

11/002152

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

**RESOLUTION CEDING JURISDICTION OF LAND TO THE CITY OF SPRINGFIELD**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (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, pursuant to Neb. Rev. Stat. §13-327, the City Council of the City of Springfield has voted to request that the County Board cede and transfer to the City of Springfield extraterritorial jurisdiction over land outside the area extending one mile from the corporate boundaries of the City of Springfield; and,

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that this Board makes the following findings of fact:

- I. On September 20, 2011, the City Council of the City of Springfield voted unanimously to request that Sarpy County cede jurisdiction for properties legally described as follows:
  - a. Lot 1, Gruhn Acres, a subdivision in the East ½ of the Northwest ¼ of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 9.63 acres (13833 Capehart Road).
  - b. East ½ of the Northwest ¼ of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 69.63 acres (14009 Capehart Road).
  - c. West ½ of the Northwest ¼, except for 0.14 acres of right-of-way, Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 72.66 acres (14305 Capehart Road).
  - d. Tax Lots A & B, Section 11, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 68.72 acres (13106 South 144<sup>th</sup> Street).

- e. West ½ of the Northeast ¼, Section 11, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 75.08 acres (14711 Capehart Road).
- II. The City of Springfield letter of request and map are attached hereto and incorporated herein at Exhibit A.
- III. Sarpy County has a Comprehensive Plan adopted pursuant to Neb. Rev. Stat. §23-114.
- IV. The City of Springfield is currently exercising extraterritorial jurisdiction over territory within the boundaries of Sarpy County.
- V. The requested territory is within the projected growth pattern of the City of Springfield and would be within the city's extraterritorial jurisdiction by reason of annexation within a reasonable period of years.
- VI. Not more than a total of twenty-five percent of the territory of Sarpy County located outside the corporate boundaries of the City of Springfield has been ceded to the jurisdiction of the City of Springfield within the last ten years.
- VII. No portion of the requested territory lies within an area extending one-half mile from the extraterritorial jurisdiction of any other city of the first or second class or village.
- VIII. Portions of the requested territory currently lie within the extraterritorial jurisdiction of the City of Springfield.
- IX. The property owners have no objections to the transfer of jurisdiction.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the cession and transfer of the above describe properties to the City of Springfield, wherein such transfer shall take effect on the effective date of the ordinance as provided for in Neb. Rev. Stat. §17-1002.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the

4<sup>th</sup> day of October, 2011.

Attest:

SEAL



Tom Richard  
Sarpy County Board Chairman

Debra I. Noughtaling  
Sarpy County Clerk

# CITY OF SPRINGFIELD

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September 23, 2011

Scott Bovick  
Deputy County Administrator  
1210 Golden Gate Drive  
Papillion, NE 68046

Re: Request to Cede Jurisdiction

Dear Mr. Bovick:

On September 20, 2011, the Springfield City Council voted unanimously (Ayes: John Bartels, Randy Fleming, Dan Craney, Chad Nolte; Nays: None) to request that Sarpy County cede jurisdiction to the City of Springfield for properties legally described as follows:

- Lot 1, Gruhn Acres, a subdivision in the East ½ of the Northwest ¼ of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, Nebraska, consisting of approximately 9.63 acres (13833 Capehart Road)
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A zoning map of Springfield is included herein for reference. The properties identified above have been highlighted on the map in purple. The black line circling the city limits is the city's extra-territorial zoning jurisdiction line. As you can see, these five parcels of property fall mostly within the city's jurisdiction.

P.O. Box 189 ~ 170 North 3<sup>rd</sup> Street ~ Springfield, NE 68059  
Phone (402) 253-2204 ~ Fax (402) 253-2204  
springfieldnebraska.com

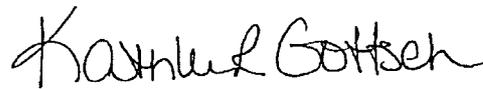
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Therefore, the city is requesting that the Sarpy County Board consider ceding jurisdiction of these five parcels to the City of Springfield in order to clearly identify the city's jurisdiction over these properties.

Please let me know if you have any questions regarding our request or if you require additional information.

Thank you for your attention to this matter and for your consideration. I look forward to hearing from you soon regarding the Sarpy County Board's decision.

Sincerely,



Kathleen R. Gottsch  
City Clerk/Treasurer

Enclosure

