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

**RESOLUTION APPROVING PURCHASE AGREEMENT WITH ANDREW NOWKA FOR THE
SALE OF VACATED LAND LOCATED AT LATHROP AVENUE SOUTH OF CHANDLER ROAD**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (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. §39-1722 (Reissue 2008), the County Engineer has been directed to study the use being made of the following tract of land located in Sarpy County, Nebraska and report said study to this Board;

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 ± to the Northerly ROW line of North Railway Street; thence Northwesterly along said Northerly ROW line for 71.5 feet ± to the West ROW line of said Lathrop Avenue; thence North along said ROW line for 63.6 feet ± to the South ROW line of said Chandler Road; thence Easterly along the extension of said South ROW line for 70.0 feet ± to the point of beginning and containing 4,977 sq ft ± or 0.11 acres ±; and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1724 (Reissue 2008), this Board has received said report from the Sarpy County Engineer within thirty (30) days of the directive, and said report contains the study made and the County Engineer's recommendation as to the vacation thereof as required by Neb. Rev. Stat. §39-1722 (Reissue 2008), and recommends said vacation; and,

WHEREAS, on the 27th day of September 2011, a Public Hearing on the vacation was held after the publication and the service of notice on adjacent landowners, all as required by Neb. Rev. Stat. §39-1724 (Reissue 2008); and,

WHEREAS, on October 4, 2011 pursuant to Neb. Rev. Stat. §39-1725 (Reissue 2008), the County Board vacated the above-described tract and authorized the County Engineer to negotiate a purchase agreement; and,

WHEREAS, the County Engineer, has negotiated a purchase agreement for the above described property and desires to sell it to Andrew Nowka as outlined in the purchase agreement attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board hereby approves the purchase agreement, a copy of which is attached, for the sale of the above described vacated tract of land to Andrew Nowka.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk, is hereby authorized to sign the purchase agreement with Andrew Nowka, on behalf of this Board a copy of which is attached, and any other related documents, the same being approved by the Board.

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 7th day of February, 2012.

ATTEST:



[Handwritten Signature]
Sarpy County Board Chairman

[Handwritten Signature]
Sarpy County Clerk

F

LIMITED POWER OF ATTORNEY

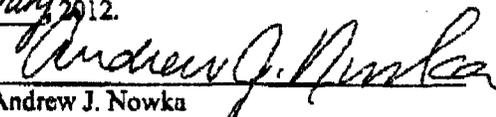
BY THIS DOCUMENT IT IS HEREBY ACKNOWLEDGED, that I, ANDREW J. NOWKA of Kirkland, Washington, the undersigned, do hereby grant a limited and specific power of attorney to ANSON NOWKA as my attorney-in-fact. Said attorney-in-fact shall have authority and power to undertake and perform only the following acts on my behalf:

1. Sign purchase agreement and all other related documents for the purchase of land in Sarpy County.
2. Act as my representative for planning and zoning applications or other matters related to land I own in Sarpy County.

This shall also include any incidental acts that are reasonably required to carry out and perform the specific authorities granted. This power of attorney shall be effective as of February 1, 2012. This power of attorney may be revoked by me at any time. This power of attorney shall automatically be revoked upon my death.

My attorney-in-fact agrees to this appointment subject to its terms. My attorney-in fact agrees to act as my fiduciary and in my best interests, as seems advisable to the best of his discretion.

Signed under seal this 21 day of February, 2012.

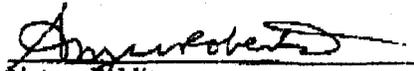

 Andrew J. Nowka

STATE OF California)
) ss.
 COUNTY OF Santa Clara)

On this the 21 day of February, 2012, before me, a Notary Public within and for said county, personally appeared Andrew J. Nowka, known to me or proved to be the person named in and who executed the foregoing instrument, and being first duly sworn, such person acknowledged that he or she executed said instrument for the purposes therein contained as his or her free and voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my and affixed my Notarial Seal, at the City of San Jose, County of Santa Clara, State of California.

(Seal)


 Notary Public

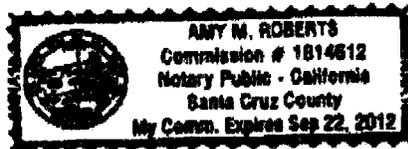


EXHIBIT A

The area to be vacated is 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 .

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That on this 14th day of February 2012, THE COUNTY OF SARPY, OF THE STATE OF NEBRASKA, a body politic and corporate created under the laws of the Sate of Nebraska, GRANTOR herein, for good and valuable consideration, does hereby remise, release and quitclaim to Andrew J. Nowka and Sarah B. Imbach, husband and wife, as joint tenants and with rights of survivorship and not as tenants in common, GRANTEES herein, all of GRANTOR'S right, title, interest and estate, in and to all of the following described real property, to wit:

All of vacated 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 ± to the Northerly ROW line of North Railway Street; thence Northwesterly along said Northerly ROW line for 71.5 feet ± to the West ROW line of said Lathrop Avenue; thence North along said ROW line for 63.6 feet ± to the South ROW line of said Chandler Road; thence Easterly along the extension of said South ROW line for 70.0 feet ± to the point of beginning and containing 4,977 sq ft ± or 0.11 acres ±.

TO have and to hold the described property together with all tenements, hereditaments, and appurtenances belonging to such property, to Grantees and to Grantees' heirs and assigns forever.

IN WITNESS WHEREOF, I, Rusty Hike, Chairman of the Sarpy County Board of Commissioners, have hereunto set my hand and seal this 14th day of February, 2012.

COUNTY OF SARPY, OF THE STATE OF NEBRASKA

Rusty Hike
Chair, Board of Commissioners



(SEAL)

ATTEST:

Debra J. Houghtaling
County Clerk

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On this the 14th day of February, 2012, before me, a Notary Public within and for said county, personally appeared Rusty ~~Hike~~, Chair of the Sarpy County Board of Commissioners, on behalf of Sarpy County, Nebraska a body politic and corporate, and Grantor herein. Thereupon he executed the foregoing instrument of conveyance, and acknowledged the same to be his own free and voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my and affixed my Notarial Seal, at the City of Papillion, County of Sarpy, State of Nebraska.

(Seal)



Christine Anne Vance
Notary Public

C

Receipt

Dated this 2 day of March, 2012.

Received from Andrew Nowka the sum of One Thousand Nine Hundred and Ninety Dollars (\$1,990.00) as the purchase price of the above described property on terms and conditions as stated above, it being hereby agreed and understood that in the event the above offer is not accepted by the owners of said premises within the time hereinafter specified, or that in the event there are any legal defects in the title which cannot be cured after said purchasers have filed or caused to be filed with us written notice of such legal defects, the money hereby paid is to be refunded. In the event of the refusal or failure of the purchasers to consummate the purchase, the owners may, at their option, retain the said money hereby paid, as liquidated damages for such failure to carry out said agreement of sale.

This receipt is an acceptance of the above offer to purchase, according to the terms and conditions set forth therein.

SELLER:

County of Sarpy, Nebraska,
a body politic and corporate



SEAL

Attest:

Debra J. Noughtaling
Clerk

By: Russell
Chairman

Approved as to form:

Matt [Signature]
County Attorney/Deputy

COUNTER a C.E. a
VERIFY a D.E. a
PROOF P
FEES \$ 45.50
CHECK# _____
CHG _____ CASH 60.00
REFUND 14.50 cash CREDIT _____
SHORT _____ NCR _____

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER NEBRASKA DOCUMENTARY
STAMP TAX

2012-06238

03/02/2012 8:57:01 AM

\$ EX 2

Lloyd J. Dowding

By: counter2

REGISTER OF DEEDS



DEED



**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

THIS MULTI-TONE AREA OF THE DOCUMENT CHANGES COLOR GRADUALLY AND EVENLY FROM DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM.



UNION BANK, N.A.
SAN FRANCISCO, CALIFORNIA
800-238-4486
44964 034

CASHIER'S CHECK

0363000239

16-49
1220



One Thousand Nine Hundred Ninety Dollars And No Cents

February 08, 2012

PAY TO THE
ORDER OF

SARPY COUNTY TREASURER

\$ *****1,990.00

REMITTER:

ANDREW J. NOWKA

Andrew J. Nowka
(AUTHORIZED SIGNATURE)

FORM 00255-T3 (08/23/2003)

Overlay ID 00247-T3 (08/2007)

⑈0363000239⑈ ⑆122000496⑆ 0566000006⑈