

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION DIRECTING SURVEYOR TO STUDY POSSIBLE VACATION OF
LAND ALONG 42ND STREET.

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 1998), the County Board of Commissioners is authorized to vacate or abandon certain roadways or parts thereof, if such be in the public's best interest;

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. §39-1722, *et seq.* (Reissue 1998) the Sarpy County Surveyor is hereby instructed to make a study of the use being made of the following tract of land located along 42nd Street in Sarpy County, Nebraska, as further described on the attachments:

Part Of A Dedicated County Road Right-Of-Way Located in the NE1/4 of Section 32, Township 14 North, Range 13 East Of The 6th P.M., Sarpy County, Nebraska, More Particularly Described As Follows:

Commencing At The Center Of Said Section 32; Thence N00°13'11"W (Assumed Bearing) Along The West Line Of Said NE 1/4 Of Section 32, A Distance Of 1491.66 Feet To A Point On The Westerly Right-Of-Way Line Of 42nd Street, Said Point Also Being The Point Of Beginning; Thence Continuing N00°13'11"W Along Said West Line Of The NE 1/4 Of Section 32, Said Line Also Being The Westerly Right-Of-Way Line Of Said Dedicated County Road, A Distance Of 28.33 Feet To A Point On The Westerly Line Of Tax Lot 25B1, A Tax Lot Located In Said NE 1/4 Of Section 32, Said Point Also Being On The Northerly Right-Of-Way Line Of Said Dedicated County Road; Thence Easterly Along Said Northerly Right-Of-Way Line Of Said Dedicated County Road, Said Line Also Being The Westerly Line Of Tax Lot 25B1 On The Following Described Courses; Thence Southerly On A Curve To The Right With A Radius Of 70.00 Feet, A Distance Of 306.08 Feet, Said Curve Having A Long Chord Which Bears S54°57'42"E, A Distance Of 114.31 Feet; Thence Southerly On A Curve To The Left With A Radius Of 35.00 Feet, A Distance Of 43.08 Feet, Said Curve Having A Long Chord Which Bears S35°02'31"W, A Distance Of 40.41 Feet To A Point On The Easterly Right-Of-Way Line Of Said Dedicated County Road; Thence S00°13'11"E Along Said Easterly Right-Of-Way Of A Dedicated County Road, Said Line Also Being Said Westerly Line Of Tax Lot 25B1, A Distance Of 128.55 Feet To The Point Of Intersection Of Said Easterly Right-Of-Way Line Of Said Dedicated County Road, And The Southerly Extension Of The Easterly Right-Of-Way Line Of 42nd Street; Thence Northwesterly Along Said Southerly Extension Of The Easterly Right-Of-Way Line Of 42nd Street On A Curve To The Left With A Radius Of 754.86 Feet, A Distance Of 211.84 Feet, Said Curve Having A Long Chord Which Bears N19°35'02"W, A Distance Of 211.15 Feet To The Point Of Beginning.

Said Tract Of Land Contains An Area Of 19,602 Square Feet Or 0.45 Acres, More Or Less

BE IT FURTHER RESOLVED THAT the Surveyor is to provide a written report to this Board within thirty (30) days of the study made, his recommendation as to the vacation or abandonment thereof, and a certification as to whether the above-described roadway is within the zoning jurisdiction of any city of the metropolitan, primary or first class city.

DATED this 6th day of October, 2009.

Moved by Rusty Hite, seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]

None

Joni Jones

[Signature]

[Signature]

ABSTAIN:

Patrick J. Thomas

None

[Signature]
County Clerk



Approved as to form

[Signature]
Deputy County Attorney

Memo

To: Sarpy County Board of Commissioners

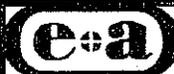
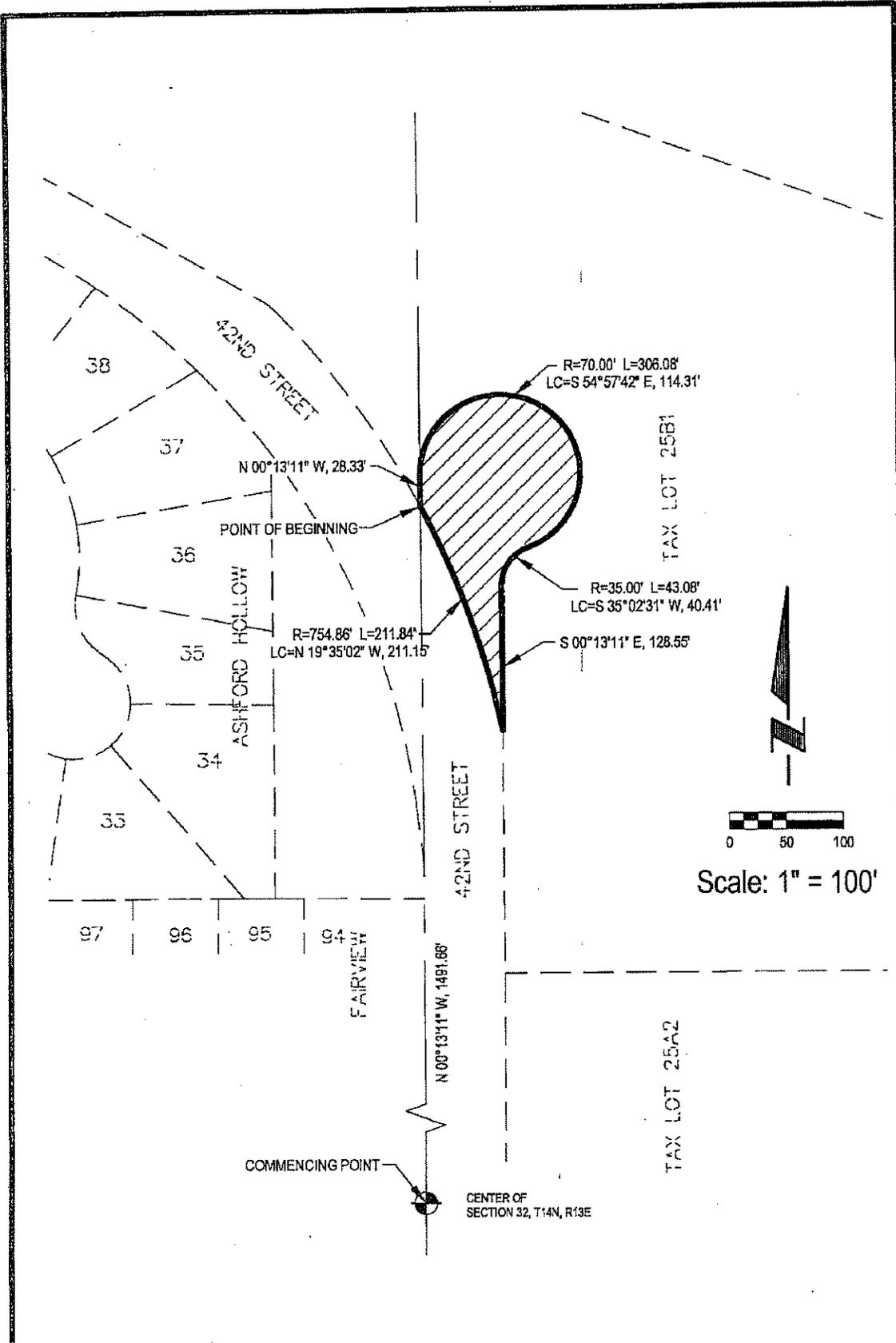
From: Tom Lynam, Sarpy County Surveyor

Date: 10/02/2009

Re: *Recommendation on 42nd Street*

I have requested the County Attorney's office to complete a Resolution to start the process of vacating a portion of 42nd Street North of Hwy 370. After the construction of 42nd Street and the connection to Raynor Parkway the portion of the previously dedicated 42nd Street Right-of-Way is no longer needed.

If you have any questions, please feel free to contact me.



E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 330 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 695-4700

VACATION OF STREET ROW
 BELLEVUE, NEBRASKA

Drawn by: LDD	Chkd by: _____	Chkd by: _____
Job No.: XXXXX	Date: 8/12/2009	

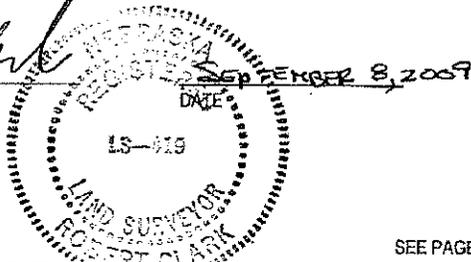
LEGAL DESCRIPTION
COUNTY ROAD RIGHT-OF-WAY TO BE VACATED

PART OF A DEDICATED COUNTY ROAD RIGHT-OF-WAY LOCATED IN THE NE1/4 OF SECTION 32, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 32; THENCE N00°13'11"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID NE1/4 OF SECTION 32, A DISTANCE OF 1491.66 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 42ND STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N00°13'11"W ALONG SAID WEST LINE OF THE NE1/4 OF SECTION 32, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID DEDICATED COUNTY ROAD, A DISTANCE OF 28.33 FEET TO A POINT ON THE WESTERLY LINE OF TAX LOT 25B1, A TAX LOT LOCATED IN SAID NE1/4 OF SECTION 32, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DEDICATED COUNTY ROAD; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID DEDICATED COUNTY ROAD, SAID LINE ALSO BEING THE WESTERLY LINE OF TAX LOT 25B1 ON THE FOLLOWING DESCRIBED COURSES; THENCE SOUTHERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 70.00 FEET, A DISTANCE OF 306.08 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S54°57'42"E, A DISTANCE OF 114.31 FEET; THENCE SOUTHERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 35.00 FEET, A DISTANCE OF 43.08 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S35°02'31"W, A DISTANCE OF 40.41 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID DEDICATED COUNTY ROAD; THENCE S00°13'11"E ALONG SAID EASTERLY RIGHT-OF-WAY OF A DEDICATED COUNTY ROAD, SAID LINE ALSO BEING SAID WESTERLY LINE OF TAX LOT 25B1, A DISTANCE OF 128.65 FEET TO THE POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF SAID DEDICATED COUNTY ROAD, AND THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY LINE OF 42ND STREET; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY LINE OF 42ND STREET ON A CURVE TO THE LEFT WITH A RADIUS OF 754.86 FEET, A DISTANCE OF 211.84 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N19°35'02"W, A DISTANCE OF 211.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 19,602 SQUARE FEET OR 0.45 ACRES, MORE OR LESS.

Robert Clark
ROBERT CLARK, L.S. NO. 419



PAGE 2 OF 2

SEE PAGE 1 OF 2 FOR DRAWING

ea E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 147TH STREET OMAHA, NE 68154 PHONE: (402) 665-4700

Drawn by: LDD Chkd by: _____ Chkd by: _____
Job No.: XXXXX Date: 8/12/2009

VACATION OF STREET ROW
BELLEVUE, NEBRASKA