BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

APPROVE PRELIMINARY PLAT – Kracl Hoppy Acres

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, 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, the powers of the County as a body are exercised by the County Board of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt Subdivision Regulations, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-374; and,

WHEREAS, said Subdivision Regulations require the County Board to approve applications for preliminary plats; and

WHEREAS, the applicant, Donald R. and Joyce A. Kracl applied for approval of a preliminary plat on property generally located northeast of 240th Street and Lincoln Road and legally described as follows, hereinafter “the Property”:

Part of Tax Lot 6B and Tax Lot 7B2 in part of the SW ¼ of the SW ¼ in Section 22 together with Tax Lot G1A1 and Tax Lot K in part of the W ½ of the NW ¼ in Section 27, all in Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska.

WHEREAS, the Sarpy County Planning Department staff reviewed the application of the preliminary plat of a subdivision to be known as Kracl Hoppy Acres for compliance with the Subdivision Regulations and made a recommendation of approval as noted in Exhibit A, attached hereto and incorporated by reference, which Exhibit A includes the Planning Department reports, the aerial map of the Property and a copy of the preliminary plat of the subdivision to be known as Kracl Hoppy Acres.

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

I. A public hearing regarding the approval of the preliminary plat was held on April 17, 2018 before the Sarpy County Planning Commission. The Planning Commission provided their recommendation to the County Board.

II. A public hearing regarding the approval of the preliminary plat was held by this County Board.
III. Notice of each of the public hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Sarpy County Clerk.

IV. The Planning Department staff recommends approval with some notations as described in the Planning Department report.

V. The proposed preliminary plat of a subdivision to be known as Kracl Hoppy Acres is in conformity with the Zoning Regulations, the Subdivision Regulations, and the Sarpy County Comprehensive Plan.

BE IT FURTHER RESOLVED THAT the Preliminary Plat of a subdivision to be known as Kracl Hoppy Acres and as further described in the attached Exhibit A is hereby approved.

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 8th day of May, 2018.

Attest
County Clerk

Sarpy County Board Chairman
Sarpy County Board of Commissioners
Exhibit “A”
Planning Department Report
County Board Meeting Date: May 8, 2018

I. GENERAL INFORMATION

A. APPLICANT:
   Donald R. and Joyce A. Kracl
   120 N Lakeview Way
   Ashland, NE 68003

B. PROPERTY OWNER:
   Donald R. and Joyce A. Kracl
   120 N Lakeview Way
   Ashland, NE 68003

C. SUBJECT PROPERTY LOCATION:
   Northeast of 240th and Lincoln Road.

D. LEGAL DESCRIPTION:
   Part of Tax Lot 6B and Tax Lot 7B2 in part of the SW ¼ of the
   SW ¼ in Section 22 together with Tax Lot G1A1 and Tax Lot K in part of the W ½ of the
   NW ¼ in Section 27, all in Township 14N, Range 11E of the 6th P.M., Sarpy County,
   Nebraska.

E. SUBJECT PROPERTY SIZE:
   approximately 35+ acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   ▪ Future Land Use Designation: Residential Estates
   ▪ Zoning: AG (Agricultural).

G. REQUESTED ACTION(S):
   Approval of a Preliminary and Final Plat of a one lot
   subdivision to be known as Kracl Hoppy Acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:
   Tillable farm ground surrounding an existing cemetery.
B. GENERAL VICINITY – FUTURE LAND USE (FLU) AND CURRENT ZONING (CZ)

<table>
<thead>
<tr>
<th>DIRECTION FROM SUBJECT PROPERTY</th>
<th>FUTURE LAND USE DESIGNATION (reference attached map)</th>
<th>CURRENT ZONING DESIGNATION (reference attached map)</th>
<th>SURROUNDING DEVELOPMENT</th>
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<tr>
<td>NORTH</td>
<td>Residential Estates</td>
<td>AG/AGD</td>
<td>Tillable farm ground w/ limited farmsteads</td>
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<td>SOUTH</td>
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<td>EAST</td>
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<td>AGR/RE2</td>
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<tr>
<td>WEST</td>
<td>Agricultural</td>
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<td>Tillable farm ground</td>
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</table>

AG = Agricultural (20 plus acres)
AGD = Agricultural Development (10 plus acres)
AGR = Agricultural Residential (5 plus acres)
RE2 = Residential Estates (2 plus acres)

C. RELEVANT CASE INFORMATION:
- The applicant is proposing to combine two parcels into one large parcel for the construction of a single-family dwelling and the associated accessory buildings. The applicant’s proposal includes a dwelling, pool, accessory building, and utilities for such. Consolidating the parcels will allow for flexibility in placement of structures and utilities while complying with setback regulations.
- Parcel will be served with private septic and well, propane gas and OPPD for power.
- Parcel will have access to 240th Street.

D. APPLICABLE REGULATIONS:
- Sarpy County Comprehensive Development Plan
- Sarpy County Zoning Regulations
  - Section 9, AG Agricultural District
- Sarpy County Subdivision Regulations

III. ANALYSIS / STAFF COMMENTS

A. SARPY COUNTY COMPREHENSIVE PLAN
- CHAPTER 3: Land Use & Growth Management
  - Future Land Use – Map 12 Future Land Use Map classifies this site as Residential Estates. The proposed development would be consistent with this future land use designation.
  - Future Land Use – Growth Management – Map 13 Growth Management Zones designates this site as being within the Rural Development Zone. The Residential Estate land use area is intended to accommodate large lot residential development. It is intended to accommodate continued low density development in rural areas. Generally, these areas are not currently served by municipal utilities, and are not planned to be served in the future. As current conditions provide, these areas are best served with individual wells and septic systems. Residential Estate areas are generally located along the periphery of communities and the county where land use is less dense, sharing similar qualities with neighboring Agricultural land use areas.
Characteristics of the RE category include:
  - Location in areas where public utilities are not available,
  - Location in areas determined to have unique or sensitive natural areas, including stream corridors, tree stands, wetlands, and natural habitat areas.
  - The larger lots allow for greater potential to preserve natural amenities through the
- Accessory buildings may be allowed at a scale between typical suburban development and farm buildings,
- Uses within this area include single-family residential in accordance with appropriate zoning districts, churches, parks/recreation/open space, and associated accessory uses.

$\blacksquare$ Development Density – *Figure 19 Residential Development Decision Matrix* allows densities greater than 5 acres per unit with individual well and septic systems being provided. The proposed Krcl Hoppy Acres plat meets this requirement.

$\blacksquare$ Conservation Provisions – *Map 14 Environmentally Sensitive Areas* identifies Environmentally Sensitive areas that should be preserved as open space in the form of platted outlets designated as conservation easements. The policies in this area of the Comprehensive Plan apply to subdivisions comprised of lots smaller than 20 acres in size. Since this plat is actually combining smaller Tax Lots into one 35 plus acre platted lot, these provisions do not apply.

CHAPTER 4 – Infrastructure
$\blacksquare$ The site is outside of any areas planned for future public wastewater services.
$\blacksquare$ Wellhead Protection Area – *Map 16 Sarpy County Wellhead Protection Areas* indicates that the site is located outside of any well head protection areas.

CHAPTER 5 – Transportation
$\blacksquare$ Federal Roadway Functional Classification – *Map 17 Sarpy County Federal Roadway Functional Classification* identifies 240th Street as a Minor Collector roadway.
$\blacksquare$ Anticipated Full Buildout Street Network – *Map 21 Sarpy County Anticipated Full Buildout Street Network* shows 240th Street as a minor collector.

$\blacksquare$ Proposed access points to the site:
- One access driveway will serve the site from 240th Street, located just north of Tax Lot G2
- Fifty feet of right-of-way is being dedicated for 240th Street

B. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to various jurisdictional agencies and departments within Sarpy County that may have an interest. No comments were received as of the date of this report.

C. GENERAL COMMENTS:

$\blacksquare$ Preliminary/Final Plat
- The preliminary and final plats are proposing to combine tax lots into one large platted lot which meets the County’s subdivision regulations.
- At the Planning Commission meeting, Danny Woolman, property owner to the south of proposed plat, addressed the Commission with concerns regarding the southern boundary line. He was advised by the Chairman that his issue appears to a civil issue and that he should take whatever action he finds necessary to defend whatever rights he thinks he may have, before the plat is filed. Please see his statement submitted for the record attached.

IV. PLANNING COMMISSION RECOMMENDATION:
The Planning Commission held a public hearing on these applications at their April 17, 2018 meeting. The Commission voted 9-0 to recommend **APPROVAL** of the Preliminary and Final Plat applications to the County Board.

**MOTION:** Malmquist moved, seconded by Korth to recommend **APPROVAL** of the Preliminary Plat of a subdivision to be known as Kracl Hoppy Acres, as the proposal meets the requirements of the Sarpy County Comprehensive Plan, Zoning, and Subdivision Regulations. **Ballot:** Ayes – Torczon, Davis, George, Whitfield, Ackley, Huddleston, Korth, Malmquist, and Lichter. Nays: None. Abstain: None. Absent: Sotak and Giff. **Motion carries.**

**MOTION:** Malmquist moved, seconded by Korth to recommend **APPROVAL** of the Final Plat of a subdivision to be known as Kracl Hoppy Acres, as the proposal meets the requirements of the Sarpy County Comprehensive Plan, Zoning, and Subdivision Regulations. **Ballot:** Ayes – Torczon, Davis, George, Whitfield, Ackley, Huddleston, Korth, Malmquist, and Lichter. Nays: None. Abstain: None. Absent: Sotak and Giff. **Motion carries.**

V. **STAFF RECOMMENDATIONS:**

Staff recommends **APPROVAL** of the Preliminary Plat of a subdivision to be known as Kracl Hoppy Acres, as the proposal meets the requirements of the Sarpy County Comprehensive Plan, Zoning, and Subdivision Regulations.

Staff recommends **APPROVAL** of the Final Plat of a subdivision to be known as Kracl Hoppy Acres, as the proposal meets the requirements of the Sarpy County Comprehensive Plan, Zoning, and Subdivision Regulations.

VI. **ATTACHMENTS TO REPORT:**

1. Preliminary Plat
2. Final Plat
3. Statement from Danny Woolman presented at Planning Commission Public Hearing
4. Vicinity Map - Current Zoning (showing subject property area)
5. Current Future Land Use Map (FLU) (Development Structure Plan – Figure 5.1 of Comprehensive Plan)

VII. **COPIES OF REPORT SENT TO:**

1. Donald R and Joyce A Kracl (applicant)
2. Nicholas Siedschlag w/ GLS Surveying Inc. (Consultant)
3. Public Upon Request
Good evening and thank you for your time. I wish to make a statement and offer documents for the record concerning the Motion on Revised Preliminary Plat RPP-18-002 and Motion on Final Plat FP 18-002.

A few days ago I learned that the decades long boundary, as I knew it, between tax lot G1A1, the subject of this hearing and tax lot H, my adjoining property, had changed. This revision reduced my property size, tax lot H from 16.57 acres to 15.47 acres, a 1.1 acre property loss for me and a concomitant 1.1 acre gain for the Kracl’s tax lot G1A1.

Please allow me to provide a brief background.

Tax lots G1A1 and K were part of the property my sister and I inherited from my father, Robert Woolman, former Sarpy county agent and former District 5 Sarpy county commissioner. He passed in March 2015. The land was in our family for over 47 years until we sold it to the Kracl’s in October 2017. My sister and I also inherited Tax lot H, a separate parcel that was purchased by my father at a later date. Tax lot H is immediately to the south of tax lot G1A1. Together, tax lot G1A1 and H share the complete south property line from west to east.

For decades, tax lot H was listed as 16.57 acres, but was recently changed and is now listed as 15.47 acres. I made a few calls to the assessors office and had a discussion with Mr. Nelsen from the GIS office and learned that the reduction was based on a survey done for the Kracl’s by GLS Surveying. This survey redrew and moved the boundary between the two tax lots from what was the recognized and historical centerline of the creek, up to the edge of south bank of the creek. This resulted in a gain of 1.1 acres for the Kracl property and a 1.1 loss for my property.

I wish to offer a few documents for the record. Let me say right up front that I am not a surveyor, but I grew up on the property and my knowledge of the land dates to 1970. First, I submit item A, a Google Earth picture of the properties. Please
notice the heavy tree area labeled creek. This is the boundary between the two tax lots.

Next, item B is a copy of a 1970 survey, filed with the county, which was done shortly before my father purchased the property. Please note that the survey shows the centerline of the creek as the property boundary.

Item C is a copy of a 1981 survey, filed with the county, which also shows the property boundary labeled as centerline of creek.

Item D (two pages) is a copy of assessors data for 2017 and 2018 showing a decrease in TL H acreage from 16.57 to 15.47.

Item E (two pages) is a copy of assessors data for 2017 and 2018 showing an increase in TL G1A1 acreage from 29.14 to 30.38.

Item F is a copy of the listing contract showing tax lot G1A1 as 29.15 acres.

Item G is a copy of Seller’s statement again showing TL G1A1 as 29.15 acres.

Finally, item H is a copy of an image supplied by Sarpy GIS showing two property boundaries. The yellow line is an unsurveyed estimation of what the boundary would be if the actual centerline of the creek is used. The acreage figures reflect the totals of the two parcels if a centerline creek boundary were used. Tax lot H still is decreased by .12 acres, but not 1.1 acres as is currently the case. Compare the yellow line with the red line. The red line is the actual revised boundary plotted by the GLS survey. Please notice how the boundary shifts south and closely follows the south bank of the creek rather than the centerline.

In conclusion, let me just say that my father spent many hours in this very room. As a lifelong public servant, he taught me the value of being a good neighbor. To that end, I sincerely hope that Don and Joyce Kracl will work with me in the same “good neighbor” fashion to make some revisions to our common boundary. With that, I support the preliminary and final plats 18-002 and ask the members of board to vote in favor of approval.
Kraci/Woolman Property
Write a description for your map.

Item A
240th St.

Approx. property boundary
Creek
LEGAL DESCRIPTION NO. 16

A tract of land in the West Half of the Northeast Quarter of Section 27, Township 3 North, Range 2 East of the Sixth P.M., Sarpy County, Nebraska, more particularly described as follows: commencing at a point on the west line of said northeast quarter; thence south along said west line 1000.00 feet, thence north, deflection angle 09°00'00" left a distance of 1203.30 feet, thence north, deflection angle 09°00'00" right a distance of 1096.70 feet, to the centerline of a creek; thence westerly along said centerline 96.50 feet to a point on the west line of said northeast quarter; thence north a distance of 186.50 feet by the place of beginning, containing 62 acres, more or less.

LEGAL DESCRIPTION NO. 15

A tract of land in the West Half of the Northeast Quarter of Section 27, Township 3 North, Range 2 East of the Sixth P.M., Sarpy County, Nebraska, more particularly described as follows: commencing at the northerly corner of said northeast quarter; thence south along said west line 1000.00 feet; thence west, deflection angle 09°00'00" left a distance of 1203.30 feet, thence south, deflection angle 09°00'00" right a distance of 1096.70 feet, to the center of a creek; thence westerly along said centerline 96.50 feet to a point on the west line of said northeast quarter; thence north a distance of 186.50 feet by the place of beginning, containing 62 acres, more or less.

FIELD NOTES

Points established at A, B, C, and D. Theodolite at 1223.95 feet west of A... Produced line AB and set point B at 1223.95 feet west of A. Produced line BC and set point C at 1220.90 feet south of B. Produced line CD and set point D at 1220.90 feet south of C. Lines D and E are 1000 feet apart. Points established at D and E by 30-inch iron rod. Points set at D and E are 1000 feet apart on concrete bridge floor.

A true and correct plat of the above described property.

[Signature]

[Date]

Joerns, Wells & Serr, Engineers

April, 1970

7 Days, 40.

Johnson & Johnson Engineering Co.

P.O. Box 69, Omaha, Nebraska 68101
THOMAS CEMETERY AS DEEDED:
REFFERING TO THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; THEREFORE DUE SOUTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27 A DISTANCE OF 478.50 FT.; THEREFORE DUE SOUTH 80 DEGREES, 27 MINUTES WEST 170.46 FT.; THEREFORE NORTH 80 DEGREES, 00 MINUTES EAST 109.22 FT.; THEREFORE SOUTH 80 DEGREES, 00 MINUTES EAST 48.91 FT.; THEREFORE DUE SOUTH 80 DEGREES, 00 MINUTES EAST 63.81 FT.; THEREFORE DUE SOUTH 51.67 FT.; THEREFORE DUE EAST 73.91 FT.; THEREFORE DUE EAST 3.81 FT., TO THE POINT OF BEGINNING, 0.08 ACRE.

PORTION OF CEMETERY AS FENCED, OUTSIDE OF CEMETARY AS DEEDED:
REFFERING TO THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; THEREFORE DUE SOUTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27 A DISTANCE OF 478.50 FT.; THEREFORE DUE WEST 178.50 FT., TO THE POINT OF BEGINNING; THEREFORE SOUTH 23 DEGREES, 09 MINUTES WEST 106.65 FT.; THEREFORE DUE WEST 80 DEGREES, 27 MINUTES WEST 170.46 FT.; THEREFORE NORTH 80 DEGREES, 00 MINUTES EAST 109.22 FT.; THEREFORE SOUTH 80 DEGREES, 00 MINUTES EAST 48.91 FT.; THEREFORE DUE SOUTH 80 DEGREES, 00 MINUTES EAST 63.81 FT.; THEREFORE DUE SOUTH 51.67 FT.; THEREFORE DUE EAST 73.91 FT.; THEREFORE DUE EAST 3.81 FT., TO THE POINT OF BEGINNING, 0.08 ACRE.

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PORTION OF CEMETARY AS FENCED, INSIDE OF CEMETARY AS FENCED:
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SARPY COUNTY ASSESSOR'S OFFICE  
Farm Residence Data

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WOOLMAN/LOU ANN & DANNY J WOOLMAN
2230 HANSCOM BLVD
OMAHA NE 68105

Situs: 10303 S 240TH ST
Legal: TAX LOT H 27-14-18 (16.57 AC)

---

**Physical Information**

- **Type:** 1 - Single Family
- **Quality:** 20 - Fair
- **Condition:** 20 - Fair
- **Arch Type:** ONE STORY
- **Exterior Wall:** 100% SIDING
- **Floor Area:** 846
- **Basement Area:** 846
  - **Sub Floor:** WOOD JOIST/WOOD SUBFLOOR
- **Bedrooms:** 1
- **Baths:** 1
- **Heat Type:** 100% WARM & COOLED AIR
- **Roof Type:** WOOD SHAKES
- **Plumbing Fixt.:** 9

---

**Residence Valuation Summary**

- **Improvement Value:** $93,410
- **Lump Sums:** $16,150
- **Lump Sums Description:**
- **FINAL ESTIMATE OF VALUE:** $109,560

**Farm Valuation Summary**

- **Residence Value:** $93,410
- **Agricultural Value:** $78,744
- **Total Value:** $172,154
- **Current Total Assessed Value for Parcel # 010396403:** $188,690

---

DATA USED FOR CALCULATIONS SUPPLIED BY MARSHALL & SWIFT which hereby reserve all rights herein.
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<td>&amp; DANNY J WOOLMAN</td>
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SARPY COUNTY ASSESSOR'S OFFICE
Farm Residence Data

Parcel ID #: 011221763
KAAC/Donald R & Joyce A
128 N Lakeview Wy
Ashland NE 68003

Map #: 2955-27-2-00000-000-0010
Situs: S 240TH ST
Legal: TAX LOT G1A1-27-14-10 & TAX LOTS 6B & 782 22-14-10 (29.14 AC)

Physical Information
Type: N/A
Quality: N/A
Condition: N/A
Arch Type:
Style:
Exterior Wall:
Floor Area:
Basement Area:
Sub Floor:
Bedrooms:
Baths:
Heat Type:
Roof Type:
Plumbing Fixt:

Year Built/Age:
Effective Age:
Remodel Date:
Remodel Type:

Residence Valuation Summary
Improvement Value .......................................................... $0
Lump Sums ..............................................................
Lump Sums Description:
FINAL ESTIMATE OF VALUE ....................................... $0

Farm Valuation Summary
Residence Value .......................................................... $0
Outbuilding Value ........................................................ $74,270
Agricultural Value ........................................................ $74,270
Total Value ............................................................... $74,270
Current Total Assessed Value for Parcel # 011221763 ............... $70,579

DATA USED FOR CALCULATIONS SUPPLIED BY MARSHALL & SWIFT which hereby reserve all rights herein.
**SARPY COUNTY ASSESSOR'S OFFICE**

Real Property Record Card

Data Provided by DAN PITTMAN County Assessor. Printed on 4/17/2018 at 11:27

<table>
<thead>
<tr>
<th>Parcel Information</th>
<th>Ownership Information</th>
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<tr>
<td>Parcel Number :011221763</td>
<td>Current Owner :DONALD R &amp; JOYCE A KRACL</td>
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<td>Map Number :2955-27-2-00000-000-0010</td>
<td>Address :120 N LAKEVIEW WY</td>
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<td>Situs : S 240TH ST</td>
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<td>Legal :TAX LOT G1A1 27-14-10 &amp; TAX LOTS 68 &amp; 782 22-14-10 (30.38 AC)</td>
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<tr>
<th>Current Valuation</th>
<th>Assessment Data</th>
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### Sales History

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### BOE Appeal History

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LISTING CONTRACT

BERKSHIRE HATHAWAY HomeServices Ambassador Real Estate, Omaha, Nebraska.

1. NAME OF BROKER FIRM ("Broker") Berkshire Hathaway HomeServices Ambassador Real Estate, Omaha, Nebraska.

2. APPOINTMENT OF BROKER: In consideration of Broker's agreement to list and offer for sale the property described below, and to use Broker's efforts to find a purchaser therefore, Seller (whether one or more) hereby gives Broker the sole and exclusive right for sale of real property legally described as Tax Lot K 27-14-10 (5.03 AC) AND Tax Lot G1A 27-14-10 & Tax Lot 6B & 7B2 22-14-10 (29.15 AC)

For a total of 34.18 acres, Sarpy County NE, parcels #011077824 & #011221763

also known as: S. 240th St. Gretna NE 68028

By appointing Broker as Seller's sole and exclusive agent, Seller agrees to conduct all negotiations for the sale of the Property through Broker and to refer to Broker all inquiries received in any form, written or oral, from any source during the term of this Agreement.

3. DUTIES AND RESPONSIBILITIES OF BROKER: Broker shall have the following duties and obligations: a.) To perform the terms of this agreement; b.) To exercise reasonable skill and care for Seller; c.) To promote the interest of Seller with the utmost good faith, loyalty and fidelity including: 1.) Seeking the price and terms which are acceptable to Seller except that Broker shall not be obligated to seek additional offers to purchase the property while the property is subject to a contract for sale; 2.) Presenting all written offers to and from Seller in a timely manner regardless of whether the property is subject to a contract for sale; 3.) Disclosing in writing to Seller all adverse material facts actually known by Broker; and 4.) Advising Seller to obtain expert advice as to material matters of which that Broker knows but the specifics of which are beyond the expertise of Broker; d.) To account in a timely manner for all money and property received; e.) To comply with the requirements of agency relationships as defined in Neb. Rev. Stat. 76-2401 through 76-2430, the Nebraska Real Estate License Act, and any rules or regulations promulgated pursuant to such sections or act; and f.) To comply with any applicable federal, state, and local laws, rules, regulations, and ordinances, including fair housing and civil rights statutes and regulations.

4. DUTIES AND RESPONSIBILITIES OF SELLER'S LIMITED AGENT AS A LIMITED DUAL AGENT: Seller's Limited Agent (as described in paragraph 26) has disclosed to Seller that Broker permits Seller's Limited Agent to act as an agent for sellers of property or for buyers of property, and with the informed written consent of both the seller and buyer of a particular property, to act as a Limited Dual Agent for both. Seller's Limited Agent agrees to promptly notify Seller whenever a Seller's Limited Agent is also representing a buyer when that buyer becomes interested in acquiring Seller's property. Seller consents to Seller's Limited Agent also serving as an agent of the Buyer for Seller's property and acknowledges that Seller's Limited Agent will then be a Limited Dual Agent of both Seller and Buyer, serving both Seller and Buyer as clients. As a Limited Dual Agent, Seller's Limited Agent will owe to Buyer the following duties and obligations as a Buyer's Agent: a.) To perform the terms of the written agreement made with the buyer; b.) To exercise reasonable skill and care for the Buyer; c.) To promote the interests of the Buyer with utmost good faith, loyalty, and fidelity, including: 1.) Seeking a price and terms which are acceptable to the Buyer, except that the licensee shall not be obligated to seek other properties while the Buyer is a party to a contract to purchase property; 2.) Presenting all written offers to and from the Buyer in a timely manner regardless of whether the Buyer is already a party to a contract to purchase property; 3.) Disclosing in writing to the Buyer adverse material facts actually known by the Buyers Limited Agent; 4.) Advising the Buyer to obtain expert advice as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the Buyer's Limited Agent; d.) To account in a timely manner for all money and property received; e.) To comply with all requirements of sections 76-2401 to 76-2430, the Nebraska Real Estate License Act, and any rules and regulations promulgated pursuant to such sections or act; and f.) Comply with any applicable federal, state, and local laws, rules regulations, and ordinances, including fair housing and civil rights statutes or regulations.

As a Limited Dual Agent, Seller's Limited Agent also continues to owe Seller the duties and obligations as a Seller's Limited Agent set out in paragraph 3, and the Seller's Limited Agent also continues to owe to Buyer the duties and obligations as a Buyer's Limited Agent described above, except that a Limited Dual Agent can disclose to one client any information the Limited Dual Agent has gained from the other client which is relevant to the transaction or client, provided that Limited Dual Agent can not disclose, without the informed written consent of the client to whom the information pertains: a.) That Seller is willing to accept less than the asking price for the property; b.) That Buyer is willing to pay more than the purchase price offered for the property; c.) What the motivating factors are for any client buying or selling the property; d.) That either client will agree to financing terms other than those offered by that client; e.) Any other confidential information about the client unless the disclosure is required by statute, rule, or regulation or failure to disclose the information would constitute fraudulent misrepresentation. In the event that Seller's Limited Agent becomes a Limited Dual Agent, Seller's Limited Agent will prepare and present to Seller an Informed Written Consent at or before the time an offer to or from the Buyer is first presented. The Informed Written Consent will identify the Buyer and disclose the compensation agreement between Seller's Limited Agent and Buyer. If any, Seller's Limited Agent will be allowed to continue in the transaction as a Limited Dual Agent only if the Informed Written Consent is signed by both Seller and Buyer.

5. CONFIDENTIAL INFORMATION AND ADVERSE MATERIAL FACTS AND INFORMATION DISCLOSURE: Except as set forth below, Broker/Agent shall not disclose any confidential information about Seller, without Seller's written permission, unless disclosure is required by statute, rule or regulation, or failure to disclose the information would constitute fraudulent misrepresentation. Broker is required to disclose adverse material facts to any prospective buyer. Adverse material facts may include any environmental hazards affecting the property which are required by law to be disclosed, physical condition of the property, any material defects in the property, any material defects in the title to the property, or any material limitation on Seller's ability to perform under the terms of the contract. Seller(s) authorizes Broker/Agent to disclose to Buyer Agent(s) the existence of other offer(s) on the property. Seller agrees that the following information may be disclosed to potential Buyers.

(Seller's Initials)
Selling Statement

Date: October 13, 2017

Sale From: Lou Ann Woolman and Danny J. Woolman
2230 Hanscom Boulevard
Omaha, NE 68105

To: Donald R. Kracl and Joyce A. Kracl
120 N Lakeview Way
Ashland, NE 68003

Property: Range 10, Township 14, Section 27 Lot K (5.03 AC), Sarpy County
Gretna, NE 68028

Range 10, Township 14, Section 27 Lot G1A & Lots 6B & 7B2 (29.15 AC), Sarpy County
Gretna, NE 68028

Sales Price
Reimbursements/Credits
2017 RE Taxes #011221763 (10.13.17-12.31.17)
2017 RE Taxes #011077824 (10.13.17-12.31.17)

Total Reimbursements/Credits
Gross Amount Due to Seller

Less: Charges and Deductions
Title and Escrow Charges to Charter Title & Escrow Services, Inc.,
Half of Owner's Policy
Half of Closing Protection Letter
Half of Closing Fee
Recording Fees to Register of Deeds
Documentary Stamp Tax
Real Estate Fees to Berkshire Hathaway Home Services Ambassador
Real Estate
Broker Fee
Real Estate Commission

Total Charges and Deductions
Net Amount Due to Seller

Seller understands the Closing or Escrow Agent has assembled this information representing the transaction from the best information available from other sources and cannot guarantee the accuracy thereof. The lender involved may be furnished a copy of this statement.

Seller understands that tax and insurance prorations and reserves were based on figures for the preceding year or supplied by others or estimates for the current year, and in the event of any change for current year, all necessary adjustments must be made between Purchaser and Seller direct.

The undersigned hereby authorizes Charter Title & Escrow Services, Inc. to make expenditure and disbursements as shown above and approves same for payment. The undersigned also acknowledges receipt of Loan Funds, if applicable, in the amount shown above and a receipt of a copy of this Statement.

Printed at: 10/12/2017 (09:25 am)  
Compliments of Charter Title & Escrow Services, Inc.
Vicinity Map - Current Zoning

Northeast of S 240th Street & Lincoln Road (#011221763 & #011077824)
Kracl Hoppy Acres, Lot 1
Current FLU - Sarpy Co

Legend
- Agriculture
- Residential Estates
- General Commercial
- Business Park
- Low to Medium Density Residential
- Light Industrial
- Medium to High Density Residential
- Heavy Industrial
- Parks, Recreation, and Open Space
- Mixed Use Area

Future Land Use
Sarpy County, Nebraska

Northeast of S 240th Street & Lincoln Road (#011221763 & #011077824)
Kracl Hoppy Acres, Lot 1

Amended 9-12-2017
AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA
County of Sarpy

Being duly sworn, upon oath, Raylyn Ramsgard deposes and says that she is the Accounting Manager or Laura Estep-Bronk deposes and says that she is a Sales Representative or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was

Wednesday, April 4, 2018
Gretna Breeze
Bellevue Leader
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Raylyn Ramsgard
Accounting Manager

Ron Petak
Executive Editor

Laura Estep-Bronk
Sales Representative

NOTICE OF PUBLIC HEARING
SARPY COUNTY PLANNING COMMISSION

Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Tuesday, April 17, 2018, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration. A Public Hearing will be held on the following applications:

Donald & Joyce Krad have submitted applications for consideration of a Preliminary Plat and Final Plat of a subdivision to be known as Krad Hoppy Acres, Lots 1 and 2, being a platting of Part of Tax Lot 68 and Tax Lot 782, in part of the SW ¼ of the SW ¼ in Section 22 together with Tax Lot G1A and Tax Lot K in part of the W½ of the NW ¼ in Section 27, all in Township 14N, Range 11E of the 6th P.M., Sarpy County, NE. Generally located northeast of 240th Street and Lincoln Road.

Vala’s Pumpkin Patch has submitted an application for consideration of a Special Use Permit in AG to allow a 2-day annual event to be known as Agriculture Tasting Event, at 12102 S 180th Street, legally described as Tax Lots 7 and 6, in Section 15, Township 13N and Range 11E of the 6th P.M., Sarpy County, NE. Generally located southwest of 180th Street and Scheerm Road.

Dwain Stary has submitted an application for consideration of a Special Use Permit to allow mini-storage in AG at 16612 S Hwy 75, legally described Lots 1 and 2 Swath 2nd Street and Giles Road. Sarpy County Planning Department requests approval of text amendments to the following section of the Sarpy County Subdivision Regulations: Section 12 - Standards for Construction Plans and Specifications.

An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department office, Sarpy County Administration Building, 1210 Golden Gate Drive, Papillion, NE.

$31.75
40638
0002086987
STATE OF NEBRASKA

County of Sarpy

Being duly sworn, upon oath, Raylyn Ramsgard deposes and says that she is the Accounting Manager or Laura Estep-Bronk deposes and says that she is a Sales Representative or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; and that to this personal knowledge, the advertisement, a copy of which is hereto attached, was

Wednesday, April 25, 2018

Gretna Breeze
Bellevue Leader
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Raylyn Ramsgard
Accounting Manager

OR

Ron Petak
Executive Editor

OR

Laura Estep-Bronk
Sales Representative

Today's Date
Signed in my presence and sworn to before me:

Notary Public

$33.08
Customer Number: 40638
Order Number: 0002092864

NOTICE OF PUBLIC HEARING
SARPY COUNTY BOARD OF COMMISSIONERS

Notice is hereby given that a regular meeting of the Sarpy County Board of Commissioners will be held on Tuesday, May 8, 2018, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration Building, 1210 Golden Gate Drive, Papillion, NE. A Public Hearing will be held on the following:

Donald & Joyce Kracik have submitted applications for consideration of a Preliminary Plat and Final Plat of a subdivision to be known as Krac Hoppy Acres, Lot 1, being a platting of Part of Tax Lot 68 and Tax Lot 782 in part of the SW 1/4 of the SW 1/4 in Section 22, together with Tax Lot G1A1 and Tax Lot K in part of the W 1/2 of the NW 1/4 in Section 27, all in Township 14N, Range 11E of the 6th P.M., Sarpy County, NE. Generally located northeast of 240th Street and Lincoln Road.

Vaia's Pumpkin Patch has submitted an application for consideration of a Special Use Permit in AG to allow a 2-day annual event to be known as Agriculture Tasting Event, at 12102 S 180th Street, legally described as Tax Lots 7 and 8, in Section 5, Township 13N and Range 11E of the 5th P.M. Sarpy County, NE. Generally located southwest of 180th Street and Schramm Road.

Donald Story has submitted an application for consideration of a Special Use Permit to allow mini-storage in B.G at 16612 S Hwy 75, legally described Lots 1 and 2 Savio's 2nd Subdivision, as surveyed, platted and recorded in Sarpy County, NE. Generally located northwest of Highway 75 and La Platte Road.

Buyer-Young Equities XIV, LLC has submitted applications for consideration of a Change of Zone from AG to RS-72, and a Preliminary Plat for Remington Ridge, Lots 300 - 380 and Outlots J - L (Phase V), for tract of land being part of the W 1/2 of the SE 1/4 of Section 18, Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of 192nd Street and Giles Road.

An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department, Sarpy County Administration Bldg., 1210 Golden Gate Drive, Papillion, NE 208288; 4/25