

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION APPROVING PURCHASE AGREEMENT WITH ROBERT WITZEL FOR THE SALE
OF VACATED LAND LOCATED AT OLNEY STREET FROM TRUMBLE AVENUE
TO JASPER AVENUE, SARPY COUNTY, NEBRASKA.

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, on November 18, 2008, the County Board vacated the following tract of land located in Sarpy County, Nebraska:

The North 1/2 of vacated Olney Street adjoining the South line of Block 5, and the included alley between Trumble Avenue and Jasper Avenue, in the town of Chalco, and containing 9,000 square feet ±.

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 4th day of November, 2008, 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 County of Sarpy has negotiated a purchase agreement for the above described property and desires to sell a portion of it to Robert Witzel as outlined in the purchase agreement attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board hereby approves and adopts the purchase agreement for the sale of the title to Robert Witzel to the above described vacated tract of land, a copy of which is attached.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk, is hereby authorized to sign on behalf of this Board the purchase agreement with Robert Witzel, a copy of which is attached, and any other related documents, the same being approved by the Board.

Recorder Note: Indexed against lots 1-8 Block 5 Chalco 06.22.09 cjh

COUNTER	<u>ah</u>	C.E.	<u>ah</u>
VERIFY	<u>ah</u>	D.E.	<u>ah</u>
PROOF	<u>LM</u>		
FEES \$	<u>19.00</u>		
CHECK #			<u>1176</u>
CHG		CASH	
REFUND		CREDIT	
SHORT	<u>1.00</u>	NCR	

Filed for Record 06.22.09 at 8:42a.M
Instrument # 2009 - 19285
Lloyd J. Dowding Register of Deed Sarpy Cty, NE

Rec - Chris Vance

DATED this 16th day of June, 2009.

Moved by Rich Jansen, seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
Rich Jansen
Don Jones
Tom Richards
Patrick J. Thomas

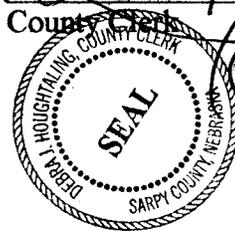
none

none

ABSTAIN:
none

Approved as to form:

[Signature]
Deputy County Attorney



[Signature]

Purchase Agreement

This agreement, effective as of the date provided below, is made by and between the County of Sarpy, Nebraska, a body corporate and politic (hereinafter referred to as "Seller") and Robert Witzel, (hereinafter referred to as "Buyer").

In consideration of the payment of the sum of Two Hundred Sixteen Dollars and Seventy-Six Cents (\$ 216.76), Seller agrees to sell and convey by quitclaim deed the following described real property to Buyer, together with all improvements, fixtures and articles of personal property attached or appurtenant to the real property, and Buyer agrees to purchase same, upon the terms and subject to the conditions set forth below:

The subject real property (hereinafter referred to as the "Property") is described as:

The North 1/2 of vacated Olney Street adjoining the South line of Block 5, and the included alley between Trumble Avenue and Jasper Avenue, in the town of Chalco, and containing 9,000 square feet ±, in Sarpy County, Nebraska,

- 1 Total Purchase Price and Method of Payment. The total purchase price shall be Two Hundred Sixteen Dollars and Seventy-Six Cents (\$ 216.76), payable in cash at closing.
- 2 Deed. Seller shall convey the Property by quitclaim deed.
- 3 Closing and Possession. Closing shall occur not more that 90 days after the execution of this agreement by both Seller and Buyer.
- 4 Subject to Easements. The Property is conveyed to the buyer subject to any easements and utility improvements public or private, recorded or not.
- 5 Miscellaneous. This agreement contains the entire understanding of the agreement between the parties.

Buyer: [Signature] 6-19-09
Signature Date

Seller: [Signature] 6/16/2009
Signature Date

COUNTER ah C.E. ah
 VERIFY ah P.E. [Signature]
 PROOF [Signature]
 FEES \$ 14.00
 CHECK # 1176
 CHG _____ CASH _____
 REFUND _____ CREDIT _____
 SHORT _____ NCR _____

Filed for Record 06-22-09 at 8:42a M
Instrument # 2009 - 19284
Lloyd J. Dowling Register of Deed Sarpy Cty, NE

per Chris Vance

Recorder Note - Indexed against Lots 1-18 Block 5 Chalco 06-22-09 ah -

FILED SARPY CO. NE.
 INSTRUMENT NUMBER
 2009-19110
 2009 JUN 19 AM 10:29
COPY
 REGISTER OF DEEDS

NEBRASKA DOCUMENTARY
 STAMP TAX
 JUN 19 2009
 \$ 2.25 By ah

COUNTER ah C.E. 1M
 VERIFY ah D.E. 10
 PROOF 1M
 FEES \$ 14.00
 CHECK # 2327
 CHG _____ CASH _____
 REFUND _____ CREDIT _____
 SHORT _____ NCR _____

Recorder Note: Indexed against LTS# 118 Block 5 Chalco 06-19-09 ah

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That on this 16th day of June, 2009, THE COUNTY OF SARPY, OF THE STATE OF NEBRASKA, a body politic and corporate created under the laws of the State of Nebraska, GRANTOR herein, for good and valuable consideration, does hereby remise, release and quitclaim to Robert E. Witzel, GRANTEE herein, all of GRANTOR'S right, title, interest and estate, in and to all of the following described real property, to wit:

The North 1/2 of vacated Olney Street adjoining the South line of Block 5, and the included alley between Trumble Avenue and Jasper Avenue, in the town of and containing 9,000 sqft ±, in Sarpy County, Nebraska,

To have and to hold the described property together with all tenements, hereditaments, and appurtenances belonging to such property, to Grantee and to Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, I, Joni Jones, Chairman of the Sarpy County Board of Commissioners, have hereunto set my hand and seal this 16th day of June, 2009.

COUNTY OF SARPY, OF THE STATE OF NEBRASKA.

Joni Jones
 Chair, Board of Commissioners



ATTEST:
Sara Vaughnaling
 County Clerk

STATE OF NEBRASKA
)
 COUNTY OF SARPY) ss.

On this the 16th day of June, 2009, before me, a Notary Public within and for said county, personally appeared Joni Jones, Chair of the Sarpy County Board of Commissioners, on behalf of Sarpy County, Nebraska a body politic and corporate, and Grantor herein. Thereupon she executed the foregoing instrument of conveyance, and acknowledged the same to be her own free and voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, at the City of Papillion, County of Sarpy, State of Nebraska.



(Seal)

Christine Anne Vance
 Notary Public

2009-146

R E WITZEL OR
CAROL WITZEL
MERLIN H BECKER OR
12531 SHIRLEY ST
OMAHA, NE 68144-2764

1158
27-1/1040

6-19-09
Date

Pay to the
Order of

Empire Premier
Two hundred dollars & 76/100

\$ 216.76

Dollars



Security
Features
Details on
Back.

① First National Bank
1620 Dodge Street • Omaha, NE 68197

Premier Checking

For

WAC Check

[Signature]

MP

⑆104000016⑆ 67707524⑈ 1158