

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION AUTHORIZING VACATION OF AN ALLEY IN BLOCK 13,
ORIGINAL TOWN OF CHALCO, SARPY COUNTY, NEBRASKA

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722 (Reissue 2007), this County Board of Commissioners has deemed that the public interest requires vacation of a portion of unused alley in Block 13, Original Town of Chalco, in Sarpy County, Nebraska, said right-of-way further described as:

All of the remaining north-south alley adjoining Lots 1 through 3 on the west and adjoining Lots 6 and 7 on the east, Block 13, original Town of Chalco, Sarpy County, Nebraska, said alley being all that land lying between the northerly right-of-way line of Chandler Road, as now established, northerly to the southerly right-of-way line of vacated Pitman Street, as originally located;

and,

WHEREAS, pursuant to that same statute, the County Surveyor has been directed to study the use being made of said road and report said study to this Board; and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1724 (Reissue 2007), this Board has received said report from the Sarpy County Surveyor within thirty (30) days of the directive, and said report contains the study made and the County Surveyor's recommendation as to the vacation thereof as required by Neb. Rev. Stat. §39-1722 (Reissue 2007), and recommends said vacation; and,

WHEREAS, said road does not lie within the zoning jurisdiction of a city; and,

WHEREAS, on the 26th day of February, 2013, a Public Hearing on the vacation was held as required by Neb. Rev. Stat. §39-1724 (Reissue 2007), after the publication and the service of notice on adjacent landowners, all as required by Neb. Rev. Stat. §39-1724 (Reissue 2007);

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 portion of unused alley in Block 13, Original Town of Chalco, in Sarpy County, Nebraska, said right-of-

way further described as:

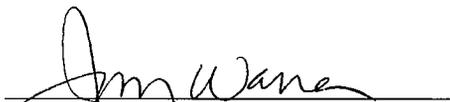
All of the remaining north-south alley adjoining Lots 1 through 3 on the west and adjoining Lots 6 and 7 on the east, Block 13, original Town of Chalco, Sarpy County, Nebraska, said alley being all that land lying between the northerly right-of-way line of Chandler Road, as now established, northerly to the southerly right-of-way line of vacated Pitman Street, as originally located;

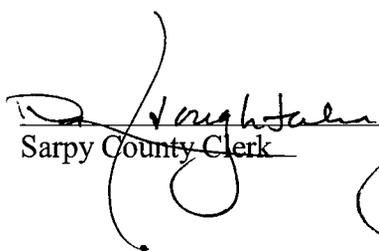
is hereby vacated.

BE IT FURTHER RESOLVED that said vacation is subject to any easements or improvements, public or private, recorded or unrecorded..

BE IT FURTHER RESOLVED THAT, pursuant to Neb. Rev. Stat. 39-1725 (Reissue 2007), the title to this vacated right of way shall revert to private ownership, and title shall be conveyed by warranty deed to Clear Creek Holdings, LLC, pursuant to the Agreement approved by this Board by Resolution 2012-370.

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 5th day of March, 2013.


Chairman, Sarpy County Board


Sarpy County Clerk



2013-07553

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Lloyd J. Dowding

REGISTER OF DEEDS

COUNTER	<u>LM</u>	C.E.	<u>LM</u>
VERIFYST	<u>M</u>	D.E.	<u>M</u>
PROOF	_____		
FEEES \$	<u>NC</u>		
CHECK#	_____		
CHG	_____	CASH	_____
REFUND	_____	CREDIT	_____
SHORT	_____	NCR	_____



LTS 1,2,3,6 + 7 Block 13 Chalco
and Lt 1+2 Chalco Landing



**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