

## Chapter 12

### MUNICIPAL PLANNING

#### Article 1. General Provisions

**§12-101 MUNICIPAL PLANNING; DESIGNATION OF EXTRATERRITORIAL JURISDICTION.** The territory located within one mile of the corporate limits of the Village is hereby designated as the Village's extraterritorial jurisdiction for the purpose of exercising the power and duties granted by sections 17-1002 and 17-1003 RS Neb. with respect to subdivisions and platting and section 19-2402 RS Neb. with respect to extension of water or sanitary sewer service. The boundaries of the territory so designated shall be as shown on the official zoning map, a copy of which is on file and available for public inspection in the office of the Village Clerk. *(Ref. 17-1002 RS Neb.)(Ord. No. 507, 5/13/02)*

**§12-102 MUNICIPAL PLANNING; SUBDIVISIONS AND ADDITIONS PERMITTED.** The proprietor or proprietors of any land within the corporate limits of the Village, or any land within the area designated as the Village's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb., may lay out such land into lots, blocks, street, avenues, alleys, and other grounds under the name of \_\_\_\_\_ Addition to the Village of Bertrand and may subdivide, plat, or lay out any such land upon conformance to and compliance with the conditions in this code and state law. *(Ref. 19-916)(Ord. No. 508, 5/13/02)*

**§12-103 MUNICIPAL PLANNING; SURVEY AND PLAT.**

(A) The owner and proprietor of any tract or parcel of land who shall subdivide the same into two or more parts for the purpose of laying out any addition to the Village or any part thereof, or suburban lots, shall cause a plat of such subdivisions, with references to known or permanent monuments, to be made which shall accurately describe all subdivisions of such tract or parcel of land, numbering the same by progressive numbers, and giving the dimensions and length and breadth thereof, and the breadth and courses of all streets and alleys established therein. *(Ref. 17-415 RS Neb.)*

(B) The map or plat of land within the corporate limits of the Village or of any land within the area designated as the Village's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb. shall designate explicitly the land so laid out and particularly describe the lots, blocks, streets, avenues, alleys, and other grounds belonging to such addition. The lots shall be designated b numbers, and streets, avenues, and other grounds, by names or numbers. Such plat shall be acknowledged before some other officer authorized to take the acknowledgements of deeds, and shall contain a dedication of the streets, alleys, and public grounds therein to the use and benefit of the public, and have appended a survey made by some competent surveyor with a certificate attached, certifying that he or she has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately stacked off and marked. When such map or plat is so made out, acknowledged, and certified, and has been approved by the Board of Trustees, the same shall be filed and recorded in the office of the Register of Deeds and County Assessor. *(Ref. 19-916 RS Neb.)(Ord. No. 509, 5/13/02)*

**§12-104 MUNICIPAL PLANNING; ADDITIONS; INCORPORATION INTO MUNICIPALITY.** All additions to the Village laid out and previously located within the corporate boundaries of the Village shall remain a part of the Village. All additions laid out adjoining or contiguous to the corporate limits may be included within the corporate limits and become a part of the Village for all purposes whatsoever at such time as the addition is approved as provided in section 19-916 RS Neb. If the Board of Trustees includes the addition within the corporate limits, the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all the laws, ordinances, rules, and regulations of the Village. *(Ref. 19-916 RS Neb.)(Ord. No. 510, 5/13/02)*

**§12-105 ADDITIONS; APPROVAL OF PLAT.** Before any such map or plat shall have any validity, it must first be submitted to and be approved and accepted by the Chairman and Board of Trustees of this Village, by ordinance, and must have such acceptance and approval endorsed thereon; provided, that before any such map or plat shall be considered, approved or accepted the owner or proprietor shall pay, or cause to be paid all taxes, special taxes and special assessments due thereon, and shall produce a certificate showing that all such taxes and assessments have been paid or annulled. *(Formerly §11-205)*

**§12-106 ADDITIONS; RECORDING PLAT DEDICATION AND ORDINANCE.** If a majority of all the members of the Board of Trustees of this Village shall vote for such annexation, an ordinance shall be prepared and passed by said Board, declaring the annexation of such territory to the corporate limits of this Village, and extending the limits thereof accordingly. An accurate map or plat of such territory and said dedication as hereinbefore described, certified by the engineer or surveyor, and acknowledged and proved as provided by law in such cases, shall at once be filed and recorded by the owner or proprietor of such land in the office of the Register of Deeds of Phelps County, Nebraska, together with a certified copy other ordinance declaring such annexation, under the seal of said Village. *(Formerly §11-206)*

**§12-107 ADDITION TO VILLAGE.** All property which may have hereto been annexed to the Village, or which may hereafter be laid out in accordance with the provisions of this Chapter and accepted and approved, may be subdivided and laid out as an addition to this Village. Before laying out said addition, the owner thereof shall subdivide the same into three (3) or more parts and shall cause a plat of such subdivision, with references to known or permanent monuments, to be made, which shall accurately described all subdivisions of such tract or parcel of land, numbering the same by progressive numbers, and giving the dimensions thereof and the breadth and course of all streets and alleys established therein. Before any such plat shall have any validity it must first be submitted to and approved and accepted by ordinance by the Chairman and Board of Trustees of this Village as provided I Section 12-105 hereof and must have such acceptance and approval endorsed thereon, and a certified copy of such ordinance shall be filed with the Register of Deeds of Phelps County, Nebraska. Such plat shall contain the names of any new streets laid out therein, subject to the approval of the Chairman of the Board of Trustees, but every street which constitutes a continuation of any street now regularly laid out and named, shall be known as the same name as said original street. *(Formerly §12-207)*

**§12-108 ADDITIONS; PLAT OPERATES AS DEED.** The acknowledgment and recording of such plat shall be equivalent to a deed in fee simple of such portion of the premises platted as is on such plat set apart for streets or other public use. *(Formerly §11-208)*

**§12-109 ADDITIONS; LAYING OUT STREETS AND ALLEYS.** All streets laid out in any addition provided for in this Chapter, shall be continuous with and correspond in direction and width to the streets and alleys to which they are an addition. *(Formerly §12-209)*

**§12-110 ADDITIONS; ACCEPTANCE OF EXISTING CONDITIONS.** All additions to this Village which have heretofore been laid out, platted and filed as herein provided, are hereby accepted and approved as additions to the Village of Bertrand, Nebraska. *(Formerly §11-210)*