

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION DIRECTING COUNTY ENGINEER TO STUDY POSSIBLE
VACATION OF LATHROP AVENUE SOUTH OF CHANDLER ROAD

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 2008), 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 2008) the Sarpy County Engineer is hereby instructed to make a study of the use being made of the tract of land described as all of Lathrop Avenue, lying south of Chandler Road, as now established, west of the southerly 23.3 feet of Lot 5A and the remainder of Lot 6, Block 14, and north of the northerly right-of-way line of N. Railway Street, Original Town of Chalco, Sarpy County, Nebraska as further described on attachment.

BE IT FURTHER RESOLVED THAT the County Engineer is to provide a written report to this Board within thirty (30) days of the study and provide 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 9th day of August, 2011.

Moved by Rusty Hike, seconded by Jim Thompson that the above Resolution be adopted. Carried.

YEAS: _____ NAYS: None _____ ABSENT: None _____

James W. ... _____

... _____ ABSTAIN: _____

... _____ None _____

Tom Richard _____

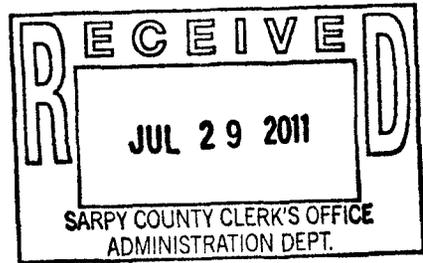
Renee Loupman
County Clerk



VACATE RIGHT-OF-WAY

A portion of Lathrop Avenue lying Southerly of the 33.00 foot ROW of Chandler Road, as now established and the Northerly ROW of North Railway Street, as platted in the Original Town of Chalco as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows:

Beginning at the intersection of the South ROW line of Chandler Road and the East ROW line of Lathrop Avenue; thence South (an assumed bearing) along East ROW for 78.6 feet \pm to the Northerly ROW line of North Railway Street; thence Northwesterly along said Northerly ROW line for 71.5 feet \pm to the West ROW line of said Lathrop Avenue; thence North along said ROW line for 63.6 feet \pm to the South ROW line of said Chandler Road; thence Easterly along the extension of said South ROW line for 70.0 feet \pm to the point of beginning and containing 4,977 sq ft \pm or 0.11 acres \pm .



SARPY COUNTY

County Clerk's Office

APPLICATION FOR ROAD VACATION OR ABANDONMENT

- 1. Complete Form
- 2. Return to Sarpy Co. Clerk
- 3. Fees due upon completion

*Please type or print

*Return to the Sarpy County Clerk's office, 1210 Golden Gate Drive, Papillion NE 68046.

Any person desiring the vacation or abandonment of any public road of the county shall file in the office of the Sarpy County Clerk, a petition (page 2) signed by ten (10) or more ELECTORS residing within ten (10) miles of the road or property proposed to be vacated or abandoned. Petition signatures will be verified by the Election Commissioner to determine signers are registered voters. The publication fees (vary upon size and content), along with the \$50 application fee will be collected upon completion. All fees payable to the Sarpy County Clerk.

1. Individual initiating the request:

NAME: Anson Nowka REPRESENTATIVE FOR OWNER ANDREW NOWKA

ADDRESS: 15010 Chandler Road

CITY: Omaha STATE: NE ZIP: 68138

PHONE (day): 402-215-1077 (evening): 402-215-1077

2. Reason for vacation / abandonment:

Lathrop Ave has never been developed South of Chandler Road and the County has no plans to improve this Right of Way. The vacation is being requested to eliminate the corner lot setback requirement for lots 5A & 6A, which are lots to the East of the Lathrop Avenue ROW.

3. Legal description of property for proposed vacation / abandonment:

Located at South edge of NW1/4 of Sect 14, Twn 14N, Rng 11E of the 6th P.M., Sarpy County, know as Chalco. (150th & Chandler Road) Lathrop Avenue ROW is a 70' wide right of way located South of Chandler Road and West of Lots 5A & 6A of Block 14.

4. Attach copy of the vacation / abandonment petition as required.

Petition shall contain:

- 1) the names and addresses of electors
- 2) a clear and unambiguous description of the road proposed to be vacated or abandoned
- 3) the reason (s) why the road should be vacated or abandoned
- 4) a request that a time and date be set for a public hearing before the county board.

SIGNATURE OF APPLICANT: Anson Nowka



SARPY COUNTY

County Clerk's Office

ROAD VACATION OR ABANDONMENT PETITION

Legal description of property to be vacated:

LATHROP AVENUE R.O.W. SOUTH OF CHANDLER ROAD.
WEST OF LOTS 5A AND 6A BLOCK 14 AT THE SOUTH
EDGE OF NW 1/4 OF SECT 14, TWN 14N, RNG 11E OF THE 6TH P.M.
IN SARPY COUNTY

Reason for vacation / abandonment:

STREET HAS NEVER BEEN DEVELOPED OR USED AND WOULD
TERMINATE AT CREEK ADJACENT ANYWAYS EXISTING
R.O.W. REQUIRES "CORNER" SETBACK TO BE MET WHICH
REDUCES USEABLE AREA AVAILABLE FOR STRUCTURE.

We, the undersigned electors residing within ten (10) miles of the proposed vacated property, hereby ask and petition that the necessary action be taken to vacate property described above. We hereby request that a time and date for a public hearing be set before the Sarpy County Board of Commissioners.

PRINTED Name of Elector	Signature	Address	Date
1. David Fixemer	<i>David Fixemer</i>	7614 S. 150 th St. Omaha NE 68138	7-27-11
2. Wade A. Greening	<i>Wade A. Greening</i>	7604 S. 150 th St, Omaha, NE 68138	7-27-11
3. Ron Brummer	<i>Ron Brummer</i>	7508 S 150 th St Omaha NE 68138	7-27-11
4. Steve Halstead	<i>Steve Halstead</i>	7420 S. 150 th St Omaha NE 68138	7-27-11
5. DAVID JAFFEY	<i>David Jaffey</i>	7416 S. 150 th St, Omaha NE 68138	7-27-11
6. Patrick Conell	<i>Patrick Conell</i>	16648 Olive St. Omaha NE	7-28-11
7. GEORGE EDMONS	<i>George Edmons</i>	15056 OLIVE ST Omaha NE	7-28-11
8. Todd A Nowka	<i>Todd A Nowka</i>	7506 Trumble Ave	7-28-11
9. James Rull	<i>James Rull</i>	7514 Trumble Ave	7/28
10. Rick A Hendricks	<i>Rick A Hendricks</i>	7615 S 150 ST	7/28
11. Mary J. Hendricks	<i>Mary J Hendricks</i>	7615 S 150 ST	7/28
12. ANSON NOWKA	<i>Anson Nowka</i>	15010 CHANDLER ROAD	7/28/11

SIMS 2.0 - Sarpy Internet Map Service

Search/Select **Map Contents**

Parcel Search

Property Address:

Legal Description:

Parcel ID Number:

Selectable Layer:

Select Mode:

Selection Results

Parcels

1 NOWKA, ANDREW J
CHANDLER RD

Parcel ID Number	010332561
Show	Valuation Information
Owner Name	NOWKA, ANDREW J
Mailing Address	3370 BROWER AVE
City State	MOUNTAIN VIEW CA
Zip Code	94040-
Property Address	CHANDLER RD
Legal Description	LOTS 5A & 6A BLOCK
Neighborhood Code	MCO
Property Type	RES
Improvements Value	\$0
Land Value	\$14,151
Total Value	\$14,151
Estimated Acres	0.24591572



