

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

**RESOLUTION FIXING DATE OF PUBLIC HEARING FOR THE  
POSSIBLE VACATION OF A PORTION OF 42<sup>nd</sup> STREET**

WHEREAS, this Board has previously passed a resolution asking the County Surveyor to study the vacation of that portion of unused right of way of 42<sup>nd</sup> Street as described below; and,

WHEREAS, the County Surveyor has prepared his recommendation concerning said vacation; and,

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.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 1998) a public hearing will be held on the 24<sup>th</sup> day of November, 2009 at 3:00 p.m. in the Board Room of the Sarpy County Courthouse, Papillion, Nebraska, to receive public comment regarding the vacation of the following:

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 Clerk is directed to publish notice of said public hearing as required by law.

DATED this 27<sup>th</sup> day of October, 2009.

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

YEAS:

Ken Hill

Rich Jansen

John Jones

Tom Richards

Patricia J. Thomas

Debra Vouch  
County Clerk

NAYS:

none

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSENT:

none

\_\_\_\_\_

ABSTAIN:

none

\_\_\_\_\_

Approved as to form

\_\_\_\_\_  
Deputy County Attorney



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# THOMAS A. LYNAM

SARPY COUNTY SURVEYOR

• 15100 SOUTH 84th STREET • PAPHILLION, NEBRASKA 68046 • 402.339.4606 • FAX: 402.339.6555 •

## Memo

**To:** Sarpy County Board of Commissioners  
**From:** Tom Lynam, Sarpy County Surveyor   
**Subject:** 42<sup>nd</sup> Street Vacation Surveyors Recommendation  
**Date:** 10/21/2009

I have reviewed the proposed vacated area of 42<sup>nd</sup> Street as shown on the Plat Sheet prepared by E & A Consulting Group. I would recommend that this be vacated with the platting and improvements made on the existing paved 42<sup>nd</sup> Street, the area being requested is no longer used or needed.

It should be noted that there are (2) two large overhead power lines over this area that would remain protected. Also it is subject to any other easements and/or improvements recorded or not. This is within the City of Bellevue zoning jurisdiction.

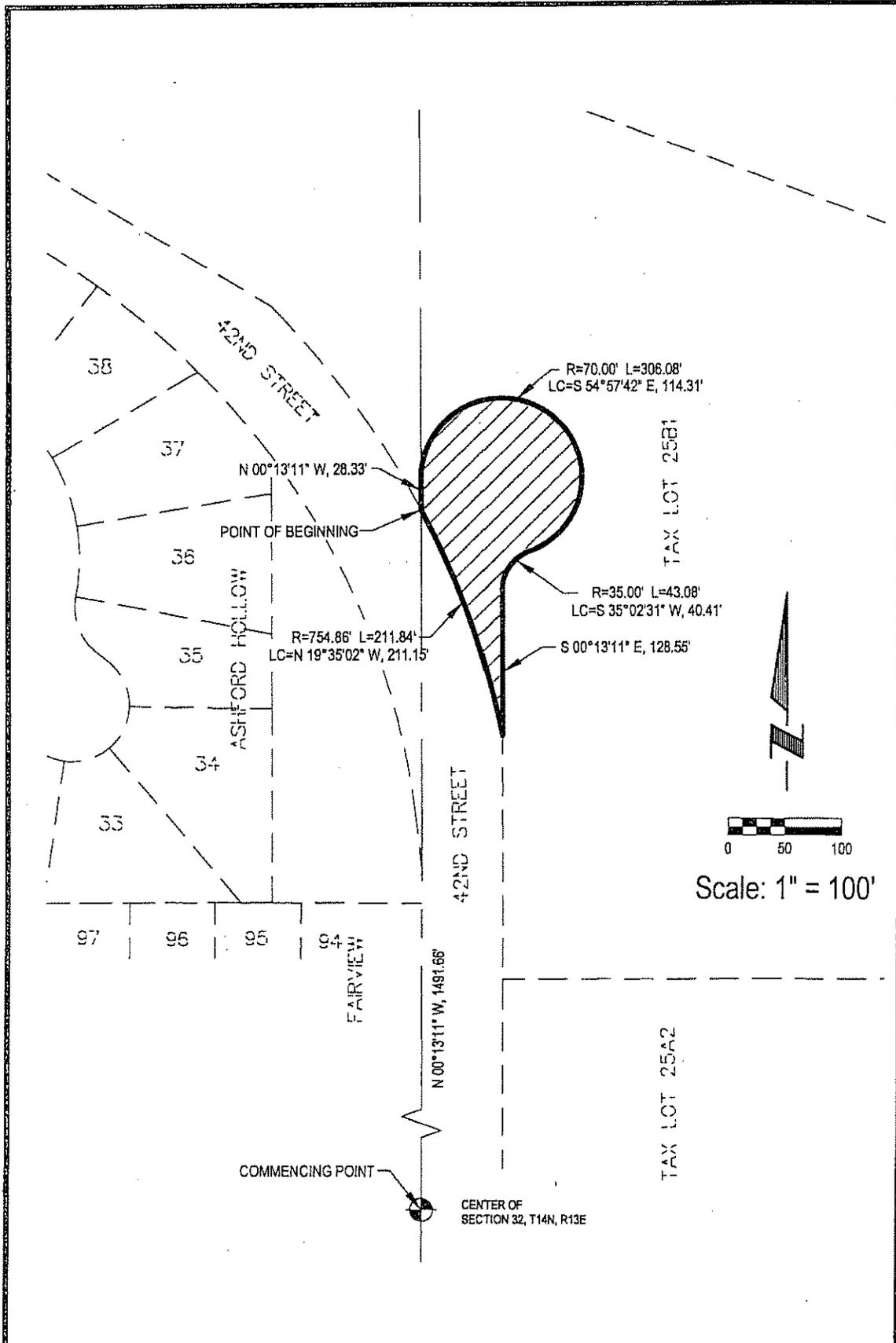
If you have any questions, please feel free to contact me.

Sarpy County, Nebraska



*Disclaimer:* This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale  
1 inch = 83 feet



**ea** E&A CONSULTING GROUP, INC.  
 ENGINEERING • PLANNING • FIELD SERVICES  
 330 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 885-4700

Drawn by: LDD Chkd by: \_\_\_\_\_ Chkd by: \_\_\_\_\_

Job No.: XXXXX Date: 8/12/2009

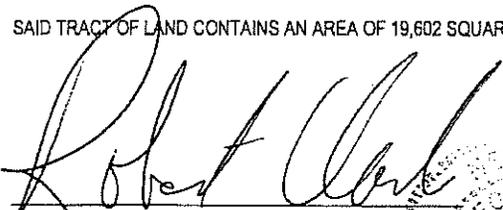
VACATION OF STREET ROW  
 BELLEVUE, NEBRASKA

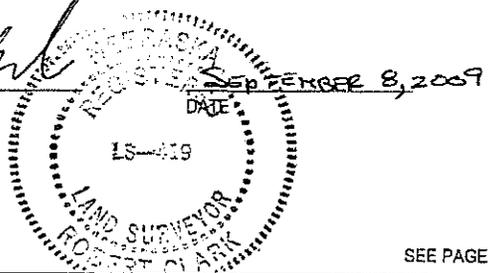
LEGAL DESCRIPTION  
COUNTY ROAD RIGHT-OF-WAY TO BE VACATED

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 128.55 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.

  
ROBERT CLARK, L.S. NO. 419



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SEE PAGE 1 OF 2 FOR DRAWING



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VACATION OF STREET ROW  
BELLEVUE, NEBRASKA