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09/005152

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

**RESOLUTION AUTHORIZING VACATION OF 42nd STREET IN THE AREA OF
RAYNOR PARKWAY, 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 a portion of 42nd Street, North of Hwy 370 in the area of Raynor Parkway, 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, as further described on Exhibit A.

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 24th day of November, 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,

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that, pursuant to Neb. Rev. Stat. §39-1722, *et seq.* (Reissue 2004), a portion of 42nd Street, North of Hwy 370 in the area of Raynor Parkway, 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, as further described on Exhibit A, 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 property shall revert to the adjoining landowners.

DATED this 15th day of December, 2009.

Moved by Rusty Hike, seconded by Rich Jansen, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Rusty Hike

none

none

Tom Jones

Patrick J. Thomas

ABSTAIN:

Rich Jansen

none

Tom Richard

Debra J. Noughtaling
County Clerk



Approved as to form:

[Signature]
Deputy County Attorney

2010-05434C

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

2010-05434

03/04/2010 10:17:33 AM

Lloyd J. Dowding

REGISTER OF DEEDS

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



**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

*PLR
County Clerk's
Kendra*