

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:

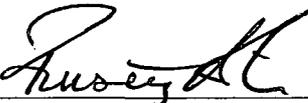
- I. On June 19, 2012, the City Council of the City of Springfield voted unanimously to request that Sarpy County cede jurisdiction for the subject property legally described as follows:
 - a. Tax Lot Q, Section 26, Township 13 North, Range 11 East of the 6th P.M. in Sarpy County, Nebraska, consisting of approximately 28.43 acres (16715 S. 156th Street)
- II. The City of Springfield letter of request and map are attached hereto and incorporated herein as 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 subject property 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. The landowner has no objections to placing the subject property within the jurisdiction of the City of Springfield.

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 described property 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 17th day of July, 2012.

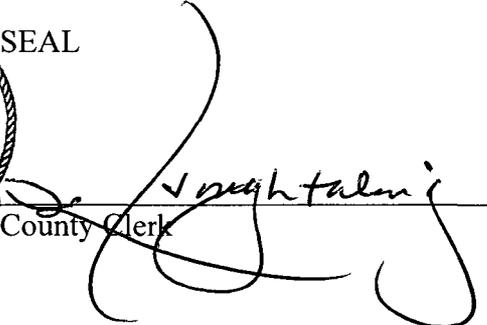
Attest



Sarpy County Board Chairman



SEAL



County Clerk

CITY OF SPRINGFIELD

June 26, 2012

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

Re: Request to Cede Jurisdiction

Dear Mr. Bovick:

On June 19, 2012, the Springfield City Council voted unanimously (Ayes: Randy Fleming, Dan Craney, Chad Nolte; Nays: None; Absent: Bob Roseland) to request that Sarpy County cede jurisdiction to the City of Springfield for property legally described as follows:

- Tax Lot Q, Section 26, Township 13 North, Range 11 East of the 6th P.M. in Sarpy County, Nebraska, consisting of approximately 28.43 acres (16715 South 156th Street)

A zoning map of Springfield is included herein for reference. The property identified above has 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, this property falls mostly within the city's jurisdiction.

Ralph and Marilyn Polson are the owners of Tax Lot Q and they desire to plat their property into two lots. One lot will consist of the single-family dwelling on six acres and the other lot will consist of the remaining land. The property currently located within Springfield's extraterritorial jurisdiction is zoned Agriculture Residential (AR) and; therefore, meets the minimum lot size of five acres that is required within that zoning district.

Therefore, the city is requesting that the Sarpy County Board consider ceding jurisdiction of this property to the City of Springfield in order to clearly identify the city's jurisdiction over these properties and to allow the Polson's to submit a plat application to the city, which would be considered under the city's zoning/subdivision regulations.

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

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June 26, 2012

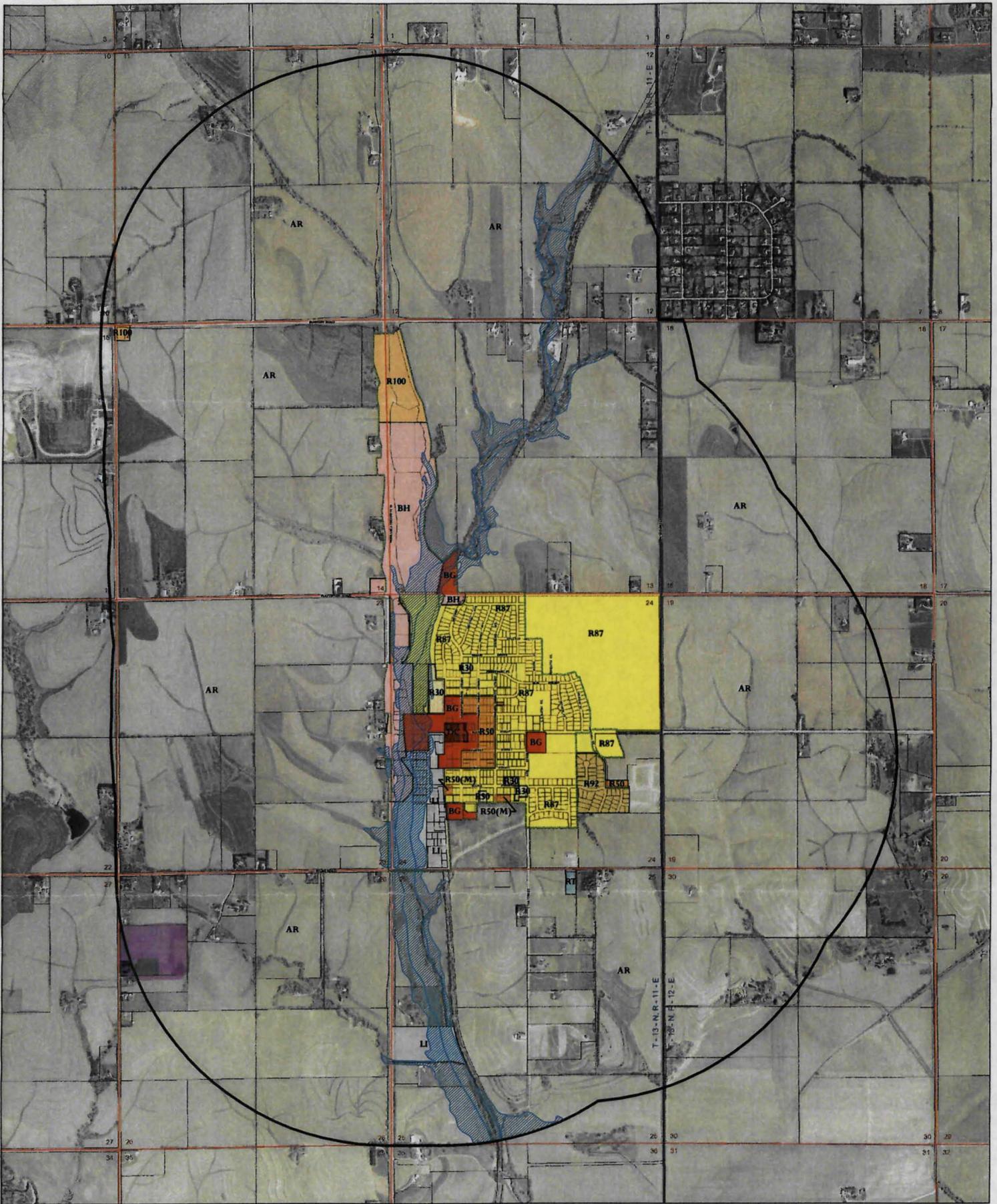
Thank you for your attention to this matter and for your consideration. I look forward to hearing from you soon regarding the Sarpy County Board's decision.

Sincerely,

A handwritten signature in black ink that reads "Kathleen R. Gottsch". The signature is written in a cursive style with a large initial 'K'.

Kathleen R. Gottsch
City Clerk/Treasurer

Enclosure



Zoning Districts

- AR Agriculture Residential
- R100 Single Family Residential
- R87 Single Family Residential
- R30 Single Family Residential
- R50 Single Family Residential
- R50(M) Modified Residential (Driveway)
- R92 Single Family Residential
- R92(M) Modified Residential (Driveway)
- LI Light Industrial
- BH Belt Highway
- BG General Business

Legend

- One-Mile Environmental Jurisdiction
- Spring Hill Corporate Limits
- Parcel Line
- Township Line
- Section Line
- Flood Plain / Floodway

NOTE: THE FLOODPLAIN BOUNDARY ON THIS MAP IS BASED UPON THE FEMA'S FLOOD INSURANCE RATE MAP (FIRM) 01155C0186G/01155C0186G, EFFECTIVE DATE DECEMBER 01, 2006

THIS IS THE OFFICIAL ZONING MAP FOR THE CITY OF SPRINGFIELD, NEBRASKA. THIS OFFICIAL ZONING MAP IS THE OFFICIAL ZONING MAP FOR THE CITY OF SPRINGFIELD, NEBRASKA. THIS OFFICIAL ZONING MAP IS THE OFFICIAL ZONING MAP FOR THE CITY OF SPRINGFIELD, NEBRASKA.

| REVISION DATE | DESCRIPTION | REVISION DATE | DESCRIPTION |
|---------------|-------------|---------------|-------------|
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City of Springfield
Sарy County, Nebraska
Official Zoning Map

Scale in Feet
0 500 1000 1500 2000

JEO
LAND-USE CONSULTANTS

ADDITIONAL INFORMATION

SARPY COUNTY BOARD OF COMMISSIONERS

July 17, 2012

**REQUEST TO CEDE JURISDICTION
TO THE CITY OF SPRINGFIELD**

Attachments: (Part of Exhibit A of Resolution)

**Letter of Request from Kathleen Gottsch, City Clerk
Springfield Zoning Map**

Additional Attachments

Sarpy County Staff Report

Sarpy County Board of Commissioners Report
Staff Report Prepared: July 10, 2012
County Board Date: July 17, 2012

| Subject | Type | By |
|--|------------|---|
| Request from City of Springfield, NE to cede jurisdiction of property legally described as Tax Lot Q, Section 26, Township 13 North, Range 11 East of the 6 th P.M. in Sarpy County, NE consisting of approximately 28.43 acres (16715 S. 156 th Street) | Resolution | Bruce Fountain, AICP, EDFP Planning Director |

➤ **Overview**

- The City of Springfield City Council voted unanimously to request that Sarpy County cede jurisdiction to the City of Springfield for property legally described as Tax Lot Q, Section 26, Township 13 North, Range 11 East of the 6th P.M. in Sarpy County, NE consisting of approximately 28.43 acres (16715 S. 156th Street).
- Ralph and Marilyn Polson, the property owners, made the request to the City of Springfield as they wish to plat their property into two lots and the site is currently shown as being partially in both Sarpy County's and the City of Springfield's jurisdictions. The portion of the property located within the City's jurisdiction is zoned AR (Agriculture Residential) and the owner's plans to subdivide the property would meet the minimum lot size requirement of 5 acres in that zone.
- Therefore, the City is requesting that the Sarpy County Board consider ceding jurisdiction of a portion of the property to the City of Springfield in order to clearly designate the property as being completely under their zoning/building jurisdiction and allow the owners to submit a plat application to the City under their regulations.

➤ **Recommendation**

- As this property is bisected by the City of Springfield's current ETJ (Extra Territorial Jurisdiction), it makes sense to cede the portion currently in the County's jurisdiction to the City so that the owner may plat and develop it consistently in conformance with Springfield's zoning regulations. In all likelihood, the entire property would be under their jurisdiction anyway in the not too distant future. Therefore, staff recommends approval of the City of Springfield's request to cede jurisdiction to them for the subject property.

Respectfully submitted by:



Bruce Fountain, AICP, EDFP
Planning Director