

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

**RESOLUTION APPROVING PURCHASE AGREEMENT WITH TODD NOWKA 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 vacated land located in Sarpy County, Nebraska:

The South ½ of vacated Olney Street adjoining the North line of Block 12 and the included alley from Trumble Avenue West to Jasper Avenue and the vacated alley in said Block 12 from the South line of said Olney Street South to a point 12 feet North of the South line of lot 6 in Block 12 extended West to the West line of said alley and containing 11,760 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 Todd Nowka 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 Todd Nowka 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 Todd Nowka, a copy of which is attached, and any other related documents, the same being approved by the Board.

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]

none

none

[Signature]

[Signature]

ABSTAIN:

[Signature]

none

[Signature]

[Signature]
County Clerk

Approved as to form:

[Signature]
Deputy County Attorney



2009-19803 C

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 Todd Nowka, (hereinafter referred to as "Buyer").

In consideration of the payment of the sum of Two Hundred Eighty-Three Dollars and Twenty-Four Cents (\$ 283.24), 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 South 1/2 of vacated Olney Street adjoining the North line of Block 12 and the included alley from Trumble Avenue West to Jasper Avenue and the vacated alley in said Block 12 from the South line of said Olney Street South to a point 12 feet North of the South line of lot 6 in Block 12 extended West to the West line of said alley and containing 11,760 square feet ±, in Sarpy County, Nebraska.

- 1 Total Purchase Price and Method of Payment. The total purchase price shall be Two Hundred Eighty-Three Dollars and Twenty-Four Cents (\$ 283.24), 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: Todd A Nowka 6-24-09
 Signature Date

Seller: Jon Jones 6/16/09
 Signature Date

COUNTER LM C.E. LM
VERIFY LM G.D.E. an
PRICE D
FEE \$ 23.00
CHECK # 3114
CHG _____ CASH _____
_____ CREDIT _____
_____ NCR _____

FILED SARPY CO. NE
INSTRUMENT NUMBER
2009-19803

2009 JUN 24 AM 11:27

Lloyd J. Dowding
REGISTER OF DEEDS

Recorder Note: Indexed against Lots 1 thru 6 Block 12
6-24-09 LM Chalco



**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

~~Fodd A. Nooka~~
~~7506 Tremble Ave~~
~~Omaha, Ne 68138~~

Chris Vance