

**CASS COUNTY
SUBDIVISION REGULATIONS**

Article I. TITLE AND PURPOSE

Section 1. Title.

This Resolution shall be known and may be cited as the Subdivision Regulations for Cass County Nebraska.

Section 2. Purpose.

It is the intent and purpose of this document to regulate the subdivision of land so as to obtain functional street layouts; provide adequately sized lots which are in conformity with the highest and best use of the land; provide for adequate open spaces for traffic, schools, recreation and air; ensure the installation of adequately sized utilities and improved streets; and to provide for other features of the Comprehensive Plan – all to the end that the development of land may proceed in an orderly manner, good livable neighborhoods with all of the needed community facilities may be created and excessive County maintenance expense may be avoided.

Article II. Definitions

Section I.

For the purpose of this Resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word “building” shall include the word “structure” and the word “shall” is mandatory and not discretionary.

Agent: Shall mean any person, group, corporation, partnership, or other entity representing the ownership of a tract of land.

Alley: A public right-of-way which is used primarily for vehicular access to the backside of properties otherwise abutting a street.

Block: A tract or parcel of land bounded by public streets or lands, streams, railroads, unplatted lands or a combination thereof.

Comprehensive Plan: Shall mean the County Comprehensive Development Plan of Cass County, Nebraska, as adopted by the Planning Commission and the Board of County Commissioners in accordance with the laws of the State of Nebraska.

Cul-de-sac: A street having one end connection with a public street and being terminated at its other end by a vehicular turn-around.

County: County of Cass County, Nebraska.

County Board: County Board of Cass County, Nebraska.

Easement: A right to use a parcel of land granted to the general public, utility, or corporation, by the property owner.

Farm: Shall mean any parcel of land including space occupied by a home or buildings utilized for agricultural purposes and containing 20 acres or more which produce \$1,000 or more of farm products each year.

Highway, Major Inter-Regional: Shall mean a “U.S.” or “State” designated highway with 100 feet right-of-way or more on which partial control of access and geometric design and traffic control measures are used to expedite the safe movement of through vehicular traffic.

Improvements: Shall mean street grading, street surfacing and paving, curbs and gutters, street lights, street signs, sidewalks, crosswalks, water mains and lines, water motors, fire hydrants, sanitary sewers, storm drainage facilities, culverts, bridges, public utilities, or other such installation.

Lot: Shall mean a parcel or tract of land which is or may be occupied by a use herein permitted, together with yards, and other open spaces herein required, that has frontage upon a street or dedicated access and is a part of a recorded subdivision plat or has been recorded prior to the adoption of this regulation, or A parcel of real property delineated on an approved record of survey, lot-split or sub-parceling map as filed in the office of the County.

Lot, Corner: Shall mean a lot abutting upon two (2) or more streets at their intersections.

Lot, Depth: Shall mean the horizontal distance between the front and rear lot lines.

Lot, Interior: Shall mean a lot other than a corner lot.

Lot Line: Shall mean the property line bounding a lot.

Lot Line, Front: Shall mean the property abutting a street.

Lot Line, Rear: Shall mean a lot line not abutting a street, which is opposite and most distant from the front lot line.

Lot Line, Side: Shall mean any lot line not a front lot line or rear lot line, except in the case of a corner lot.

Lot, Nonconforming: Shall mean a lot having less area or dimension than that required in the district in which it is located and which was lawfully created prior to the zoning thereof whereby the larger area or dimension requirements were established, or any lot, other than one shown on a plat recorded in the office of the County Registrar of Deeds which does not have an access to public road right-of-way and which was lawfully created prior to the effective date of the Regulation.

Lot, Through: Shall mean a lot having frontage on two (2) dedicated streets, not including a corner lot.

Lot of Record: Shall mean a lot held in separate ownership as shown on the records of the County Registrar of Deeds at the time of the passage of a resolution establishing the subdivision regulations.

Lot Width: Shall mean the width of a lot measured at the front or rear property lines, whichever is greater and at right angles to its depth.

Monument: Shall mean an identification marker established by certified land survey and set by a registered land surveyor at each section corner, angle point, block corner, street centerline, or other point.

Planning Commission: County Planning Commission of Cass County, Nebraska.

Plat: Shall mean a map, which delineates the subdivision of a quantity of land. A plat commonly shows lots, blocks, streets, and other features relevant to the development and improvement of the property.

Plat, Final: Shall mean the final plan of the plat, subdivision or dedication of land prepared for filing or recording in conformance with these regulations.

Plat, Preliminary: Shall mean the preliminary plan of the plat, subdivision or rededication prepared in accordance with the requirements of these regulations.

Road, Major Collector: Shall mean a County highway used to expedite the safe movement of local county vehicular traffic.

Road, Local: Shall mean a road primarily for service to abutting rural property.

Short Plat: Shall mean a combination preliminary and final plat used for minor subdivision or lot changes.

Sidewalk or Walkway: Shall mean that portion of a dedicated right-of-way or easement for pedestrian use only.

Street: Shall mean a public thoroughfare or right-of-way dedicated, deeded, or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Regulation.

Street, Collector: Shall mean a street or highway, which is intended to carry traffic from minor streets to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development.

Streets, Major: Shall mean a street or highway used primarily for fast or high volume traffic, including expressways, freeways, boulevards, and arterial streets.

Streets, Minor: Shall mean a street intended primarily to provide pedestrian and vehicular access to the abutting properties.

Subdivider: Shall mean any person who causes land to be subdivided into a subdivision for himself or others, as described in Section 81-885.01 of the Nebraska State Statutes, or who undertakes to develop a subdivision, but shall not include a public agency or officer authorized by law to create subdivisions.

Subdivision: Shall mean the division of land, lot, tract, or parcel into two or more lots, parcels, plats, or sites, or other divisions of land for the purpose of sale, lease, offer, or development, whether immediate or future. The term shall also include the division of residential, commercial, industrial, agricultural, or other land whether by deed, metes and bounds description, lease, map, plat, or other instrument.

Water Course: Shall mean a natural or man-made depression in which a current of surface run-off water flows.

Article III. PROCEDURE FOR SUBMISSION AND APPROVAL

Section I. Application and Jurisdiction

A. Subdivisions; platting; approval of County Board.

No owner of any real property, located in an unincorporated area, except in an area in which any city or village is exercising subdivision control, shall be permitted to subdivide, plat, or lay out said real property in building lots, streets, or other portions of the same intended to be dedicated for public use, or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto, without first having obtained the approval in accordance with the zoning and subdivision regulations nor sale any such properties without first being approved as prescribed by this document and recorded in the office of the Register of Deeds. At such time as a city or village exercises such controls over an unincorporated area by adopting or amending subdivision regulations, its regulations shall supersede those of Cass County. Subdivisions or plats requiring assignment of Tax Lot numbers must have said numbers assigned by the County Surveyor.

B. Subdivisions; dedication of avenues, streets, alleys; hard-surfacing.

The Cass County Board shall have power to compel the owner of any real property in such area in subdividing, platting, or laying out the same to conform to the requirements of this Regulation and to lay out and dedicate the avenues, streets, and alleys and hard-surfacing thereof in accordance therewith.

C. Subdivisions; comprehensive plan; standards; County Board prescribe.

The Cass County Board has provided for a comprehensive plan for the area within the zoning and subdivision jurisdiction of Cass County, to be the general plan for the improvement and development of unincorporated areas in the County, and have prescribed standards for laying out subdivisions in harmony with such comprehensive plan.

D. Utility Connections and Building Permits Prohibited.

No officer or employee of Cass County shall issue any building permit, make any water or sewer connection or issue any permit for any water or sewer connection for any building or buildings constructed or proposed to be constructed on land subdivided contrary to the provisions of these Regulations. No person, employee, or his agent of any utility company shall make any utility connections or issue any order for utility connection for any building or buildings constructed or proposed to be constructed without a building permit first being issued by Cass County and without approval from the Cass County Zoning Office.

E. Subdivision Agreement.

No subdivision plat shall be approved until a subdivision agreement shall have been accepted by the County. The subdivider shall have such agreement prepared. The agreement shall provide for the needs of the subdivision including but not limited to pavement, water mains, sanitary sewers, storm sewers, sidewalks, grading, waste treatment, common areas, engineering design data, specifications for construction, road maintenance agreement, and any variances, if any.

1. All special conditions, including protective property covenants, Home Owner's Association Agreements, etc. shall be included as a part of the Subdivision Agreement.

Section 2. Special Exceptions.

- A. All subdivision of land into four or more parcels and replats of four or more lots shall be filed with the County Zoning Administrator and shall be approved by the County Board before the new plat or replat shall be recorded, have any force, or before any title of Ownership is transferred.
- B. The replats or lot splits shall be drawn at a scale of 1"=200', or other scale approved by the county, including lot dimensions, a form for a notarized certification signed, and acknowledged by all parties having any titled interest, a form for certification signed by the Treasurer, Zoning Administrator, and a form for the certification signed by the County Surveyor approving the plat.
- C. The replats will be noted to vacate and/or otherwise amend the previous Plat of Record.

Section 3. Preliminary Plat.

In obtaining approval for a proposed subdivision, the subdivider shall submit a preliminary plat showing and including data specified in Article IV and in accordance with the following procedure:

Note: Proposed subdivisions with more than three (3) but less than sixteen (16) lots may be submitted as a final plat at the discretion of the Zoning Administrator. The following items required of a preliminary plat shall be submitted with the final plat application: 3B, 3C,3D,3E,3F,3I, and Article IV Section 1.B.9

- A. Before any subdivider or agent contracts for the sale, for lease hold, or offers to sell any subdivision of land or any part thereof, which is wholly or partly within Cass County and is not wholly within the corporate limits or extra-territorial jurisdiction limits of a City or Village exercising zoning and subdivision regulations, the subdivider or his agent shall file a Preliminary Plat in said subdivision with the Cass County Planning Commission. The Preliminary Plat shall be prepared in accordance with the regulations set herein, and shall be submitted to the Planning Commission prior to the completion of final surveys of streets and lots and before the start of any grading or construction work upon the proposed streets and lots and before any map of said subdivision is made in a form suitable for recording. The Planning Commission shall determine whether the tentative plat is in proper form and shall not receive

and consider such plat as filed until it is submitted in accordance with the requirements hereof. The street layout shall be in conformity with a plan for the most advantageous development of the entire neighboring area.

- B. All plats, preliminary and final, shall be prepared in conformance with the provisions of these regulations and in conformance with the Comprehensive Plan. The subdivider shall be responsible for such conformance.
- C. Procedure for Submission and Approval
 - 1. The Applicant shall submit twenty (20) copies of the preliminary plat and make application for the preliminary plat at least thirty-one (31) days prior to the date of the regular County Planning Commission meeting.
 - 2. Application is made at the office of the Zoning Administrator, who collects fees, as per Section 4.21 of the Zoning Regulations, orders signs to be posted and notices of hearing to be published.
 - a. Applicant should appear at a regular Planning Commission Meeting with preliminary plans for the use of the property and present his request for the platting or replatting of the land. The Applicant shall be prepared to outline the scope and character of the proposed project. In order to provide sufficient information for the Planning Commission to understand the proposed preliminary plat, the Applicant shall be prepared to furnish the following type of information upon request:
 - 1. A preliminary statistical summary of the project, including the gross site acreage, the number of lots, the dedicated street width, and the acreage's devoted to other related or specific uses, including recreation areas.
 - 2. In addition to the fifteen (15) copies submitted to the office of the Zoning Administrator, the applicant is responsible for submitting copies to the following agencies and all property owners within three hundred (300) feet of the proposed subdivision for review and comment, as applicable. The Applicant shall submit each copy to the appropriate agency via certified mail and shall provide the Zoning Office with the return receipt as proof of notification. The return receipt must be dated 30 days prior to the scheduled Planning Commission meeting. Written statements, standards, or opinions from other sources and governmental agencies concerning the subdivision, as per the following table:

SEWAGE TREATMENT FACILITIES
Ne Dept of Environmental Quality
P O Box 98922
1200 "N" Street, Suite 400
Lincoln, Ne 68509

ACCESS FROM STATE OR FED HWYS
Ne Department of Roads
PO Box 94759
Lincoln, NE 68509

POTABLE WATER/WELLS
Ne Dept of Health and Human Services
HHS R&L - WATER/WELLS
301 Centennial Mall South
Lincoln Ne 68509

ACCESS FROM FEDERAL PRIMARY
AND SECONDARY HIGHWAYS
(if applicable)
Nebraska Department Roads
1500 Hwy 2
Lincoln Ne 68509

Cass County Dept of Roads

Cass County Sheriff's Department

The Servicing Fire District

School Districts with Jurisdiction
All Utilities (Gas, Water, Electricity,
Telephone)

Cass County Noxious Weed Board

Cass County Emergency Management

- D. The County must receive written recommendations from these agencies prior to the Planning Commission hearing which is the advertised public hearing date and if no response is received within thirty days, the Planning Commission will assume there are no objections and take action.
- E. The final review comments or recommendations of the other public agencies reviewing the preliminary plats shall be presented at the published public hearing before the Planning Commission.
- F. The Planning Commission will hear the application and any opposition during the hearing and after the hearing will deliberate on the application in view of the following and other considerations:
 - 1. Recommend approval with their evaluation and reasons for action.
 - 2. Recommend denial with their evaluation and reasons for action.
 - 3. Postpone action with reasons for delay. The actions of the Planning Commission will be noted in the minutes of the meeting.
- G. If the Planning Commission recommends denial or approval, the Zoning Administrator then Orders notice of hearing before the County Board to be published. This notice must be published at least ten days prior to the hearing, so the hearing date is set with this in mind. The Zoning Administrator also adds the County Board hearing to the posted signs.

The County Board at the hearing may do one of the following:

- 1. Concur with the Planning commission's recommendation.
 - 2. Reverse the Planning Commission's recommendation.
 - 3. Refer the preliminary plat back to the Planning Commission for reconsideration with specific instructions to the Commission.
 - 4. Approve with minor alterations.
- H. Conditional approval of a Preliminary Plat shall not constitute an acceptance of the plat, but shall be deemed an expression of approval of the layout submitted on the Preliminary Plat.
 - I. When a rezoning request is applied for concurrently with the Preliminary Plat, the conditional approval of the plat also provides for conditional approval of the rezoning request. The rezoning does not become official until the Final Plat is filed and approved.
 - J. Approval of a Preliminary Plat shall not constitute approval of the Final Subdivision Plat. Rather, the Preliminary Plat shall be deemed an expression of approval of the general design concept and serves as an acceptable guide for the preparation of the Final Plat. The approval of the Preliminary Plat shall become void after twelve (12) months from the date of such approval unless all or a portion of the approved Preliminary Plat has been submitted for approval as a Final Plat during the said period. Twelve (12) month extensions may be granted by the County Board upon written request by the subdivider and upon the payment of an additional platting fee equivalent to the original preliminary platting fee.
 - K. Following the hearing, the Subdivider shall revise the preliminary plat presented to incorporate all changes requested by the Planning Commission. Similarly, if there are any additional changes required by the County Board these changes shall be incorporated in the preparation of the Final Plat. Following the approval of the Planning Commission and the County Board the applicant may proceed with the preparation of the Final Plat.

Section 4. Final Plat

In obtaining approval for a proposed subdivision, the subdivider shall submit to the County Board twenty (20)copies of the final plat prepared by a registered engineer or registered land surveyor, showing and including the data specified by Article V in accordance with the following procedure.

- A. The final plat shall conform to the preliminary plat as approved and may be comprised of only that portion of the approved Preliminary Plat, which the subdivider proposed to record and develop at the same time. If the final plat as submitted, is substantially different, as determined by the Planning Commission, the plat may be required to be resubmitted as a preliminary platB. The final plat shall

- B. The final plat shall be submitted to the Planning Commission for approval at least two weeks prior to the meeting at which it is to be considered.
- C. Procedures for final plat shall be the same as set out for the preliminary plat in Art III Section 1. After review and consideration by the Planning Commission, the plat shall be submitted with their recommendation to the County Board for final approval and adoption after a public hearing. Prior to said public hearing the County Board shall prepare a notice and cause same to be published at least once in the official newspaper at least ten (10) days before the public hearing. Said notice shall contain the location of the land, the name of the proposed subdivision and the date of the public hearing. Prior to submission of the final plat to the County Board, the Zoning Administrator shall certify that all improvements required by this regulation and any requirements identified during preliminary submission have been installed or satisfactorily arranged for.
- D. Upon approval of the final plat a certification of approval by the County Board shall be endorsed thereon by the County Clerk and copies of the plat shall be filed with the Registrar of Deeds by the Zoning Administrator. The Subdivider shall provide copies as follows:

One (1) original mylar reproducible on an 18" x 24" sheet with 1 ½" borders to the County Surveyor. A short form plat may be on 8 ½" x 14".

One (1) electronic copy stored on 3 ½" floppy or CD in an AUTOCAD format or other software format specified by the Zoning Administrator if requested.

One (1) original mylar reproducible on an 11X17 sheet if there are 20 or fewer lots. Size accordingly for larger subdivisions.

One (1) mylar reproducible on a sheet up to 36" x 48" on subdivisions over 40 acres.

One (1) print for the Local Fire District.

E. A concurring vote of the majority of the County Board shall be required to approve the Final Plat.

F. Final approval of a plat does not constitute acceptance of roads for maintenance by the County.

G. The final plats for condominium property shall be submitted together with three (3) copies of the documents creating the Condominium Property Regime, documents creating a Home Owner's Association or similar entity and documents containing the Protective Property Covenants.

H. No final plat for a subdivision shall be approved for recording unless street and utility improvements, as set for the herein, have been completed or arranged for in a subdivision agreement with the Cass County Board.

Section 5. Short Form Plat: Administrative Subdivision and Lot Split.

A. Short form plat general requirements: A short form plat may be allowed by the County for lot splits and adjustments of existing lot lines. It may also be used for minor subdivisions if it meets the following conditions:

Residential Acreage's in the Agricultural or Transitional Agriculture District

The Zoning Administrator has the authority to approve a short form plat providing the total score of the application equals 70 points or more of the possible total of 110 points as follows.

- a. Minimum distance from a County Intersection if accessing off County road (250 feet).
Meets the minimum requirements 10 points

Does not meet the minimum requirements	-35points
b. Distance from an existing Permitted Livestock Feeding Operation	
Distance is greater than required setback	20 points
Distance is equal to the required setback	10 points
Distance is less that the required setback	-35points
c. Site is located in an not easily tilled area (i.e. forest area, drainageway etc)	
100% of site is not easily tilled	30 points
75% to 99% of site is not easily tilled	25 points
50% to 74% of site is not easily tilled	10 points
25% to 49 % of site is not easily tilled	0 points
Less than 25% of site is not easily tilled	-35points
d. Access to rural water	
Advance approval for hookup to each lot	20 points
Hook up to private well	0 points
e. Multi lot site located on an existing or proposed access road	
Located on an existing or proposed access road	10 points
Access directly onto a county road	0 points
f. County Road Classification	
Located on a paved County or State/Federal Highway	20 points
Located on a minimum maintenance road	-35points
Total points possible in this section	110 points
Total points necessary for Zoning Administrator approval	70 points

This provision is not intended to allow for incremental division of larger tracts. The short form will not be allowed where the total area under single ownership would result in more than three (3) parcels, including any remainder of the original parcel or any previous divisions. No development shall be permitted on any parcel not in compliance with the zoning regulations, except for those lawfully non-conforming lots with a residence in existence at the time of adoption of these regulations. A short form plat cannot be used for dedication of right-of-way. Farmsteads of existing farms with habitable residential buildings in existence for more than three (3) years may be approved as an administrative subdivision provided the smallest parcel of land so subdivided shall not be less than the size required in the applicable zoning district for a residence and livestock or poultry are permitted as established in the definition of terms in Section 3.02 pertaining to farming.

- B. Procedure: Application for a short form shall be submitted to the Zoning Administrator with the same fees associated with an Administrative Subdivision The Zoning Administrator shall review the proposed short form for conformity with the Comprehensive Plan and Zoning Regulations. Should the short form plat application be denied, it may be resubmitted as a subdivision application however, this would require a new application and a new permit fee under the subdivision regulations, as no permit fee is refundable.
- C. Contents of Short Form Plat: The short form shall be prepared by a licensed professional engineer or surveyor, and drawn in waterproof ink on mylar material or equivalent acceptable by the County. The page or sheet size shall be at least 8 ½ by 14 inches or a page size and scale otherwise approved by the County. A variation in scale may be allowed where the Zoning Administrator determines it is necessary for a proper exhibit or recording of the subdivision. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets (e.g., sheet 1 of 3 sheets).

Linear dimensions shall be given in feet and decimals of a foot. Common access shall be provided where two building sites are proposed or a new building site is collocated with an existing building site under the same ownership unless the Highway Superintendent waives such requirement due to physical conditions. The following information shall be shown on the Short Form:

1. Location of driveways, entrances or proposed common access.
 2. Except for lot splits, the location of subdivision by measured distances to a section corner to define the location and boundaries of the tract which will be subdivided including information necessary to reconstruct the plat on the ground, such as tract boundaries, bearings, curve data, section corner monuments, property corner monuments, etc.
 3. Names of adjacent subdivisions or, in the case of unplatted land, the name of the owner or owners of adjacent property.
 4. The following shall be shown on the short plat:
 - a. The location, width and names of all existing public or private roads within or adjacent to the tract, together with easements, railroad rights-of-way, and other important features such as section lines and corners, city or village boundary lines and monuments.
 - b. The location and direction of all watercourses and areas subject to flooding.
 - c. Existing uses of the property including the location of all existing structures that will remain on the property after the short form is recorded.
 - d. Subject to requirements set by the Zoning Administrator, list adjacent property owners and zoning adjacent to the tract.
 - e. Location, elevation and description of the bench mark controlling the vertical survey.
 - f. Show proposed or existing location of wells, septic systems or lagoons and distances in relation to one another. Submit percolation tests according to the State of Nebraska Rules and Regulation or proof the existing system complies with State Law.
 - g. Owner's Certificate: A notarized certificate signed and acknowledged by all parties having any record, title, or interest in the land being subdivided, and consenting to the preparation and recording of said subdivision map.
 - h. A certificate signed and affixed surveyor seal by the licensed professional surveyor responsible for the survey and final map.
 - i. An acceptable metes and bounds legal description which shall accurately identify the boundaries of the subdivision and shall include language to identify any part of the subdivision that is presently being occupied by a public road or other public facility, and shall also include the language "and being subject to any easements, restrictions or covenants of record".
 - j. Certification of approval Signed by the Zoning Administrator.
- D. The applicant shall notify by certified mail all adjoining property owners, applicable Fire Chiefs and applicable School Superintendents and give them two (2) weeks to respond to the application. Copies of the certification must be provided to the Zoning Office. No response shall be deemed as having no objection to the requested action.

Section 6. Professional Assistance.

The County Board or the Planning Commission may request such professional assistance as it deems necessary to properly evaluate the plats as submitted at the expense of the Developer.

Article IV. PRELIMINARY PLAT REQUIREMENTS

Section 1.

The Preliminary plat shall contain the following information:

- A. A small scale key or vicinity map adequately covering the area within a half mile radius of the subdivision, showing the relation of the plat to major streets, parks, schools and surrounding major commercial, industrial developments and the boundary of the drainage area affecting the plat.
- B. A preliminary plat of the subdivision drawn to the scale of two hundred feet (200') to one inch (1") unless otherwise approved by the County, said preliminary plat to show:
 1. Legal description, acreage and name of proposed subdivision
 2. Name and address of the Owner
 3. Name of person who prepared the plat, and date thereof.
 4. North point and graphic scale
 5. Existing and proposed tentative contours at ten foot (10) intervals, or less
 6. Location of existing or platted streets within the proposed subdivision and 200' thereof; location of lot lines, public utilities, water mains, sewers, drain pipes, culverts, water courses, bridges, railroads, and buildings in the proposed subdivision and within 50 feet thereof.
 7. Layout of proposed blocks (if used) and lots including the approximate dimension of each, and the lot and block number in numerical order.
 8. Location and widths, other dimensions and names of the proposed streets, alleys, roads, utility and other easements, parks, and other open spaces or reserved areas and address.
 9. Names of adjacent property owners.
 10. Grades of proposed streets and alleys.
 11. Sight distance/stopping distance for entrances to County Roads signed off by the County Highway Superintendent.
 12. The general location of proposed water mains and sanitary sewers and a statement describing same.
 13. The drainage of the land including proposed storm sewers, ditches, culverts, bridges and other structures.
 14. Proposed building lines, if different than the yard requirements, established in the Zoning Regulation.
 15. Proposed street names shall be extension of existing name streets or road as designated in the County Comprehensive Development Plan or as approved by the County Board.

Article V. FINAL PLAT REQUIREMENTS

Section I.

The final plat shall meet the following specifications:

- A. It may include all or only part of the preliminary plat
- B. The plat shall be drawn to the scale of two hundred feet (200') to one-inch (1") or as otherwise approved by the County.
- C. The final plat shall contain the following:
 1. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one (1) foot in three thousand (3000) feet.
 2. Accurate references to known or permanent monuments
 3. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 4. Accurate legal description of the boundary
 5. Street names
 6. Complete curve notes for all curves included in the plan
 7. Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines
 8. Lot and or block numbers and exact dimensions
 9. Building lines if different than yard requirements of Zoning Regulations

10. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use
11. Name of the subdivision
12. North point, scale and date
13. Certificate signed by a registered land surveyor, which contains the legal description of the land included in the plat and all necessary explanations of dimensions and references to monuments to supplement the figures on the plat itself.
14. Notarized certificate signed and acknowledged by all parties having any titled interest in or lien upon the land subdivided, consenting to the plat.
15. Certificate to be signed by the County Treasurer stating there are no regular or special taxes delinquent against the property described in the plat on the date which the plat is recorded by the Registrar of Deeds.
16. Certificate signed by the County Surveyor approving the plat
17. Certificate for the approval of the Planning Commission to be signed by the Secretary
18. Certificate for the approval of the County Board to be signed by the Chairman and attested by the County Clerk
19. One copy of any private restrictions or covenants affecting the subdivision or any part thereof
20. Subdivision Agreement if required by the county to be entered into between the Developer and Cass County.
21. In lieu of final completion of the improvements required herein before approval of the final plat, the subdivider may post a bond or other security approved by the County Attorney of Cass County. (Check with County Attorney)
22. All variances granted to the subdivision shall be recorded on the final plat and the statement that any future changes to said variance or covenant must be approved by the Zoning Administrator. The Zoning Administrator shall determine if the change is to be submitted to the Planning Commission and County Board at the same costs as associated with a Zoning Text Change.
23. A copy of Access to County Road Permit signed by Highway Superintendent
24. DEDICATION – ingress, egress and easements for public use

The foregoing plat, known as _____, located in the
(Name of Subdivision)

_____ Cass County is fully described in the surveyor's certificate.
(Legal Description)

This dedication is made with the free consent and in accordance with the desires of the undersigned, sole owners and the easements show thereon are hereby granted in perpetuity to Cass County, OPPD, NPPD, Windstream, Rural Water, their successors and assigns, to allow entry for the purpose of construction, reconstruction, replacement, repair, operation, and maintenance of wires, cables, conduits, fixtures, poles, towers, pipes, and equipment for the distribution of electricity, telephone, cable television, gas, wastewater collectors, storm drains, water mains, and all appurtenances thereto, over, upon, or under the easements as shown on the forgoing plat.

The construction or location of any buildings or structures excluding fences over, upon, or under any easements shown thereon shall be prohibited.

The construction or location of any fence or other improvement which obstructs drainage shall be prohibited over, upon, or under any storm drain or drainage easement thereto.

Any relocation of existing Cass County, OPPD, NPPD, Rural Water, Windstream facilities will be at the owner/developer's expense.

Cass County, Nebraska, its successors or assigns are hereby held harmless for the cost of replacement or damage to any improvement of, vegetation over, upon, or under any easement shown thereon.

A public access easement is hereby granted over the private roads to Cass County, Nebraska, its successors and assigns and to the public generally for vehicular and pedestrian purposes. The construction or location of any gate, fence, or other barrier restricting vehicular or pedestrian access over the private roadway shall be prohibited except when necessary to control traffic during the construction, reconstruction, repair, or maintenance of the private roadway. (Amended 4-7-09 #53)

Article VI. DESIGN STANDARDS

Section 1. General

Land within the proposed subdivision which the County Board finds to be unsuitable for subdividing due to flooding or bad drainage or other topographic features likely to be harmful to the safety, welfare or general health of the future residents of the proposed subdivision shall not be subdivided until the objectionable features have been eliminated or until adequate safeguards against such hazards are provided.

Section 2. Streets

- A. The arrangement of major streets shall conform as nearly as possible to the Comprehensive Plan with provisions for the extension of major and collector streets. Streets in the subdivision normally shall connect with streets already dedicated in adjoining or adjacent subdivisions, or provisions shall be made for future connections to adjoining unsubdivided tracts.
- B. Minor residential streets shall be so planned as to discourage through traffic. Cul-de-sacs shall normally not be longer than six hundred (600) feet and shall terminate with a turn-around having a paving diameter of not less than eighty (80) feet.
- C. Where a proposed subdivision is adjacent to or contains an existing or proposed major or controlled access thoroughfare, provision shall be made for a marginal access street approximately parallel and adjacent to the boundary of such right-of-way, or lots shall back up to the major street and have access only to the minor street.
- D. Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations or where it is found to be practicable to require the dedication of the other half when adjoining property is subdivided.
- E. Under normal conditions streets shall be laid out so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. More than four (4) approaches to any intersection shall be prohibited.
- F. Alleys shall be provided in commercial and industrial districts except where other definite and assured provisions are made for service access.
- G. The right-of-way widths, pavement widths (face to face of curb) and grades for interior streets and alleys included in any subdivision shall not be less than the minimum dimensions or more than the maximum grades for each classification as required in the Board of Public Roads Classification & Standards Minimum Design Standards
- H. Where a subdivision borders on or contains a railroad right-of-way, the County Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the

appropriate use of the intervening land. Such land would be used for park purposes in residential districts, or for commercial or industrial purposes in non-residential districts. Such distances shall be determined with due regard for the requirements of approach grades or future grade specifications.

- I. Reserve strips in private ownership controlling access to streets shall be prohibited.
- J. Intersections with centerline offsets of less than one hundred and fifty (150) feet shall be avoided
- K. A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on major and collector streets.
- L. When connecting street lines or street entrances to a County Road that deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance as per the current NDOR Design Manual but not less than four hundred (400) feet for local or collector streets, and of such greater or less radii as the Planning Commission shall determine for special cases. All sight distance shall be approved by the Highway Superintendent on an Access to County Road Permit.
- M. Streets and roads shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than sixty (60) degrees.
- N. Curb radii on all block corners shall be twenty (20) feet and a ten (10) foot radius shall be used at intersections of driveways and alleys.
- O. The right-of-way widths, pavement widths (back to back of curb), street grades, and the sight-distances for street and alleys in any subdivision shall not be less than the minimum dimensions nor more than the maximum grades as on the minimum design standard table.
- P. The horizontal alignment on all streets except in unusual cases shall be as follows:
 - Other Arterial Streets 700' minimum
 - Collector Streets 300' minimum
 - Local Streets 100' minimum
 - Cul-de-sacs 100' minimum
- Q. No road or street grade shall be less than one-half (1/2) of one (1) percent.
- R. Flatter grades are preferred from fifty (50) to one hundred (100) feet from an intersection, but in no case shall grades exceed four (4) percent for distance of at least fifty (50) feet from an intersection
- S. Dead-end roads and streets as permanent features shall be prohibited. Note: Design standards shall meet Title 428, Board of Public Roads Classification and Standards, Minimum Design Standards for either municipal or rural roads as deemed by the Cass County Highway Superintendent. Right-of-way shall be a minimum of sixty-six (66) feet but could be more depending on the design and requirements of the Cass County Highway Superintendent.

Section 3. Easements

- A. Easements across lots are centered on rear or side lot lines, shall be provided for utilities, where necessary, and shall be at least twelve (12) feet wide.
- B. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way of such widths as will be adequate for both waterflow and maintenance operations.

- C. The width of blocks shall generally be sufficient to allow two (2) tiers of lots and be at least two hundred forth (240) feet in width. In cases of irregular shaped blocks the minimum width may be waived by the County Board.
- D. Blocks intended for business and industrial use should be specifically designated for such purposes with adequate space set-aside for off-street parking and delivery facilities. The County Board may require service drives or frontage access roads along major streets for business or industry.
- E. Where frontage is on a major collector street, the long dimensions of the block should front hereon.

Section 5. Lots

- A. Lot dimensions and lot area shall conform to the requirements of the Zoning Regulation. However, in no case shall the width be less than 60 feet, nor less than 100 feet in depth, nor less than 7,500 square feet in area when served by a public sewer.
- B. Corner lots for residential use shall have adequate width to permit appropriate building setback from and orientation to both streets.
- C. Each lot shall have satisfactory access to a public street
- D. Double frontage lots shall be avoided except where they back up to a major street
- E. Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for off-street service and parking facilities required by the type of use and development contemplated.
- F. Side lot lines shall be substantially at right angles or radial to street lines.
- G. Setback or building lines may be shown on all lots but shall not be less than the setback required by the Zoning Regulation
- H. Platting of lots for commercial and industrial purposes should include adequate space for off-street parking and service area
- I. Excessive depth in relation to width of lots over 3 to 1 shall be avoided.

Section 6. Public Sites and Open Spaces.

- A. Where a park, playground, school or other site for public use shown on the Comprehensive Plan is located in whole or in part in the applicant's subdivision, the County may require the acquisition or accept the dedication or reservation of such area within the subdivision.
- B. Where deemed essential by the Planning Commission and the County Board upon consideration of the type of development proposed in the subdivision, and especially in a large-scale development not anticipated in the Comprehensive Plan, the County may request the dedication or reservation of such other areas or sites of a character, extent or location suitable to the needs created by such development for school, parks and other neighborhood facilities.
- C. All Subdividers may be assessed for improvements to implement the public sites and open space segment of the Comprehensive Plan. The form and amount of assessment will be fixed by the County Board upon recommendation of the Planning Commission when the costs for the improvements have been determined.
- D. Where future school sites or public park sites are shown on the Comprehensive Plan and are located on a tract of land proposed to be subdivided, the sites shall be reserved for a period of six (6) months,

and the School and the County may purchase the unplatted land at a value determined in the same manner as required by the Nebraska Statutes for proceedings under to power of eminent domain, or by negotiations with the owners of the property.

Article VII IMPROVEMENTS AND STANDARDS

Section 1. General

Schedules of improvements shall be prepared by the subdivider. The schedules shall contain standards, and class of construction which are consistent within the zoning districts. The subdivider shall furnish copies of pertinent schedules and certificates of compliance.

Section 2. Staking

The following described monuments shall be installed before the County Surveyor shall approve the plat, or in lieu thereof, a performance bond in an amount equal to the cost of doing such work, shall be furnished to the County before the County Surveyor shall certify to the board that required improvements have been satisfactorily arranged for:

- A. The surveyor shall establish or confirm the prior establishment of permanent monuments at each corner on the boundary lines of the parcel being surveyed. Monuments shall be solid and substantially free from movement. In such cases where the placement of a permanent monument at the true corner is impractical because of instability or is likely to be destroyed, the surveyor shall set a corner accessory monument and show its relationship by dimension to the true corner.
- B. The monuments set shall be constructed of material capable of being detected by commonly used magnetic locators. These monuments shall consist of an iron pipe or steel rod with a minimal diameter of five-eighths inch (5/8") and minimal length of twenty-four (24) inches. When extenuating circumstances dictate, the surveyor may use such monuments (i.e. nail and washer) that have a probability or permanence. Where a corner or line falls on or within a wall, a column line or other physical feature and the placement of a monument is not feasible, the wall, column line or physical feature shall become the monument by reference thereof.
- C. In addition, monuments shall be set at all block corners, lot corners, deflection points and points of curvature, except in cases where it is deemed clearly unreasonable or infeasible by the County Board.

Section 3. Sanitary Sewers

The Subdivider shall provide the subdivision with a complete sewer system, which shall connect with a sanitary sewer outlet approved by the County Board. The sewers shall extend to the subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property if a central sewer system is available. Note: Also reference Article 7 Supplemental Regulations, Section 7.12 Water and Sewer Facilities.

Section 4. Storm Drains

The Developer shall provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and the removal of all surface waters, and these improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.

Section 5. Sidewalks

Sidewalks 4 feet wide may be required by the County Board adjacent to each lot frontage in accordance with Article VII, (Section 9) hereof, or in lieu thereof, the developer may provide in recorded covenants that such sidewalks shall be constructed by the owner of each lot prior to the time of completion of the main structure of said lot.

Section 6. Grading

All full widths streets located entirely within the boundary of the subdivision, except major and collector streets as noted in Article VI, (Section 2) hereof, shall be graded to a minimum width of 9 feet back of both curb lines to within six (6) inches of the grade. Such grading shall be completed or in lieu thereof a performance bond in an amount equal to the cost of doing such work shall be furnished to Cass County before the County Highway Superintendent shall certify to the County Board that required improvements have been satisfactorily arranged for. Where crushed rock or gravel is permitted for street surfacing, such street shall be graded to its full width.

Section 7. Surfacing

~~A. All roads must be dedicated to the public and must meet the requirements of Board of Public Roads Classification & Standards Nebraska Minimum Design Standards in both design and construction. Road design must be approved by the County Highway Superintendent or must be designed by a certified Engineer. Roads must be inspected and approved by the County Highway Superintendent or a certified Engineer prior to any building permits being issued. Subdivision roads may be approved in stages for larger projects.~~

~~B. Roads will be accepted as meeting county design standards and will be entered onto the county inventory if:~~

- ~~1. Soil conditions meet requirements of local testing labs for application of hard surfacing. Said testing shall be at the cost of the requesting party and the County Department of Roads shall designate the lab.~~
- ~~2. Surfacing shall consist of:
 - ~~a. Six (6) inches of Portland Cement Concrete L8 or better with minimum saw cuts every 20 feet. (other construction issues/questions shall be determined by the Highway Superintendent by using the Nebraska Department of Roads Roadway Design Manual) The County Department of Roads at each stage of the paving process must inspect construction.~~
 - ~~Or~~
 - ~~b. Nine (9) inches of asphaltic material to be placed in three lifts of not more than 4 inches per lift and the final lift being not less than two (2) inches and not more than three (3) inches. Asphalt must be equal to or higher in quality than those mix designs listed in the Nebraska Department of Roads Roadway Design Manual with the final mix design being approved by the County Highway Superintendent. All testing of the mix shall be directed by the County Highway Superintendent and funded by the requesting party. The County Department of Roads at each stage of the paving process must inspect construction.~~~~

Street and Road Improvements

1. When streets and roads are located within a platted area where the average size lot is one-half (1/2) acre or less, or where there are two (2) or more dwelling units per acre, such roads will be constructed according to the following provisions:

- A. Six (6) inches of Portland Cement L7 47B Highway Mix or better with minimum saw cuts ever twenty (20) feet or nine (9) inches of asphaltic material to be placed in three (3) lifts of no more than four (4) inches per lift and the final lift being not less than two (2) inches and no more than three (3) inches.
- B. All residential streets shall include curbs and gutters.
- C. Other construction issues/questions shall be determined by the Highway Superintendent using the Nebraska Department of Roads Roadway Design Manual.
- D. Asphalt must be equal to or higher in quality than those mix designs listed in the Nebraska Department of Roads Roadway Design Manual with the final mix designs being approved by

the County Highway Superintendent. All testing of the mix shall be directed by the County Highway Superintendent and funded by the requesting party.

- E. The County Department of Roads must inspect construction at each stage of the paving process.
2. When streets and roads are located within a platted area where the average lot size is less than three (3) acres but more than one-half (1/2) acre, such roads shall be hard surfaced the same as described in A - E above, but curbs and gutters may be eliminated based on the recommendation of a certified engineer or the County Superintendent.
3. Streets and roads located in platted areas three (3) acres or more and which are not included in 1 or 2 above shall be surfaced according the following provisions:
 - A. Three (3) inches of crushed rock embedded into the subgrade during construction and one (1) inch of gravel. The crushed rock and the gravel shall conform to Section 1033 of the State of Nebraska Department of Roads Standard Specifications for highway construction (1977-English units).
 - B. If a new road enters onto a hard surfaced highway or county road, the first one hundred (100) feet must be paved with six (6) inches Portland concrete or nine (9) inches of asphalt.
 - C. All construction shall submit to inspection and approval by the County Highway Superintendent or his designated engineer.
4. Construction procedures for streets and roads shall conform to subsections 204.01, 204.02, and 204.03 for Class III embankments State of Nebraska Roads Standards Specifications for Highway Construction (1997 – English units). The required density shall be ninety five (95) percent for gravel surface and one hundred (100) percent for paved surface of the maximum density, and required moisture content shall be between optimum and optimum plus two (2) percent. All construction shall submit to inspection and approval by the County Highway Superintendent or his designated engineer.
5. Streets and roads within the subdivision shall have a vertical and horizontal alignment designed for a minimum speed of twenty-five (25) miles per hour. The vertical and horizontal design shall conform to the current AASHTO standards at the time the subdivision is being proposed. The maximum grade shall be seven (7) percent and the minimum grade shall be one-half (1/2) percent.
6. Roads may be dedicated to the public if they meet the criteria of 1 or 2 above for hard surfacing. Roads shall only be entered into County inventory by Resolution approved by the Cass County Board of Commissioners. (Amended 4-07-09 #53)

Section 9. Specifications

The type of construction, the materials, the methods and standards of subdivision improvements shall be equal to the current specifications of the County for like work. Plans and specifications shall be submitted to the County Board for approval prior to construction and construction shall not be started until the plans and specifications have been approved.

Section 10. Other Improvements

The County Board, upon recommendation of the Planning Commission, may require the installation of street lights, street signs, subdivision name sign and trees.

Section 11.

Developer may select any method or combination of methods listed below to comply with the street surfacing, sanitary sewer, storm drainage and sidewalk requirements:

- A. The Developer shall install the required improvement after County Board approval.

- B. The Developer may be required to post a performance bond or certified check in the amount of 100% of the cost of the required improvements as estimated by the County Board guaranteeing the installation of the improvements within 3 years after the plat has been recorded. The bond or certified check shall be released upon installation of the required improvements and approval thereof by the County Board. Further, such period may be extended by the County Board upon as shown by the developer that lot sales and development do not warrant installation. If the improvements are not completed within the specified or extended period of time, the performance bond shall be forfeited and used by the County to complete the installation of the improvements. In addition, the County Board may require additional assessments against the subdivision for the purpose of completing necessary improvements.

Section 12

If the Developer does not comply with Section 11, A, or Section 11, B, hereinabove stated, he/she shall select any method or combination of methods listed below to comply with the street surfacing, sanitary sewer, storm drainage and sidewalk requirements.

- A. A road improvement district or sanitary and improvement district may be created in accordance with appropriate State laws. However, the County Highway Superintendent shall not certify to the County Board that required improvements have been satisfactorily arranged for until certified evidence is presented that the improvement district has adopted a resolution of necessity authorizing a contract for the required work in that portion of the district included in the final plat.
- B. He/She shall execute a written agreement with the County providing:
1. That he/she will install all required improvements, as per Article VII unless the criteria of Article VIII are met, to serve all sold and closed lots in the subdivision not later than twelve months following the date when 50 percent of the lots in the subdivision have been sold and closed; provided that he/she will in all events, install all required improvements to serve all sold and closed lots in the subdivision not later than three years after recording of the plat even though 50 percent of the lots in the subdivision may not have yet been sold.
 2. The Developer will make the above covenant a minimum provision in each contract of sale with his lot purchasers, which contract shall be enforceable by the County and by all lot purchases. It is further provided, however, that the Zoning Administrator shall issue no permits for construction of buildings or structures on any lot in said subdivision until said written agreement with the County is executed. It is further provided that the County Board shall have the right to limit the size of the area of the final plat if the area of the tentative plat is more than 10 acres.

Section 13.

It is further provided, however, that after the County Board has approved the final plat for a portion of the area comprised in the tentative plat, the Developer may submit for final platting the next portion only if the required improvements have been installed or have been contracted for as above provided in the portion comprised in the final plat theretofore approved. Subsequent applications for final platting shall be processed in the same manner.

Article VIII. WAIVER

Section 1. Hardship

- A. Whenever the tract of land proposed to be subdivided is: 1) less than three acres and does not involve any dedication for street purposes; or 2) is of such unusual shape or topography; or 3) is affected by surrounding developments or unusual conditions such that the strict application of the requirements contained in this Resolution would result in substantial hardships or inequities, the County Board upon recommendation of the Planning Commission may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner, but so, at the same time, the public welfare and interest of the County and surrounding area are protected and the general intent and spirit of these regulations are preserved, including, among others, such specific purposes as:

1. Developing both urban and non-urban area;
2. Lessening congestion in the streets or roads;
3. Reducing the waste of excessive amounts of roads;
4. Securing safety from fire and similar dangers;
5. Lessening or avoiding the hazards to persons or damage to property resulting from the accumulation of runoff of storm flood waters;
6. Providing adequate light and air
7. Preventing excessive concentration of population, and excessive and wasteful scattering of population or settlement;
8. Promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;
9. Protecting the tax base;
10. Protecting property against blight and depreciation;
11. Securing economy in governmental expenditures;
12. Fostering the state's agriculture, recreation, and other industries;
13. Encourage the most appropriate use of land in the County; and
14. Preserving, protecting and enhancing historic buildings, places and districts

Section 2. Conditions

In granting waivers, the County Board, upon recommendation of the Planning Commission, may require such conditions as will secure substantially the objectives of the standards or requirements so waived

Article IX. AMENDMENTS

The County Board may amend these regulations from time to time, provided, however, that such amendments shall not become effective until a public hearing and a recommendation from the Planning commission is received and a public hearing by the county Board has been held as required by law.

Article X. VALIDITY

If any article, section, sub-section, sentence, clause, or phrase of this Resolution be declared unconstitutional or void, such decision shall not affect the validity of this Resolution as a whole or any part thereof, other than the part so declared invalid.

Article XI. PENALTY

Any person, firm, so-partnership, association or corporation violating any of the provisions of this chapter shall be guilty of a Class III Misdemeanor. The sale of each and every lot sold in violation of this Chapter shall be considered a separate violation.

Article XII. GUIDELINE PROCEDURES FOR PUBLIC IMPROVEMENTS

Section 1. General

The procedure by which public improvements are installed in a subdivision is a matter of mutual concern to the subdivider and the County. These improvements become permanent features and could be a great financial burden to the subdivider and a continual excessive maintenance cost to the residents; therefore, it is the intent of this section to provide for adequately sized, properly installed improvements through the prescribed rules and standards for recreation improvements, utilities and streets.

Section 2. Responsibilities of Subdivider

- A. No contract for any public improvements provided for in this section and within the jurisdiction of the County shall be let unless first the County shall have made a study of the costs for the improvements and recommended to the Board to approve the installation of such improvements.

- B. Any subdivider proposing to acquire, purchase, install, construct, repair, or to let a contract for the improvements shall be first required to coordinate with the County for the purposes of having a mutual understanding of the cost for public improvements that will be assessed to the lots within the subdivision; an understanding of the schedule, the applicable standards, and the supervision and inspection of the construction work involved.
- C. Any subdivider or developer of a subdivision or planned development proposing to acquire, purchase, construct, repair, or let a contract for public improvements shall first be required to coordinate with Cass County and or may be required to pay an additional fee not to exceed one percent of the construction cost to cover for the review and approval of construction plans and contracts, documents, and inspection of construction.
- D. No contract shall be let, awarded, or otherwise consummated by the subdivider after receiving bids, duly advertised, unless first receiving the approval of the Board concerning the basis of assessments for the costs to be incurred as a general obligation by the Sanitary Improvement District, Development Corporation, or other persons to be involved in the contract; and the basis of special assessments for improvements costs.
- E. The subdivider may be required to furnish maintenance bonds on forms required by the County in the full amount of the contract cost for the public improvements as security for the guaranteed maintenance; and the subdivider shall furnish the County with a Performance bond for the full amount of the contract cost as security for the faithful performance of the contract.

Article XIII. SUBDIVISION COMPLAINE CERTIFICATE

Prior to the application for a building permit or other permits on any tract of land or recorded lot in residential, commercial, or industrial zoning districts appended as a Planned Development District, the Owner, Developer, Subdivider, or Builder shall submit to the County Zoning Administrator the following to show that the subdivision, land or lot split, or replat conforms to the requirements of the County subdivision regulations:

- A. The County Building Inspector shall receive from the Owner the subdivision plans and other documents to verify compliance with this regulation and if necessary may require certification or additional information as architectural building plans showing floor plan and building elevations as well as landscape planting plans and other improvement plans to certify compliance with the original subdivision agreement.
- B. The County Zoning Administrator after reviewing the documents and data submitted for his check, will indicate to the best of his knowledge and with supporting certifications submitted by the Subdivider, may issue a Subdivision Compliance Certificate and inform the subdivider that he/she may make application for a building permit. Note: No building permits will be issued on unrecorded plats or tracts of land.

**Article XIV REPEAL OF CONFLICTING RESOLUTIONS:
EFFECTIVE DATE**

The subdivision Regulations for Cass County, Nebraska, passed by the Cass County Board of Commissioners on January 5th 1999 together with any subsequent amendments is hereby repealed. Further, all resolutions or parts of resolutions in conflict with these subdivision regulations, or inconsistent with these provisions, are hereby repealed, except any resolutions that impose more restrictive regulations than are imposed herein. These regulations shall be in full force and effect, upon its due passage as required by law.

