

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**  
**RESOLUTION FIXING DATE OF PUBLIC HEARING FOR THE VACATION OF A**  
**PORTION OF EDGERTON DRIVE IN SARPY COUNTY, NEBRASKA**

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 2007), a recommendation has been received from the Sarpy County Engineer regarding the vacation of that part of Edgerton Drive between 48<sup>th</sup> Street and 47<sup>th</sup> Street within Ashford Hollow, a subdivision, in Sarpy County, Nebraska, said right-of-way further described as:

**Beginning at the Southwest corner of Lot 116, Ashford Hollow, as platted and recorded in Sarpy County, Nebraska, Thence N89°51'46"E 150.00 feet along the North right-of-way line of Edgerton drive to the Southeast corner of said Lot 116; thence along a curve to the right having a radius of 12.50 feet, an arc length of 4.16 feet and a long chord bearing S09°37'58"W for 4.14 feet; thence along a curve to the left having a radius of 42.50 feet, an arc length of 50.36 feet and a long chord bearing S14°47'32"E for 47.47 feet to the South right-of-way line of Edgerton Drive; thence S89°51'46"W 161.42 feet along said right-of-way line to the Northwest corner of Lot 1 Ashford Hollow and East right-of-way line of 48<sup>th</sup> Street; thence N00°00'51"W 50.00 along said East right-of-way to the point of beginning, containing 7,538 square feet, more or less;**

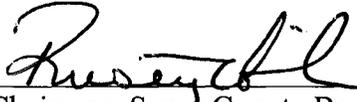
and,

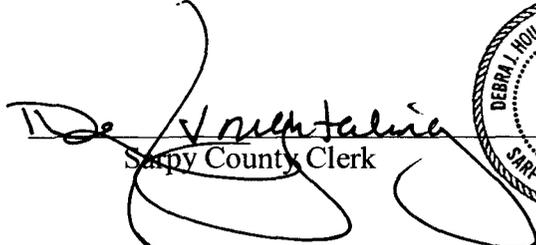
WHEREAS, pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 2007), the County Board of Commissioners is authorized to vacate or abandon certain roadways or parts thereof, if such be in the public's best interest.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. §39-1722, *et seq.* (Reissue 2007), a public hearing will be held on the 16<sup>th</sup> day of October, 2012 at 3:00 o'clock, p.m. in the Board Room of the Sarpy County Courthouse, Papillion, Nebraska, to receive public comment regarding the vacation of the aforementioned right-of-way in Sarpy County, Nebraska.

BE IT FURTHER RESOLVED that the Clerk is directed to publish notice of said public hearing as required by law.

The above and foregoing Resolution was duly approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on this 11<sup>th</sup> day of September, 2012.

  
 Chairman, Sarpy County Board

  
 Sarpy County Clerk



# Memo

**To:** Michael A. Smith, Deputy County Attorney

**From:** Dennis L. Wilson, Sarpy County Engineer

**Date:** 9/6/2012

**Re:** *Edgerton Drive Vacation*

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The Ashford Hollow subdivision was platted with a connection to 48<sup>th</sup> Street via Edgerton Drive. However, this connection would have required the Magellan pipeline running perpendicular to Edgerton and parallel with 48<sup>th</sup> Street be lowered to accommodate the new street profile. The cost of this relocation was estimated to be \$400,000.

Sarpy County Public Works staff met with the SID engineer and SID attorney several months ago to discuss vacating this street to avoid paying for the relocation of the pipeline. In an effort of cooperation, the SID redesigned the subdivision plat to remove the street connection creating three lots rather than the previously platted four lots.

This plat is under the zoning jurisdiction of Bellevue, NE and the developer has submitted a plat incorporating this change. This resolution of a street vacation is being requested since Sarpy County took ownership of the street once the plat was filed, Sarpy County Public Works is in favor of vacating this street and giving ownership to the developer at no cost to facilitate the removal of this platted connection to 48<sup>th</sup> Street.

It should also be noted that this change has minimal impact to emergency vehicle access since there are two entrances to the subdivision in proximity to Edgerton Drive (Hilltop Street and S. 45<sup>th</sup> Street).