailey, Steve Gragert, Don Thorberg, Brian Nathan, and Chairman Tom Fick. Absent were Steven Ruzek, Gale Schafer, and Todd Wynn. City staff present was Secretary Andrew Devine.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE NOVEMBER 3, 2025 PLANNING COMMISSION MEETING

Commissioner Dailey made a motion to approve minutes of the November 3, 2025 Planning Commission Meeting, seconded by Nathan. Voting Yea: Nathan, Thorberg, Fick, Gragert, Dailey. Voting Nay: None. Absent: Schafer, Ruzek, Wynn. Motion carried.

### OLD BUSINESS

#### 2. NONE

### NEW BUSINESS

#### 3. PREAPPLICATION CONFERENCE WITH DYLAN MARTIN REGARDING SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 20, RANGE 6 WEST OF THE 6<sup>TH</sup> PM, BOONE COUNTY, NEBRASKA

Secretary Devine provided the commissioners with a sketch of the proposed subdivision, which is located outside City Limits but inside the City's Extra Territorial Jurisdiction. Devine also provided the Pre-Application Administrative Review and discussed it with the commissioners. Dylan Martin was available to answer questions. Mr. Martin would like to purchase approximately 5-6 acres of the property owned by Marilee Niewohner for the purpose of building a single dwelling home. Martin questioned if it would be necessary to have a drainage plan. Devine stated it wasn't necessary in order to get city approval; however, he recommended it for their own benefit. Secretary Devine stated there will be a Preliminary Plat and then a Final Plat for future consideration.

Commissioner Gragert made a motion to approve the pre-application plan pending formal application, seconded by Nathan. Voting Yea: Nathan, Thorberg, Fick, Gragert, Dailey. Voting Nay: None. Absent: Schafer, Ruzek, Wynn. Motion carried.

**ITEMS TO BE PUT ON NEXT MEETING AGENDA**

**4. PUBLIC COMMENT FOR FUTURE CONSIDERATION**

None.

**5. Next Meeting - January 5, 2026 – 7:00 p.m.**

**\*Consider Preliminary Plat of Blessings Subdivision from Richard and Kami Riley for Approval**

**\*Town Hall Meeting December 16, 2025 at 5:30 p.m. at Fire Hall - NENEDD to present community survey results**

**ADJOURNMENT**

Commissioner Thorberg made a motion to adjourn the meeting at 7:16 p.m., seconded by Nathan. Voting Yea: Thorberg, Fick, Gragert, Nathan, Dailey. Voting Nay: None. Absent: Wynn, Ruzek, Schafer. Motion carried.

**\*\*\*THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION ONLY AS PROVIDED IN R.S.N. 84-1410\*\*\***



# AGENDA MEMO

**MEETING NAME:** Albion Planning Commission

**DATE:** January 5, 2026

**ITEM NAME:** PUBLIC HEARING – PRELIMINARY PLAT APPLICATION FOR BLESSINGS SUBDIVISION, LEGALLY DESCRIBED AS THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 20, RANGE 6 WEST OF THE 6<sup>TH</sup> PM, BOONE COUNTY, NEBRASKA

**PRESENTER(S):**

**RICH RILEY**

**BACKGROUND INFORMATION:**

Rich and Kami Riley held a pre-application conference with the planning commission in July to discuss the proposed subdivision and obtain feedback from the planning commission.

The enclosed preliminary plat application and survey has been prepared in accordance with the pre-application conference. The survey is difficult to read as enclosed due to size. A full size survey is available for review at City Hall.

A draft of the development agreement is also enclosed for review.

The proposed subdivision is located outside City Limits, but inside the City’s EJT.

The planning commission’s duty in this case is to review the preliminary plat and make a recommendation to the City Council regarding approval or disapproval.

**DISCUSSION:**

**MOTION:**

**BY:**

**2ND:**

**ROLL CALL:** Nathan \_\_\_\_\_ Schafer \_\_\_\_\_ Thorberg \_\_\_\_\_ Ruzek \_\_\_\_\_

Fick \_\_\_\_\_ Gragert \_\_\_\_\_ Wynn \_\_\_\_\_ Vacant \_\_\_\_\_ Dailey \_\_\_\_\_

**SUMMARY OF DECISION:**

APPLICATION FOR PRELIMINARY PLAT

Albion, Nebraska

LEGAL DESCRIPTION AND GENERAL LOCATION

Northwest 1/4, Northeast 1/4, Section 20, T20N, R6W

CITY USE ONLY

RECEIPT NO: \_\_\_\_\_

DATE: \_\_\_\_\_

PRELIMINARY PLAT #: \_\_\_\_\_

FEE PAID \$ \_\_\_\_\_

SUBDIVIDER

Name: Rich Riley

Address: 2815 Pinnacle Drive, Norfolk, NE 68701

Telephone: ( ) 402-841-4358

AGENT (Authorized to act on Subdivider's behalf):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( \_\_\_\_\_)

OWNER

Name: Rich & Kamala Riley

Address: 2815 Pinnacle Drive, Norfolk, NE 68701

Telephone: ( 402-841-4358

ANY OTHER ASSOCIATES:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( \_\_\_\_\_)

NAME OF PRELIMINARY PLAT: BLESSED ACRES SUBDIVISION NUMBER OF LOTS: 5

a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes\_\_ NoX. If yes, please describe the nature of such interest: \_\_\_\_\_

b. Will the preliminary plat require any zoning or other action (rezoning, Planned Development, conditional use or vacations) to complete the development? Yes \_\_ NoX. If yes please describe the nature of the action: \_\_\_\_\_

c. Does Preliminary Plat meet all the criteria required in the Subdivision Regulations and as found on the Preliminary Plat Checklist? \_\_\_\_\_

d. Have all governmental entities in the vicinity of the Preliminary Plat been notified? Yes\_\_ No X. If Yes, has the City received any comments from these entities?, if yes please attach to application for Planning Commission and City Council review. Project engineer has been in communication with the county's engineer regarding the drainage study and road access design. This is work is currently on-going. County and/or City approval will be acquired prior to construction.

e. For City use: Preliminary Plat was: Approved as presented \_\_\_\_, Approved contingent upon specified changes \_\_\_\_, Denied \_\_\_\_ Identify the specific changes either in the space provided or on an attached sheet \_\_\_\_\_

Applicant's Signature: Leanne R. Ritter e: 9/24/2025

# PRELIMINARY PLAT APPLICANT'S TECHNICAL CHECKLIST

Item 3.

## City Jurisdiction of Albion, Nebraska

NAME OF PRELIMINARY PLAT: BLESSED ACRES SUBDIVISION

LOCATION OF SUCH PLAT: Northwest 1/4, Northeast 1/4, Section 20, T20N, R6W

### REQUIREMENTS OF PRELIMINARY PLAT

- Drawn to a scale of one (1") inch to one hundred (100') feet
- Marked "Preliminary Plat"
- A location map showing the general location of the proposed subdivision in relation to surrounding developments
- North arrow
- Scale
- Legend.
- The proposed name of the subdivision (not similar to that of an existing subdivision as to cause confusion)
- The proposed names and addresses of the owner and subdivider
- Engineer, surveyor, or landscape architect responsible for the subdivision layout
- Names of all landowners abutting the proposed subdivision.
- The legal description of the area being platted. The boundary line (accurate in scale) and dimensions, and the location of monuments found or set, section lines, existing and the approximate acreage of the proposed development.
- Width and location of platted streets and alleys within or adjacent to the property; physical features of the property, including location of water courses, ravines, bridges, culverts, present structures and other features affecting the subdivision
- Contours with intervals of five (5') feet or less
- Location of all existing utilities and their sizes indicated, including: flow lines, elevations of existing sanitary and storm sewer
- The outline of wooded areas (the location of important individual trees may be required)
- Proposed lot layout, lot and block numbers and approximate lot dimensions and square footage and grounds proposed to be dedicated for public use.
- Location and width of proposed streets, easements, building setback lines, Rights of Way, pavement width and type, sidewalks, alleys, location of all proposed improvements including: sanitary sewers (including proposed flow lines), water mains, storm water drainage and other features and improvements required by these regulations.
- The existing zoning classification and proposed uses of land within the proposed subdivision shall also be designated.
- Draft copy of the subdivision agreement
- The subdivider or subdivider's representative shall be in attendance at City Planning Commission Meeting when Preliminary Plat is discussed.
- When required, two (2) prints to be delivered to the City Engineer for review.
  1. A sanitary sewer plan.
  2. A surface storm drainage plan, if necessary, within the subdivision.
  3. A street profile plan with a statement of proposed street improvements.
- Planning Commission approval block
- All plans and other information conform to the City's General Requirements and Minimum Standards of Design

**ADDITIONAL INFORMATION** (to be shown on Preliminary Plat or on accompanying sheets)

Item 3.

- Four (4) copies of Preliminary Plat and required supplementary material filed with City Clerk
- Submit plat thirty (30) days prior to the meeting of the Planning commission
- Copy of application, site plan, preliminary plat, etc to proper agencies and authorities for review
  - ◇ City Engineer office                      ◇ Health Department                      ◇ Law Enforcement office
  - ◇ Traffic engineering                      ◇ Building and safety                      ◇ Parks and Recreation
  - ◇ Utility Companies                      ◇ School District                      ◇ Other
- Any required landscape screens, etc.
- Copies of proposed Deed Restrictions, if any
- Sketch plan of larger tract and future concepts of development, if part of a larger tract that will be subdivided in the future

**IF PLAT IS LOCATED WITHIN THE FLOOD PLAIN**

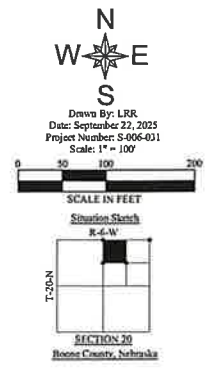
- Hydrological and grade information to determine frequency and extent of inundation of flood waters
- Location of proposed use and type of use
- Areas of habitation and employment to include:
  - ◇ Location size and floor elevation of any structures
  - ◇ Location and elevation of parking areas
  - ◇ Use, location and elevation of open space
  - ◇ Limits of the flood plain
  - ◇ Amount of fill material brought into the flood plain
  - ◇ A certificate that grading will not result in any increase in the flood plain

Applicant's Signature(s): Leanne R. Ritter

Date: 9/24/2025

Location of flood plain is shown on the preliminary plat.  
Minimum finished floor elevations are shown on the North 2 lots, adjacent to the flood plain.  
Since the existing grade of the majority of the subdivision is considerably higher than the Base Flood Elevations, attention will need to be paid to Lot 1 and Lot 2 when building permits are applied for. Depending on the locations of the proposed building on these 2 lots, the flood plain won't effect the majority area.

PRELIMINARY PLAT  
BLESSED ACRES SUBDIVISION  
of the Northwest 1/4 of the Northeast 1/4 of Section 20, T20N, R6W of the 6th P.M., Boone County, Nebraska.



**LEGEND**

- Section Corner Found
- Section Corner Set (5/8" x 3/4" I.B. w/ Cap)
- Property Corner Found
- Property Corner Set (5/8" x 3/4" I.B. w/ Cap)
- Calculated Point
- Measured Distance
- Recorded Distance (L&M) Eric M. Brown, LS#386, dated September 17, 2007
- (B.L.G.) Bruce L. Gilmore, LS#904, dated April 24, 1979
- (JAM) James A. McMeekin, LS#164, dated May 12, 1981
- Calculated Distance

**ZONING**  
Subject Property is within City of Albion ETJ Boundary.  
Current Zone: Transitional Ag  
Proposed Use of Land: Single Family Dwelling

**PERMITTED USES**

- Farming/Sale of Products raised on premises (no more than 12 animals)
- Farm dwellings
- Single Family Dwelling
- Public parks and recreation areas
- Stables and riding academies

**HEIGHT & LOT REQUIREMENTS**  
Lot Area: 5 Acres  
Lot Width: 150 feet  
Front Yard: 25 feet; 100 feet for accessory buildings  
Side Yard: 50 feet; 15 feet for accessory buildings  
Rear Yard: 65 feet; 15 feet for accessory buildings  
Max. Height: 35 feet; 22 feet for accessory buildings  
Lot Coverage: 10%; 5% for accessory buildings

**DEVELOPER/OWNER:**  
Rick Raley  
2815 Pinacle Drive  
Norfolk, NE 68701  
402-841-4358

**ENGINEER:**  
John A. Zwangman, PE  
Advanced Consulting Engineering Services  
133 West Washington Street  
West Point, NE 68788  
Phone: 402-372-1923

**SURVEYOR:**  
Terry L. Schulz, RLS  
Advanced Consulting Engineering Services  
133 West Washington Street  
West Point, NE 68788  
Phone: 402-372-1923

**FIRM**  
Boone County, Nebraska & Incorporated Areas  
Parcel 309 of 575

Boone County, Unincorporated Areas  
Number: 310008  
Zone: 0399  
SubE: C  
Effective Date: December 6, 1999

This survey was prepared at the request of Name, Town, Nebraska.

- FIELD NOTES**
- A) North 1/4 Corner, Section 20, T20N, R6W: Found Axle Shaft, 1.8-foot deep, 10.77' SSE to nail and Disc in Fence Post.  
11.00' SSE to Nail and Disc in Corner Fence Post.  
14.95' SE to Nail and Disc in Fence Post.  
21.75' ESE to Mag-Nail and Disc in Fence Post.  
10' North of Fence Line, East  
4.5' East of Fence Line, South  
5.5' North to Edge of Gravel Road.
- B) Northeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found 5/8" Iron Bar, LS#96, Bruce L. Gilmore, 0.3 feet deep.  
1.14' SSE to Nail in Corner Fence Post.  
7.12' SSE to nail in Fence Post.  
21.92' SE to 3/4" Iron Pipe.  
16.50' ESE to Nail in Gate Post.
- C) Northeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found Axle Shaft.  
58.88' NNW to Mag-Nail in Power Pole.  
67.75' NE to Mag-Nail in Power Pole.  
62.09' SSW to Top-Center of Well Head.  
1.90' North to Edge of Road.
- D) Southeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found 1" Iron Pipe, LS#165, James A. McMeekin, 0.3 feet deep.  
23.90' NNE to 5/8" Iron Bar.  
16.74' East to 5/8" Iron Bar.  
4.28' SSE to Nail in Fence Post.  
10' South of Fence Line, East.  
3.5' East to Fence Line, North.
- E) Southeast Corner, Northeast 1/4, Section 20, T20N, R6W: Set 1"x10" Iron Pipe with Cap, LS#550.  
6.97' NW to Gas Warning Post, West Post.  
18.85' NE to 5/8" Iron Bar.  
23.41' ENE to Gas Warning Post, East Post.  
18.31' SE to 5/8" Iron Bar.
- F) Southeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found 1" Iron Pipe of Cap, LS#165, James A. McMeekin, flush with ground.  
21.36' WNW to "X"-Nails on Top of Fence Post.  
5.16' NE to Nail in Fence Post.  
11.01' ENE to Nail in Corner Fence Post.  
17.36' SSW to 5/8" Iron Bar.
- G) Southeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found Mag Spike with Washer, LS#673, Christopher C. Hayes.  
54.90' North to Chiseled "X" on Top of Right-of-Way Marker.  
64.27' NE to Mag-Nail and Disc in Telephone Pedestal Post.  
69.84' SSE to Nail on Top of Fence Post.  
92.75' SW to Nail in Power Pole.  
3.3' South to Centerline of Asphalt Highway, East-West.
- H) Southeast Corner, Northeast 1/4, Section 20, T20N, R6W: Found Mag Spike with Washer, LS#673, Christopher C. Hayes.  
98.11' WNW to 3/4" Iron Bar.  
103.35' NNW to Nail in Power Pole.  
94.09' North to 1" Iron Pipe with Cap, LS#165.  
83.17' SSW to Mag-Nail on Top of Fence Post.  
92.32' SW to 3/4" Bar.

**LEGAL DESCRIPTION**  
The Northwest 1/4 of the Northeast 1/4 of Section 20, T20N, R6W of the 6th P.M., Boone County, Nebraska, containing 34.44 acres, more or less.

**ROADWAY EASEMENT**  
A 66-foot roadway easement located in the Northwest 1/4 of the Northeast 1/4 of Section 20, T20N, R6W of the 6th P.M., Boone County, Nebraska, more particularly described as follows:

Commencing at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 20, T20N, R6W of the 6th P.M., Boone County, Nebraska; thence N 87°53'33" E on the North line of the Northwest 1/4 of said Northeast 1/4, 33.00 feet to the Point of Beginning; thence S 01°37'46" E and parallel to the West line of the Northwest 1/4 of said Northeast 1/4, 77.85 feet to point of curvature; thence Southeast on a 50.00 foot radius curve to the left, 69.55 feet of which said curve has a chord bearing of S 41°2'84" E, 64.08 feet; thence S 84°13'26" E, 146.72 feet to a point of curvature; thence Northeast on a 100.00 foot radius curve to the left, 71.08 feet of which said curve has a chord bearing of N 75°29'43" E, 69.60 feet; thence N 55°02'52" E, 44.17 feet to a point of curvature; thence Northeast on a 200.00 foot radius curve to the right, 116.32 feet of which said curve has a chord bearing of N 71°42'33" E, 114.69 feet; thence N 88°22'14" E, 72.84 feet to a point of curvature; thence Southeast on a 250.00 foot radius curve to the right, 77.13 feet of which said curve has a chord bearing of S 82°47'08" E, 76.82 feet to a point on the East line of Lot 1, Blessed Acres Subdivision; thence continuing Southeast on a 250.00 foot radius curve to the right, 315.57 feet of which said curve has a chord bearing of S 37°47'28" E, 295.03 feet; thence S 01°37'46" E on the common property line of Lots 1-5, Blessed Acres Subdivision, 983.29 feet to the Point of Termination.

New Access Structure to Be Built.  
Collaboration with the County Engineer on the design and size will take place so the County and City can review and approve that it will be in accordance to the Drainage Study to be completed by the County Engineer.



**SURVEYOR'S CERTIFICATE**  
I, Terry L. Schulz, Nebraska Registered Land Surveyor No. 550, duly registered under the Land Surveyor's Regulation Act, do hereby state that I have performed a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct and in accordance with the Land Surveyor's Regulation Act in effect at the time of this survey.

Terry L. Schulz, State of Nebraska, LS #550      Date \_\_\_\_\_

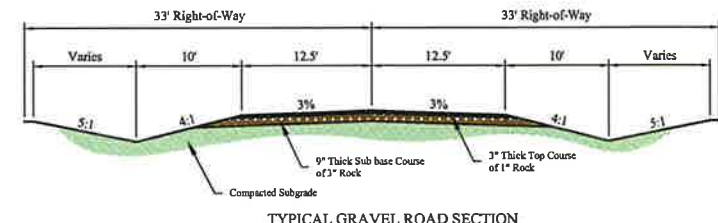
**PLANNING COMMISSION APPROVAL**  
This plat is hereby approved by the City of Albion Planning Commission duly on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairperson \_\_\_\_\_  
Attest: \_\_\_\_\_  
Planning Commission Secretary

**CITY COUNCIL APPROVAL**  
This plat has been submitted to and approved by the City of Albion by Ordinance Number \_\_\_\_\_, duly on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

City Code Official \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk/Deputy Clerk



TYPICAL GRAVEL ROAD SECTION



Please return to:  
 Buettner Law, LLC  
 Tracey L. Buettner  
 1306 N. 13<sup>th</sup> St, Ste 101  
 Norfolk, NE 68701  
[tracey@buettner.law](mailto:tracey@buettner.law)

**BLESSED ACRES SUBDIVISION  
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made and entered on \_\_\_\_ day of \_\_\_\_\_, 2025, by and between Richard W. Riley and Kamala K. Riley, husband and wife (hereinafter referred to as "Subdivider" whether one or more) and the CITY OF ALBION, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

**WITNESSETH**

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as Blessed Acres Subdivision to the ETJ Boundary of the City of Albion, Boone County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; legally described as follows:

Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ), Section  
 Twenty (20), Township Twenty (20) North, Range Six (6) West of the  
 6<sup>th</sup> P.M., Boone County, Nebraska,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

GENERAL CONDITIONS:

1. Sanitary Sewer: City sewer infrastructure has not been extended to or across the lots in this subdivision and there are no plans to extend city sewer service to this general area in the near future. The city, therefore, approves the use of private septic systems for each lot with the subdivision according to and in compliance with Nebraska Rules and Regulations and Boone County Regulations.
2. Water: City water service has not been extended to or across the lots in the subdivision and there are no plans to extend city water services to this general area in the near future. The city, therefore, approves the use of private water wells for each lot within the subdivision according to and in compliance with Nebraska Rules and Regulations and Boone County Regulations.
3. Street Improvements: No public street or easement of access will be dedicated through the subdivision. All costs associated with maintenance of the subdivision road shall not be the responsibility of the City of Albion.
4. Grading and Drainage: Grading for the Area to be Developed shall be completed by Subdivider at Subdivider's expense pursuant to the drainage and grading plan elevations to be provided by John A. Zwingman, PE, Advanced Consulting Engineering Services, Inc. and submitted with the Final Plat. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National

Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre.

5. Subdivider shall arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City.
6. Subdivider and City covenant and agree that Subdivider will abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City pertaining to construction of public improvements, and testing procedures therefor, except as otherwise provided in this Development Agreement.
7. All buildings built in the Area to be Developed, shall be constructed in compliance with the most recent City of Albion Building Requirements at the time of application for the building permits, to the extent possible.

#### MISCELLANEOUS

1. No separate administrative entity or joint venture, among the parties, is deemed created by virtue of the Development Agreement.
2. The administration of this Development Agreement shall be through the offices of the undersigned officers for their respective entities.
3. This Development Agreement shall be binding upon parties, their respective successors, and assigns.
4. This Development Agreement replaces and declares void any prior agreements or resolutions regarding the development of the Area to be Developed
5. This Development Agreement shall be recorded at the Boone County Register of Deeds office, at Subdivider's expense, within 30 days of final plat approval.
6. This Agreement shall run with the land and shall be binding upon and insure to the benefit of all parties hereto, their successors and assigns, including all future lot owners of the Area to be Developed.

IN WITNESS WHEREOF, we the executing parties, by ourselves or our respective duly authorized agents, hereby enter into this Development Agreement:

ATTEST:

CITY OF ALBION

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR Date

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY





# AGENDA MEMO

**MEETING NAME:** Albion Planning Commission

**DATE:** January 5, 2026

**ITEM NAME:** PUBLIC HEARING – PRELIMINARY PLAT APPLICATION FOR MARILEE 1ST ADDITION, LEGALLY DESCRIBED AS A FRACTION OF THE WEST 1/2 OF THE SOUTHEAST ¼ OF SECTION 21-T20N-R6W OF THE 6<sup>TH</sup> PM, BOONE COUNTY, NEBRASKA

**PRESENTER(S):**

**DYLAN MARTIN, JERRY NIEWOHNER**

**BACKGROUND INFORMATION:**

Dylan Martin, as a representative of Jerry Niewohner, participated in a pre-application conference with the planning commission in December to discuss the proposed subdivision and obtain feedback from the planning commission.

The enclosed preliminary plat application and survey have been prepared in accordance with the pre-application conference. The survey is difficult to read as enclosed due to size. A full size survey is available for review at City Hall.

A draft of the development agreement is also enclosed for review.

The proposed subdivision is located outside City Limits, but inside the City’s EJT.

The planning commission’s duty in this case is to review the preliminary plat and make a recommendation to the City Council regarding approval or disapproval.

**DISCUSSION:**

**MOTION:**

**BY:**

**2ND:**

**ROLL CALL:** Nathan \_\_\_\_\_ Fick \_\_\_\_\_ Dailey \_\_\_\_\_ Schafer \_\_\_\_\_ Ruzek \_\_\_\_\_

Gragert \_\_\_\_\_ Thorberg \_\_\_\_\_ Wynn \_\_\_\_\_ Vacant \_\_\_\_\_

**SUMMARY OF DECISION:**

APPLICATION FOR PRELIMINARY PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE1/4 of SECTION 21, T20N, R16W  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_

FEE PAID \$ pd \$350 total

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Marilee Niewohner  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF PRELIMINARY PLAT: Marilee 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No X.  
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Development, conditional use or vacations) to complete the development? Yes \_\_\_ No X. If yes please describe the nature of the action: \_\_\_\_\_
- c. Does Preliminary Plat meet all the criteria required in the Subdivision Regulations and as found on the Preliminary Plat Checklist?  
Yes
- d. Have all governmental entities in the vicinity of the Preliminary Plat been notified? Yes X No \_\_\_.  
If Yes, has the City received any comments from these entities?, if yes please attach to application for Planning Commission and City Council review.
- e. For City use:  
Preliminary Plat was: Approved as presented \_\_\_ , Approved contingent upon specified changes \_\_\_ , Denied \_\_\_  
Identify the specific changes either in the space provided or on an attached sheet \_\_\_\_\_

Applicant's Signature: [Signature]  
Date: 12-11-25

APPLICATION FOR PRELIMINARY PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE1/4 of SECTION 21, T20N, R16W  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th St  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Manice Niezohner  
Address: 2609 190th St  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF PRELIMINARY PLAT: Manice 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No X.  
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Development, conditional use or vacations) to complete the development? Yes \_\_\_ No X. If yes please describe the nature of the action: \_\_\_\_\_
- c. Does Preliminary Plat meet all the criteria required in the Subdivision Regulations and as found on the Preliminary Plat Checklist?  
Yes
- d. Have all governmental entities in the vicinity of the Preliminary Plat been notified? Yes X No \_\_\_.  
If Yes, has the City received any comments from these entities?, if yes please attach to application for Planning Commission and City Council review.
- e. For City use:  
Preliminary Plat was: Approved as presented \_\_\_ , Approved contingent upon specified changes \_\_\_ , Denied \_\_\_  
Identify the specific changes either in the space provided or on an attached sheet \_\_\_\_\_

Applicant's Signature:   
Date: 12-11-25

APPLICATION FOR PRELIMINARY PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE1/4 of Section 21, T20N, R16W  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th St  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Mailee Niewohner  
Address: 2609 190th St  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF PRELIMINARY PLAT: Mailee 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No X.  
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Development, conditional use or vacations) to complete the development? Yes \_\_\_ No X. If yes please describe the nature of the action: \_\_\_\_\_
- c. Does Preliminary Plat meet all the criteria required in the Subdivision Regulations and as found on the Preliminary Plat Checklist?  
Yes
- d. Have all governmental entities in the vicinity of the Preliminary Plat been notified? Yes X No \_\_\_.  
If Yes, has the City received any comments from these entities?, if yes please attach to application for Planning Commission and City Council review.
- e. For City use:  
Preliminary Plat was: Approved as presented \_\_\_ , Approved contingent upon specified changes \_\_\_ , Denied \_\_\_  
Identify the specific changes either in the space provided or on an attached sheet \_\_\_\_\_

Applicant's Signature:   
Date: 12-11-25

APPLICATION FOR PRELIMINARY PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE1/4 of SECTION 21, T20N, R16W  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Manlee Nicwoker  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

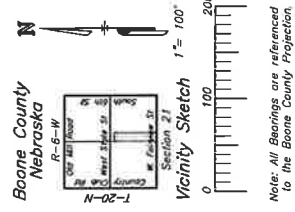
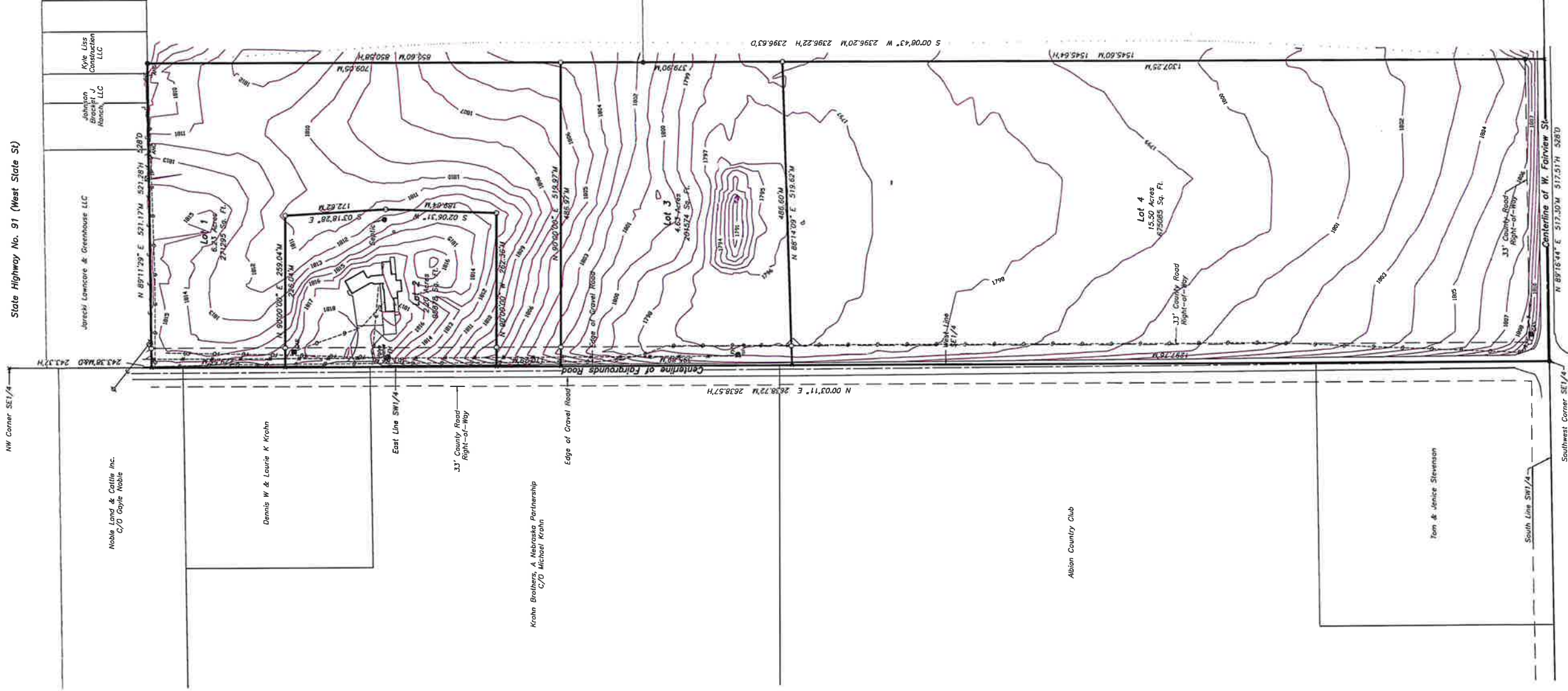
ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF PRELIMINARY PLAT: Manlee 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No .  
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Development, conditional use or vacations) to complete the development? Yes \_\_\_ No . If yes please describe the nature of the action: \_\_\_\_\_
- c. Does Preliminary Plat meet all the criteria required in the Subdivision Regulations and as found on the Preliminary Plat Checklist?  
Yes
- d. Have all governmental entities in the vicinity of the Preliminary Plat been notified? Yes  No \_\_\_.  
If Yes, has the City received any comments from these entities?, if yes please attach to application for Planning Commission and City Council review.
- e. For City use:  
Preliminary Plat was: Approved as presented \_\_\_ , Approved contingent upon specified changes \_\_\_ , Denied \_\_\_  
Identify the specific changes either in the space provided or on an attached sheet \_\_\_\_\_

Applicant's Signature:   
Date: 6-11-25

Preliminary Plat of Marilee 1st Addition  
of part of the SE1/4 of  
Section 21, T20N, R6W, Boone County, Nebraska



**-LEGEND-**  
 Found 5/8" Rebar  
 w/Plastic Survey Cap  
 (Unless Otherwise Noted)  
 S 1/2" x 24" Rebar  
 w/Plastic Survey Cap  
 Computed Location  
 Measured This Survey  
 Recorded Measurement  
 C.C. Hgs., L.S. #673

- Found 5/8" Rebar
- S 1/2" x 24" Rebar
- × Computed Location
- M Measured This Survey
- H Recorded Measurement
- D Dead End Distance
- Water Valve
- Power Pole
- J-4WC Anchor
- Fire Hydrant
- Telephone Pedestal
- Gas Meter
- Water Spicket
- Overhead Electric
- Underground Electric
- Underground Fiber Optic
- Underground Gas
- Underground Telephone
- 6" Water Line

Note: All Bearings are referenced to the Boone County Projection

**Owner:** Marilee Newahner  
2609 180th Street  
Albion, NE 68620

**Developer:** Dylan Martin  
11401 S. 17th  
Albion, NE 68620  
(724)574-4323

**Surveyor:** Thomas A. Tremel  
Tremel Surveying, Inc.  
Dirtwood Drive  
Columbus, NE 68601

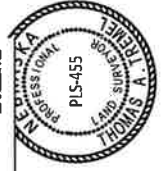
**Notes:**  
 Current Zoning: R2  
 Flood Zone: Zone X as per Flood Insurance Rate Maps 31011C0309C AND 31011C0325C, both with an effective date of December 5, 1999.

**Field Notes:**  
 Northwest Corner SE1/4, Section 21, T20N, R6W - searched and dug for corner and set iron nail, calculated location based on ties recorded by C.C. Hays, L.S. #673. Found iron nail in corner fence post.  
 184.33' NE to NW corner of R.O.W. Marker.  
 78.78' SE to NW corner of R.O.W. Marker.  
 61.16' SSE to NW corner of R.O.W. Marker. 91' E&W  
 14' West to centerline of Fairgrounds Road N&S

Southwest Corner SE1/4, Section 21, T20N, R6W - found MAG spike with iron nail in centerline of Fairgrounds Road N&S on April 28, 2023.  
 184.33' NW to NW corner of R.O.W. Marker.  
 78.78' SE to NW corner of R.O.W. Marker.  
 61.16' SSE to NW corner of R.O.W. Marker. 91' E&W  
 2.4' North to centerline of W. Fairview Street E&W  
 On centerline of Fairgrounds Road N&S

**Deed Description:**  
 The W1/2 SE1/4 of Section 21, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, described as follows:  
 Beginning at a point 14-1/4 rods South of the Northwest corner of the SE1/4 of Section 21, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, thence running East 32 rods on a line parallel to the centerline of Fairgrounds Road N&S, thence South 32 rods to a point on the South line of said quarter section 32 rods East of the Southwest corner of said quarter section; thence West along the South line of said quarter section to the Southwest corner of said quarter section, thence North along the West line of said quarter section to the place of beginning, containing 28.255 acres more or less.

**Surveyor's Statement:**  
 I, Thomas A. Tremel, a Professional Land Surveyor in the State of Nebraska, hereby state that this survey was conducted under my direct supervision and is correct to the best of my knowledge and belief and is in accordance with the Minimum Standards for Surveys in Nebraska.  
 Thomas A. Tremel, P.L.S. #455  
 December 9, 2025



**Owners Certificate:**  
 The following owner of the described property have caused said real estate to be platted in accordance with this plat.  
 Marilee Newahner

**Acknowledgement of Notary:**  
 State of Nebraska  
 County of Boone  
 My commission expires: 12-17-26  
 Brea Kelley  
 Notary Public

GENERAL NOTARY - State of Nebraska  
 BREA KELLEY  
 My Comm. Expires Dec. 17, 2026

Reinhart Addition  
 Lot 2  
 Noble Land & Cattle Inc.  
 C/O Gayle Noble

Albion Country Club

Tom & Jenice Stevenson

**Utilities:**  
 Call 800.642.8434 for the actual location of the utilities before digging.  
 No Private Utilities were located unless otherwise shown.  
 Sewer - City of Columbus (Clear/No Conflict)  
 Gas - Black Hills Energy (As Shown) (As Shown)  
 Telephone - Great Plains Communications (Clear/No Conflict)  
 Fiber Optic - Mediacom - Spirit (As Shown) (Clear/No Conflict)  
 Electric - Loup River Public Power District (As Shown)

Preliminary Plat

MARILEE 1ST ADDITION  
 SE1/4 SECTION 21, T20N, R6W  
 ALBION, BOONE COUNTY, NEBRASKA

TMB	TMB, WAS	DATE
		12/08/2025
DRAWN	SUBMITTED	



No. 1 Driftwood Drive - Columbus  
 Phone (402) 563-4589 - Fax (402)

APPLICATION FOR FINAL PLAT

Albion, Nebraska

LEGAL DESCRIPTION AND GENERAL LOCATION

SE 1/4 Section 21, T20N, R6W,  
Boone County, NE

CITY USE ONLY

RECEIPT NO: \_\_\_\_\_

DATE: \_\_\_\_\_

PRELIMINARY PLAT #: \_\_\_\_\_

FEE PAID \$ pd \$350<sup>00</sup> total

SUBDIVIDER

Name: Dylan Martin

Address: 2609 190th Street  
Albion, NE 68620

Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

OWNER

Name: Marilee Niewohner

Address: 2609 190th St  
Albion, NE 68620

Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

NAME OF FINAL PLAT: Marilee 1st Add. NUMBER OF LOTS: 4

a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes  No   
If yes, please describe the nature of such interest: \_\_\_\_\_

b. Will the preliminary plat require any zoning or other action (rezoning, Planned Unit Development, conditional use or vacations) to complete the development? Yes  No . If yes please describe the nature of the action: \_\_\_\_\_

c. The final plat is based upon the preliminary plat for Marilee 1st Add., approved by the City Council on \_\_\_\_\_, 19\_\_\_\_, Resolution No. \_\_\_\_\_

d. Is the final plat consistent with the approved preliminary plat? Yes  No . If not, please explain the proposed changes and the reasons therefor: \_\_\_\_\_

e. Have all the improvements required by the preliminary plat been completed? Yes  No  (Please check the Planning Commission's letter indicating the approval of the preliminary plat.) If not, which improvements have not been completed: \_\_\_\_\_

N/A

licant's Signature:  Date: 12-11-25

APPLICATION FOR FINAL PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE 1/4 Section 21, T20N, R6W,  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th Street  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Marilee Niewohner  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF FINAL PLAT: Marilee 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No    
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Unit Development, conditional use or vacations) to complete the development? Yes \_\_\_ No . If yes please describe the nature of the action: \_\_\_\_\_
- c. The final plat is based upon the preliminary plat for Marilee 1st Add., approved by the City Council on \_\_\_\_\_, 19\_\_\_\_, Resolution No. \_\_\_\_\_
- d. Is the final plat consistent with the approved preliminary plat? Yes  No \_\_\_ . If not, please explain the proposed changes and the reasons therefore: \_\_\_\_\_
- e. Have all the improvements required by the preliminary plat been completed? Yes \_\_\_ No \_\_\_ (Please check the Planning Commission's letter indicating the approval of the preliminary plat.) If not, which improvements have not been completed: N/A

licant's Signature:  Date: 12-11-25

APPLICATION FOR FINAL PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE 1/4 Section 21, T20N, R6W,  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th Street  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Marilee Niewohner  
Address: 2609 190th St  
Albion, NE 68020  
Telephone: ( ) \_\_\_\_\_

ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF FINAL PLAT: Marilee 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No    
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Unit Development, conditional use or vacations) to complete the development? Yes \_\_\_ No . If yes please describe the nature of the action: \_\_\_\_\_
- c. The final plat is based upon the preliminary plat for Marilee 1st Add., approved by the City Council on \_\_\_\_\_, 19\_\_\_\_, Resolution No. \_\_\_\_\_
- d. Is the final plat consistent with the approved preliminary plat? Yes  No \_\_\_ . If not, please explain the proposed changes and the reasons therefore: \_\_\_\_\_
- e. Have all the improvements required by the preliminary plat been completed? Yes \_\_\_ No \_\_\_ (Please check the Planning Commission's letter indicating the approval of the preliminary plat.) If not, which improvements have not been completed: N/A

licant's Signature: [Signature] Date: 12-11-25

APPLICATION FOR FINAL PLAT  
Albion, Nebraska  
LEGAL DESCRIPTION AND GENERAL LOCATION  
SE 1/4 Section 21, T20N, R6W,  
Boone County, NE

CITY USE ONLY  
RECEIPT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PRELIMINARY PLAT #: \_\_\_\_\_  
FEE PAID \$ \_\_\_\_\_

SUBDIVIDER  
Name: Dylan Martin  
Address: 2609 190th Street  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

AGENT (Authorized to act on Subdivider's behalf):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

OWNER  
Name: Manike Niewohner  
Address: 2609 190th St  
Albion, NE 68620  
Telephone: ( ) \_\_\_\_\_

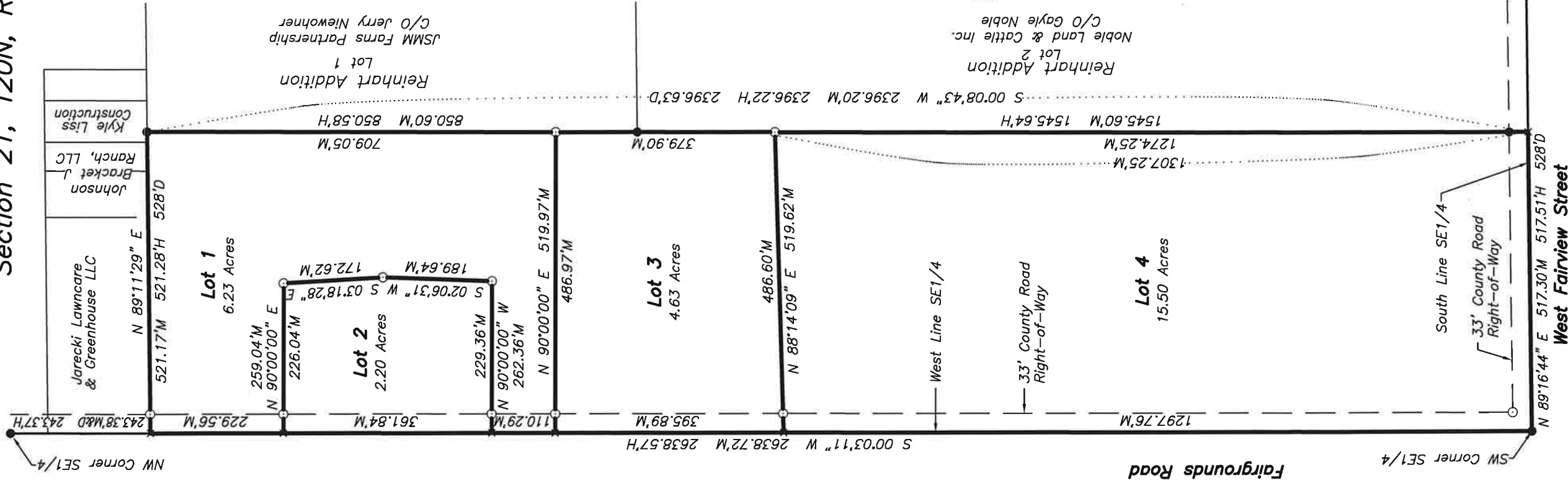
ANY OTHER ASSOCIATES:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_

NAME OF FINAL PLAT: Manike 1st Add. NUMBER OF LOTS: 4

- a. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes \_\_\_ No    
If yes, please describe the nature of such interest: \_\_\_\_\_
- b. Will the preliminary plat require any zoning or other action (rezoning, Planned Unit Development, conditional use or vacations) to complete the development? Yes \_\_\_ No . If yes please describe the nature of the action: \_\_\_\_\_
- c. The final plat is based upon the preliminary plat for Manike 1st Add., approved by the City Council on \_\_\_\_\_, 19\_\_\_\_, Resolution No. \_\_\_\_\_
- d. Is the final plat consistent with the approved preliminary plat? Yes  No \_\_\_ . If not, please explain the proposed changes and the reasons therefore: \_\_\_\_\_
- e. Have all the improvements required by the preliminary plat been completed? Yes \_\_\_ No \_\_\_ (Please check the Planning Commission's letter indicating the approval of the preliminary plat.) If not, which improvements have not been completed: N/A

licant's Signature:  Date: 12-11-25

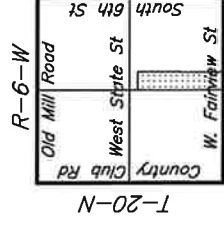
**Marilee 1st Addition  
of part of the SE1/4 of  
Section 21, T20N, R6W, Boone County, Nebraska**



**-Legend-**

- Found 5/8" Rebar w/ Plastic Survey Cap (Unless Otherwise Noted)
- Set 5/8" x 24" Rebar w/ Plastic Survey Cap
- x Computed Location
- M Measured this Survey
- H Recorded Measurement C.C. Hays, L.S. #673
- D Deeded Measurement

**Boone County  
Nebraska**



**Vicinity Sketch**

Note: All Bearings are referenced to the Boone County Projection.  
1" = 200'

**Field Notes:**

Northwest Corner SE1/4, Section 21, T20N, R6W - searched and dug for corner and did not find, calculated location based on ties recorded by C.C. Hays, L.S. #673 on April 28, 2023.  
Ties: 62.32' NE to PK nail in corner fence post  
78.78' SE to NW corner of R.O.W. Marker  
68.16' SSE to NW corner of R.O.W. Marker  
1.5' North to centerline of State Hwy No. 91 E&W  
14' West to centerline of Fairgrounds Road N&S

Southwest Corner SE1/4, Section 21, T20N, R6W - found MAG spike with washer as recorded by C.C. Hays, L.S. #673 on April 28, 2023.  
Ties: 39.83' SW to nail and disk in power pole  
61.22' NNW to RH nail in power pole  
45.99' NE to face of gas warning sign post  
48.67' SE to face of gas warning sign post  
2.4' North to centerline of W. Fairview Street E&W  
On centerline of Fairgrounds Road N&S

**Deed Description:**

The W1/2 SE1/4 of Section 21, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, described as follows:

Beginning at a point 14-1/4 rods South of the Northwest corner of the SE1/4 of Section 21, Township 20 North, Range 6 West of the 6th P.M., Boone County, Nebraska, thence running East 32 rods on a line parallel with the North line of said quarter section; thence South 145-1/4 rods to a point on the South line of said quarter section 32 rods East of the Southwest corner of said quarter section; thence West along the South line of said quarter section to the Southwest corner of said quarter section, thence North along the West line of said quarter section to the place of beginning, containing 28.55 acres more or less, which includes 2.18 acres used for county road purposes.

**Surveyor's Statement:**

I, Thomas A. Tremel, a Professional Land Surveyor in the State of Nebraska, hereby state that this survey was conducted under my direct supervision and is correct to the best of my knowledge and belief and is in accordance with the Minimum Standards for Surveys in Nebraska.



*Thomas A. Tremel*  
Thomas A. Tremel, P.L.S. #455  
December 10, 2025

**Owners Certificate:** The following owner of the described property have caused said real estate to be platted in accordance with this plat.

*Marilee Niewohner*  
Marilee Niewohner

**Acknowledgement of Notary:**

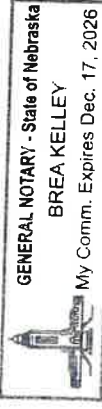
State of Nebraska  
County of Boone

The foregoing instrument was acknowledged before me this 12 day of

December, 2025 by Marilee Niewohner.

My commission expires: 12-17-26

*Brea Kelley*  
Notary Public



**Planning Commission Certification:** This plat has been submitted to and approved by the City of Albion, Boone County, Nebraska Planning Commission

day of \_\_\_\_\_, 2025

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

\_\_\_\_\_  
Secretary

**City Council Approval:** This plat was approved and accepted by the City Council of

Albion, Boone County, Nebraska \_\_\_\_\_ day of \_\_\_\_\_ 2024

\_\_\_\_\_  
Mayor

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

**FINAL PLAT**

**MARILEE 1ST ADDITION  
SE1/4 SECTION 21, T20N, R6W  
ALBION, BOONE COUNTY, NEBRASKA**



TMB DRAWN TMB, WAS SURVEYED DATE

12/9/2025

No. 1 Driftwood Drive - Columbus, NE 68  
Phone (402) 563-4589 - Fax (402) 563-9

**Register of Deeds Certification:**  
This plat was filed for record in the office of the Register of

Deeds of Boone county at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_, 2025 in Book \_\_\_\_\_, Page \_\_\_\_\_.

Register of Deeds

By: \_\_\_\_\_ Deputy

DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered on 12 day of December, 2025, by and between Marilee Niewohner (hereinafter referred to as "Subdivider" whether one or more) and the CITY OF ALBION, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as Marilee 1st Add. Subdivision to the ETJ Boundary of the City of Albion, Boone County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; legally described as follows:

Insert Legal Description Here

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

GENERAL CONDITIONS:

1. Sanitary Sewer: City sewer infrastructure has not been extended to or across the lots in this subdivision and there are no plans to extend city sewer service to this general area in the near future. The city, therefore, approves the use of private septic systems for each lot with the subdivision according to and in compliance with Nebraska Rules and Regulations and Boone County Regulations until such time as the public sewer system is extended to or across the subdivision.
2. Water: City water service has been extended to or across the lots in the subdivision. The city, therefore, approves the use of the public water system upon annexation of the subdivision into the corporate limits of the City.
3. Street Improvements: No public street or easement of access will be dedicated through the subdivision.
4. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre.
5. Subdivider shall arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City.
6. Subdivider and City covenant and agree that Subdivider will abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City pertaining to construction of public improvements, and testing procedures therefor, except as otherwise provided in this Development Agreement.
7. All buildings built in the Area to be Developed, shall be constructed in compliance with the most recent City of Albion Building Requirements at the time of application for the building permits, to the extent possible.

MISCELLANEOUS

1. No separate administrative entity or joint venture, among the parties, is deemed created by virtue of the Development Agreement.
2. The administration of this Development Agreement shall be through the offices of the undersigned officers for their respective entities.
3. This Development Agreement shall be binding upon parties, their respective successors, and assigns.
4. This Development Agreement replaces and declares void any prior agreements or resolutions regarding the development of the Area to be Developed
5. This Development Agreement shall be recorded at the Boone County Register of Deeds office, at Subdivider's expense, within 30 days of final plat approval.
6. This Agreement shall run with the land and shall be binding upon and insure to the benefit of all parties hereto, their successors and assigns, including all future lot owners of the Area to be Developed.

IN WITNESS WHEREOF, we the executing parties, by ourselves or our respective duly authorized agents, hereby enter into this Development Agreement:

ATTEST:

CITY OF ALBION

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR Date

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY

*Margaret J. [Signature]*  
SUBDIVIDER

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025. Dated this 12 day of December, 2025.

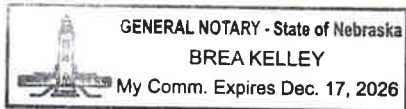
STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF Boone )

On this 12 day of December, 2025, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Marilee Newshner who is personally known by me to be the identical person whose name is affixed to the Development Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

Witness my hand and Notarial Seal the day and year last above written.

Brea Kelley  
Notary Public

(My commission expires: 12-17-26)





## AGENDA MEMO

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**MEETING NAME:** Albion Planning Commission Meeting

**DATE:** January 5, 2026

**ITEM NAME:**

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### ADJOURNMENT

**MOTION:** To adjourn the meeting.

**BY:** \_\_\_\_\_ **At** \_\_\_\_\_ **p.m.**

**2ND:**

**ROLL CALL:** Thorberg \_\_\_\_\_ Fick \_\_\_\_\_ Gragert \_\_\_\_\_ Nathan \_\_\_\_\_ Wynn \_\_\_\_\_

Ruzek \_\_\_\_\_ Dailey \_\_\_\_\_ Schafer \_\_\_\_\_ Vacant \_\_\_\_\_