

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION DESIGNATING FINAL SITE CANDIDATES PURSUANT TO THE**  
**STADIUM LEASE & USE AGREEMENT WITH THE OMAHA ROYALS LIMITED**  
**PARTNERSHIP**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2007), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Neb. Rev. Stat. §23-2901 to 2905 (Reissue 2007), confers the power to counties, for the benefits of its citizens, to acquire facilities for social, athletic, and recreational purposes; and,

WHEREAS, on December 9, 2008, the County entered into a Memorandum of Understanding with the Omaha Royals Limited Partnership (hereinafter "Royals"), by which the County and the Royals agreed to use their best efforts to resolve issues identified in said Memorandum of Understanding in order to facilitate the establishment of a recreational and athletic facility that may be used as a stadium for minor league baseball; and,

WHEREAS, on March 17, 2009 the County entered into a Stadium Lease and Use Agreement the Omaha Royals Limited Partnership, a Nebraska limited partnership, which is a result of negotiations contemplated by and which constitutes the Definitive Agreement described in the aforementioned Memorandum of Understanding; and,

WHEREAS, pursuant to Sections 1.65 and 5.1 of said Stadium Lease and Use Agreement the County was to identify three separate parcels as Final Site Candidates by no later than April 22, 2009; and,

WHEREAS, representatives of Sarpy County have evaluated candidates for the Stadium Site and conferred with the Royals regarding said Stadium Site, and it has been recommended that the following parcels be identified as Final Site Candidates:

Kennedy Town Center, located at the Southwest Corner of Chandler Road and Kennedy Frwy.  
 (owned by Kennedy Town Center LLC)  
Southport West, located at 126th Street and West Giles Road ; and  
 (owned by SPW Partners, LLC)  
The NE1/4 and the SE1/4 of Sec. 30 Twp. 14 Rng. 12 (approximately 122nd Street,  
 North of Highway 370) (owned by Schewe Farms, Inc.)

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the following parcels be designated as Final Site Candidates pursuant to Sections 1.65 and 5.1 of the Stadium Lease and Use Agreement with the Omaha Royals Limited Partnership, to wit:  
Kennedy Town Center, located at the SW corner of Chandler Road and Kennedy Frwy. (owned by Kennedy Town Center LLC)  
Southport West, located at 126th Street and West Giles Road; and  
(owned by SPW Partners, LLC)  
The NE1/4 and the SE1/4 of Sec. 30, Twp. 14, Rng. 12 (approximately 122nd Steet, North of Highway 370) (owned by Schewe Farms, Inc.)

BE IT FURTHER RESOLVED that the representatives of Sarpy County are hereby authorized to proceed with the activities described in Sections 1.65 and 5.1 of the aforementioned Stadium Lease and Use Agreement as are necessary to identify a final site, and negotiate final Site Acquisition Documents for further approval by this Board.

DATED this 21<sup>st</sup> day of April 2009.

Moved by Rich Jansen, seconded by Pat Thomas, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]  
[Signature]

none

none

[Signature]

ABSTAIN:

[Signature]  
[Signature]

none



[Signature]  
 County Clerk

Approved as to form:

[Signature]  
 Deputy County Attorney