

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

**RESOLUTION AUTHORIZING VACATION OF ROAD RIGHT-OF-WAY AND TRACTS OF  
LAND LOCATED ALONG 48<sup>TH</sup> STREET, ¼ MILE SOUTH OF CORNHUSKER,  
SARPY COUNTY, NEBRASKA**

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722 (Reissue 2004) this County Board of Commissioners has deemed that the public interest requires vacation of the following tracts of land all located in Sarpy County, Nebraska:

A tract of land in Tax Lot 14A in the Southeast ¼ of Section 30, T14N, R13E, of the 6<sup>th</sup> P.M., as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows: Commencing at the East ¼ corner of said Section 30; thence S86°48'55"W (an assumed bearing) along the North line of said Southeast ¼ for 33.00 feet to the West ROW of 48<sup>th</sup> Street being the point-of-beginning; thence S04°22'59"E along said West ROW for 119.40 feet to the North ROW of 48<sup>th</sup> Street; thence N82°02'31"W along said ROW for 4.60 feet to the East ROW of relocated 48<sup>th</sup> Street; thence Northwesterly along said ROW on a 912.74 foot radius curve to the left (chord bearing of N39°50'15"W, chord distance of 147.68 feet) for 147.85 feet to the North line of said Southeast ¼; thence N86°48'55"E along said North line for 90.18 feet to the point-of-beginning and containing 5,316.1 square feet ± or 0.12 acres ±;

A tract of land in the Southeast ¼ of Section 30, T14N, R13E, of the 6<sup>th</sup> P.M., as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows: Beginning at the East ¼ corner of said Section 30; thence S04°22'59"E (an assumed bearing) along the East line of said Southeast ¼ for 126.02 feet to the North ROW of 48<sup>th</sup> Street; thence N67°57'56"W along said ROW for 0.36 feet; thence N82°02'31"W along said ROW for 33.44 feet to the West ROW of 48<sup>th</sup> Street; thence N04°22'59"W for 119.40 feet to the North line of said Southeast ¼; thence N86°48'55"E along said line for 33.00 feet to the point-of-beginning and containing 4,047.0 square feet ± or 0.09 acres ±; and,

A tract of land in the Southwest ¼ of Section 29, T14N, R13E, of the 6<sup>th</sup> P.M., as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows: Beginning at the West ¼ corner of said Section 29; thence S04°22'59"E (an assumed bearing) along the West line of said Southwest ¼ for 126.02 feet to the North ROW of 48<sup>th</sup> Street; thence S67°57'56"E along said ROW for 36.84 feet to the East ROW of 48<sup>th</sup> Street; thence N04°22'59"W along said East ROW for 141.67 feet to the North line of said Southeast ¼; thence S83°53'41"W along said line for 33.00 feet to the point-of-beginning and containing 4,416.3 square feet ± or 0.10 acres ±.

WHEREAS, pursuant to that same statute, the County Surveyor has been directed to study the use being made of said road and report said study to this Board; and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1724 (Reissue 2004), this Board has received said report from the Sarpy County Surveyor within thirty (30) days of the directive, and said report contains the study made and the County Surveyor's recommendation as to the vacation thereof as required by Neb. Rev. Stat. §39-1722 (Reissue 2004), and recommends said vacation; and,

WHEREAS, on the 13<sup>th</sup> day of January, 2009, a Public Hearing on the vacation was held as required by Neb. Rev. Stat. §39-1724 (Reissue 2004), after the publication and the service of notice on adjacent landowners, all as required by Neb. Rev. Stat. §39-1724 (Reissue 2004); and,

WHEREAS, the land which is the subject of the vacation falls within the zoning jurisdiction of the City of Bellevue, Nebraska and the City of Papillion, Nebraska; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1725 (Reissue 2004), the City of Bellevue and the City of Papillion have both approved the vacation and submitted such approval in writing to Sarpy County.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that, pursuant to Neb. Rev. Stat. §39-1722, *et seq.* (Reissue 2004), the tracts of land located generally along 48<sup>th</sup> Street, ¼ mile south of Cornhusker, in Sarpy County, Nebraska, as further described above, is hereby vacated.

BE IT FURTHER RESOLVED that said vacation is subject to any existing easements and utility improvements public or private, recorded or not.

BE IT FURTHER RESOLVED THAT, pursuant to Neb. Rev. Stat. 39-1725 (Reissue 2004), the title to this vacated right of way shall be sold, and the County Surveyor is hereby authorized to negotiate a purchase agreement for said property and present the same to this Board for approval.

DATED this 19<sup>th</sup> day of May, 2009.

Moved by Rich Jensen seconded by Rusty Hiko, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]  
[Signature]  
[Signature]  
[Signature]  
[Signature]

none  
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none  
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ABSTAIN:

none  
\_\_\_\_\_  
\_\_\_\_\_



[Signature]  
County Clerk

Approved as to form:  
[Signature]  
Deputy County Attorney

COUNTER an C.E. ah  
VERIFY a D.E. ab  
PROOF LM  
FEES \$ NIC  
CHECK # \_\_\_\_\_  
CHG \_\_\_\_\_ CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

FILED SARPY CO. NE.  
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2009-19191  
2009 JUN 19 AM 10:31  
*Steven J. Stastny*  
REGISTER OF DEEDS



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS  
Steven J. Stastny, Deputy  
1210 GOLDEN GATE DRIVE, STE 1109  
PAPILLION, NE 68046-2895  
402-593-5773

*Rec'd  
County Attorney's  
Return to:  
Chris Vance*