RESOLUTION: SPECIAL USE PERMIT – Frank Sladek
11401, 11411, 11431 Buffalo Road, Sarpy County, Nebraska

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; and,

WHEREAS, the County Board of Commissioners has the authority to adopt a Zoning Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat.§ 23-114; and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve Special Use Permits; and

WHEREAS, the Planning Department has reviewed the Special Use Permit application to operate a Commercial Recreation and Camping Area in the AG, Agricultural zoning district on approximately 7 acres of property generally located Southeast of 120th and Buffalo Road along the Platte River and legally described as follows, hereinafter the “Property”:

Tax Lots E1, E2, E3, all in Section 32, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE.

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

I. A public hearing regarding the Special Use Permit was held before the Sarpy County Planning Commission on January 16, 2018, and further, the Planning Commission gave their recommendation.

II. A public hearing regarding the Special Use Permit was held by this Board.

III. Notice of each of the Public Hearings described above was published at least ten (10) days prior to each respective public hearing.

IV. The Planning Department has made a recommendation as noted in the attached Exhibit “A”, which Exhibit “A” includes the Planning Department report, the operation plan, the Site Plan and an aerial view of the Property.

V. The zoning at the Property is AG, Agricultural District.

VI. The Special Use Permit is in compliance with the Comprehensive Development Plan and the Sarpy County Zoning Regulations.
VII. The performance standards set out at Section 41.5 of the Sarpy County Zoning Regulations have been met.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the Special Use Permit application for Mr. Frank Sladek subject to the following conditions:

1. The use remains compliant and consistent with the Operation Plan attached hereto in Exhibit A and as specifically described in the Planning Department Reports.

2. The Emergency Plan shall be followed. Applicant shall provide access for emergency response staff

3. All interior roads on the Property shall be a minimum of 10 foot wide per traffic lane with an additional 8 feet if parallel parking is allowed and shall have a 30 foot internal radius. Applicant shall keep trees and brush clear of the interior roads and maintain a minimum of 16 feet clearance above the roadway surface.

4. The maximum number of leased spaces on the Property shall not exceed 26 pad sites for recreational vehicles.

5. For any portion of the Property with abutting land under different ownership, there shall be a minimum 20 foot setback from the Property line for any temporary structures located on the Property;

6. Any existing appurtenant structures prohibiting flow must be rectified in a manner that will allow for the removal of such from the area as required by code.

7. RV sites or leased spaces are to be free from any man-made items from November 1 to March 31 of each year.

8. Applicant, the property owner of record shall accompany Sarpy County Staff on an annual inspection of the property between November 1 and November 15.

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 12th day of June, 2018.

Attest

Sarpy County Board Chairman

County Clerk
I. GENERAL INFORMATION

A. APPLICANT:
   Frank Sladek
   11303 Buffalo Road
   Springfield, NE 68059

B. SUBJECT PROPERTY OWNER:
   Frank Sladek
   11303 Buffalo Road
   Springfield, NE 68059

C. SUBJECT PROPERTY LOCATION: Southeast of 120th and Buffalo Road along the Platte River, addressed as 11401, 11411, 11431 Buffalo Road.

D. LEGAL DESCRIPTION: Tax Lots E1, E2, E3, all in Section 32, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE.

E. SUBJECT PROPERTY SIZE: 7 acres +/-.

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   ▪ Future Land Use Designations: Residential Estates
   ▪ Zoning: AG/FP (Agricultural/Flood Plain)

G. REQUESTED ACTION(S): To approve a Special Use Permit for a Commercial Recreation and Camping Area in the AG Zoning District.

H. Purpose of Request: Sites on the property are leased annually for recreational and camping purposes as allowed by Special Use Permit in the AG Zoning District.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property is a recreational camping area along the Platte River that has operated for many years. Currently provides 26 pad sites for recreational vehicles from April 1st to October 31st. Applicant is working with Sarpy County Planning Department to bring the property into compliance with current zoning regulations.
B. SURROUNDING AREA CURRENT ZONING AND LAND USE DESIGNATIONS
The surrounding areas are all zoned AG (Agricultural) and AG/FP (Agricultural-Flood Plain) and are designated as Residential Estates the Future Land Use Map. The majority of the properties immediately adjacent to the subject property are used for commercial recreation.

C. RELEVANT CASE INFORMATION:
- Sarpy County Zoning Regulations require a Special Use Permit for seasonal dwellings and commercial camping areas date back to 1976 if not longer
- The property currently has 26 leased recreational vehicle sites.
- The property has operated as a seasonal recreational area for many years.
- The applicant is working with Sarpy County to bring the property into compliance with current zoning regulations and building codes. Code requires that all RV and appurtenant structures that prohibit flow to be removed from the Flood Plain from October 31 to April 1 of each year.
- The property all lies within the Floodway of the Platte River.
- Any existing appurtenant structures prohibiting flow must be rectified in a manner that will allow for the removal of such from the area as required by code (October 31st to April 1st of each year).
- The RV sites are served with individual water. Each RV contains their own wastewater storage tank which is emptied weekly by a contracted pumping service.
- According to the Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA), the majority of the property is located in the Flood Way of the Platte River and will have to comply with all applicable regulations in Section 30 of the Sarpy County Zoning Regulations, Flood Plain Regulations.
- Any man-made improvements to the land or any new/existing structures/camping sites located within the designated Flood Plain will require the approval of a Flood Plain Development Permit prior to making any such improvements pursuant to Section 30 of the Sarpy County Zoning Regulations.
- With limited access to the site and without the ability for any additional access points, staff would recommend the number of pad sites for this area be limited to 26. The area has a gated access which is available 24 hours a day, 7 days a week during camping season.

D. APPLICABLE REGULATIONS:
- Sarpy County Zoning Regulations:
  - Section 9, AG Agricultural District
  - Section 41 – Special Use Permits
  - Section 30 – Flood Plain Regulations

III. ANALYSIS / STAFF COMMENTS
A. COMPREHENSIVE PLAN: The Comprehensive Plan shows the area as Residential Estates.

B. TRAFFIC AND ACCESS: The area is currently accessed by a single access easement via from Buffalo Road. The access is gated and the applicant will need to work with the Springfield Fire Department and Sarpy County Sheriff to ensure access.

C. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to area jurisdictional agencies or departments that may have an interest. At the time of this staff report, comments were received from the Papio-Missouri NRD and are attached for your review. Should any additional comments be received, they will be presented at the Public Hearing.
D. PUBLIC NOTIFICATION AND PUBLIC COMMENTS:
  ▪ Notice of the public hearing for this application was published in area newspapers, notification letters also were sent out to property owners within 300 feet of the subject property prior to the Planning Commission Public Hearing, and the subject property was posted with a sign indicating a zoning action was pending on it.
  ▪ Those comments received with regard to the application are attached to this report. If any additional comments should be received, they will be presented at the Public Hearing before the board.

E. GENERAL COMMENTS:
  ▪ For public health and safety reasons, staff recommends that the applicant consider future construction of a facility to serve as a storm shelter for use during severe weather situations.
  ▪ Staff recommends that 26 pad sites be the maximum allowed.
  ▪ Applicant has submitted a revised Business/Operational Plan, including copy of Lot Lease and site plan
  ▪ Applicant has agreed and provided documentation of a 35-foot setback from all any property line abutting a parcel under different ownership.
  ▪ As requested by the PMNRD, the Emergency Action Plan has been revised to include how the RV would be removed in the event of a flood event. Applicant has provided an emergency phone tree document as well. This document is available in our office for viewing and will be keep with the permanent record.
  ▪ Applicant has worked with Riha (adjacent property owner abutting north property line) to record a permanent ingress/egress easement allowing access to Tax Lot E4 on the west side of applicant’s property. This is the reason for the delay in presenting the application to the County Board for approval.
  ▪ Any man made improvements to the site and all activities occurring on the site must meet the rules and regulations of local, state and federal requirements which include Flood Plain Regulations.
  ▪ Applicant shall accompany Sarpy County Planning Department staff on an annual inspection of the property during the month of November
  ▪ Provide access for emergency response staff. (Sarpy County Sheriff and Springfield Fire and Rescue)
  ▪ To allow access for emergency vehicles, interior roads must be a minimum of 10-foot-wide per traffic lane with an additional 8 feet if parallel parking is allowed, must maintain a 30-foot internal radius, trees and brush must be kept clear to the side and above the roads (minimum clearance of 16 feet above the roadway surface).

IV. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on this application at their January 16, 2018 meeting and recommended APPROVAL to the County Board.

MOTION: Huddleston moved, seconded by Korth to recommend APPROVAL of the Special Use Permit in the AG/FP Agricultural Farming/Flood Plain District to allow a commercial recreation and camping area that: 1) allows no more than 26 pad sites for recreational vehicles; 2) includes a minimum 20 foot setback for temporary structures from any property line abutting a parcel under different ownership; 3) is contingent upon the recording of an access easement; and 4) is subject to the additional comments contained in the Planning Department’s Recommendation Report. This recommendation is being made as the application is in conformance with the Sarpy County Zoning Regulations and Future Land Use Map. Ballot: Ayes – Torczon, Sotak, Davis, George, Whitfield, Ackley, Huddleston, Giff, Korth, and Malmquist. Nays: None. Abstain: None. Absent: Lichter. Motion carries.
V. **STAFF RECOMMENDATIONS:**

Staff recommends **APPROVAL** of a Special Use Permit allowing for a Commercial Recreation and Camping Area in the AG/FP (Agricultural/Flood Plain) zoning district to allow for 26 pad sites for recreational vehicles meeting the conditions as noted in the staff report.

Staff makes this recommendation as the request is in conformance with the Sarpy County Zoning Regulations and Future Land Use Map.

VI. **ATTACHMENTS TO REPORT:**

1. Operational/Emergency Plan
2. Site Map
3. Recorded Easements
4. Comments Received
5. Current Zoning Map
6. Current Future Land Use Map
7. Flood Zone Map

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

1. Frank Sladek (owner and applicant)
2. Public Upon Request
Business/Operational Plan

Project Detail

I operate a recreational campground on the Platte River outside of Springfield, NE at 11303, 11411, and 11431 Buffalo Rd 68059. I host approximately 26 campers from April 1 through October 31.

Improvements

I personally make no improvements to the property however; occasionally the renters will make their own improvements, i.e. patios. I have made it clear to my renters that any improvements they make are their responsibility. In addition, we updated our lease agreement with all campers informing them all the necessary approvals and county permits must be obtained prior to making any improvements.

Operating Hours

I host approximately 26 campers from April 1 through October 31. Each year during this timeframe, the campground is accessible 24/7 to lease holders. The entire campground is fenced and gated. My campers carry an annual lease for their site. I do not offer weekend camping.

Property Management

I live on the property, manage the campground myself, and do not have any employees. All of my campers are responsible for maintaining their own lots.

Improvements

Tenants are responsible for obtaining the necessary approvals and permits to install any improvements in the Flood Plain/Floodway according to Sarpy County Flood Plain Regulations. Any improvements made that do not obtain county approval shall constitute a breach of this lease by the Lessee and the Lessor may terminate this lease immediately. Please contact Sarpy County
Site Plan – red boxes signify recreational vehicle sites
Emergency Action Plan

Emergencies have more significance today than ever before. People have come to realize that every day brings the possibility of a natural or man-made event that could adversely impact people’s safety.

This document serves as a guide on how to address an emergency when our campground would be affected. It is not a step-by-step, how-to manual, since each incident is unique with varying levels of threat and impact. However, the information in this document provides vital information that will help facilitate a timely and effective response.

Criteria for determining what constitutes an “Emergency” are as follows:

1. Flooding
2. Severe Weather

Monitoring

To ensure we are well informed of severe weather and/or flooding we work to stay connected to the variety of weather stations, websites etc. We also maintain a weather radio in the event that we lose power.

We actively monitor the river levels daily since we live on the river. We also utilize the following website to understand river levels and in the situation of rising waters when and what level will the river peak.

http://water-mo.weather.gov/ahps2/hydrograph.php?wfo=oax&gage=loun1

I have lived on the Platte River most of my life and have seen every flood this area has fell victim to. With flooding on the Platte River there is typically time to react, as the waters tend to rise consistently slow over 2-3 days.

Communications

The contact information for all tenants at our campground is readily available in an emergency. Our communication protocols are two-fold. We send a SMS text alert to all tenants informing them of the emergency and what next steps are required. In addition, we execute a phone tree to in order to ensure contact with each tenant. Please see Appendix A.

Action

In the event of severe weather or a flood and RV’s must be moved to safety we have heavy equipment that we are able to use to timely remove the RV’s from the campground. We own a skid loader, a tractor and 2 trucks equipped to pull campers. In the event that a tenant could not timely remove their RV we would remove it for them. Through executing our communications plan we will inform the tenants of how quickly they need to remove their RV’s and determine if we will need to move the RV for them.

Tenant Responsibilities

After the tenant has been contacted regarding an emergency it is their responsibility if necessary to remove their RV. If they are not able to timely remove their RV they must let the campground know so arrangements can be made to remove the RV timely.
Emergency Response Plan

There are roads into the campsites thus emergency response units would be able to access any site on the 7 acres. Please see aerial photo showing roadways into the campsite.
ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, F & K RIHA FAMILY LIMITED PARTNERSHIP, a Nebraska limited partnership, hereinafter referred to as GRANTOR, for and in consideration of the sum of one dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto FRANK J. SLADEK, his successors, invitees and guests hereinafter referred to as GRANTEE, a non-exclusive permanent easement over and across for ingress and egress on the following legally described property:

A 10 foot wide strip of land to be used as an access easement for ingress and egress purposes, located in part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3, as shown on survey completed by Gary Jensen, LS-478, dated November 7, 1997, of the North Half of Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, being five feet on each of and parallel with the following described centerline:

Commencing at the most Northeast corner of Parcel 4 as surveyed, platted and recorded in Sarpy County and shown on a survey by Gary Jensen, LS-478, dated November 7, 1997; thence along the easterly line of said Parcel 4, S 24°15'45" E, 33.34 feet to the TRUE POINT OF BEGINNING; thence S 79°19'37" E, 78.27 feet to beginning of a curve to the right, concave southerly, having a radius of 61.12 feet; thence along said curve, an arc length of 19.87 feet, having a chord bearing S 70°02'05" E, and a chord distance of 19.74 feet to the end of said curve; thence S 60°44'32" E, 65.18 feet to the beginning of a curve to the left, concave northerly, having a radius of 16.19 feet; thence along said curve; an arc length of 11.88 feet, having a chord bearing of S 81°45'30" E and a chord distance of 11.62 feet to the end of said curve; thence N 77°13'33" E, 6.02 feet to the beginning of a curve to the left, concave southerly, having a radius of 25.94 feet; thence along said curve, an arc length of 8.39 feet, having a chord bearing of N 85°18'53" E, and a chord distance of 8.33 feet to the end of said curve; thence S 84°14'27" E, 69.48 feet to the beginning of a curve to the left, concave northerly, having a radius of 159.45 feet; thence along the curve, an arc length of 123.26 feet, having a chord bearing of N 73°36'48" E and a chord distance of
120.21 feet to the end of said curve; thence N 51°28'02" E, 34.15 feet; thence N 45°42'12" E, 72.74 feet to the beginning of a curve to the right, concave southeasterly, having a radius of 183.76 feet; thence along said curve, an arc length of 65.88 feet, having a chord bearing N 55°58'23" E and a chord distance of 65.52 feet to the end of said curve; thence N 66°14'35" E, 105.50 feet to the beginning of a curve to the left, concave northwesterly, having a radius of 136.57 feet; thence along said curve, an arc length of 160.42 feet, having a chord bearing of N 32°35'35" E and a chord distance of 151.35 feet to the center of said curve; thence N 01°03'25" W, 53.40 feet; thence N 03°36'24" E, 50.83 feet to a curve to the right, concave southeasterly, having a radius of 116.47 feet; thence along said curve, an arc length of 153.37 feet; having a chord bearing of N 41°19'51" E, and a chord distance of 142.53 feet, to the end of said curve; thence N 79°03'19" E, 135.91 feet; thence N 81°00'45" E, 204.97 feet to the beginning of a non-tangent curve to the left, concave northwesterly, with a radius of 196.74 feet, to which point a radial line bears S 12°35'40" E, with a distance of 196.74; thence along said curve, an arc length of 269.85 feet, having a chord bearing of N 38°06'32" E, and a chord distance of 249.19 feet to the end of said curve; thence N 01°10'58" W, 418.3 feet, more or less, to a point of the southerly right-of-way line of Buffalo Road, being the POINT OF TERMINATION (the "Easement Area")

to have and to hold unto said GRANTEES for the benefit of the following described properties:

Tax Lot E3 and Tax Lot E4 both in Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska

The GRANTOR may continue to use the Easement Area for other purposes as well as the purposes herein expressed, subject to the right of the GRANTEE to use the same for the purposes herein expressed.

GRANTOR does confirm with said GRANTEE that GRANTOR is well seized in fee of the above-described property and that it has the right to grant and convey this access easement in the manner and form aforesaid, and that it will warrant and defend this access easement to said GRANTEE against the lawful claims and demands of all persons.

The access easement shall run with the land and all rights granted hereunder shall inure to the benefit of GRANTEE's successors in interest in the land benefited by this access easement.

F & K Riha Family Limited Partnership, Grantor

By:  
Frank J. Riha, Managing Partner

By:  
Kathleen A. Riha, Managing Partner
STATE OF NEBRASKA  
COUNTY OF SARPY  

On this 5th day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Riha and Kathleen A. Riha, Managing Partners of F & K Riha Family Limited Partnership, known to me to be the identical person who signed the foregoing instrument as Grantor, and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes therein expressed on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

STATE OF NEBRASKA  
COUNTY OF SARPY  

On this 5th day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Sladek, known to me to be the identical person who signed the foregoing instrument as Grantee, and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.
LEGAL DESCRIPTION

A 10-acre strip of land to be used as an access easement for ingress and egress purposes, located in part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3, of the North Half of Section 37, Township 13 North, Range 12 East, 6th P.M., Sarpy County, Nebraska, being five feet on each of and parallel with the following described centerline:

COMMENCING at the most Northeast corner of Parcel 4 as surveyed, plotted and recorded in Sarpy County and shown on a survey by Gary Jensen, LS-478, dated November 7, 1997, on the North Half of Section 37, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, having five feet on each of and parallel with the following described centerline:

SURVEYOR'S CERTIFICATION

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision as required by Sections 81-6108 of the Nebraska State Statutes, and that I am a duly Registered Surveyor under the laws of the State of Nebraska.

Stephen L. Humphles LS-478
Date

AHO NUMER STATE PLANE, MONTGOMERY, COORDINATE SYSTEM

THIS SET ARE 5'' REBAR WITH CAP STAMPED 1.5-SHFT UNLESS NOTED OTHERWISE

READERS DRAW BY PERMEX FROM SURVEY GPS AND SOFTWARE

THE INFORMATION SHOWN HEREIN IS PROVIDED TO THE NEBRASKA STATE PLANE, MONTGOMERY, COORDINATE SYSTEM

THIS PROPERTY IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD

CERTIFICATE OF SURVEY

Access Easement for Ingress and Egress near 11961 Buffalo Road, Springfield, Nebraska

Project: CRN001 Date: March 8, 2010
Field Book: 324 Sheet: 1
Page: 10 Scale: 1" = 50' Drawn: SHEL

BOUNDARYLINES SURVEYS
OHRE-NIELSON & ASSOCIATES, INC
1151 Surveyors Dr. - Omaha, NE 68132 (402) 345-3102 - Fax (402) 345-3103
ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, F & K RIHA FAMILY LIMITED PARTNERSHIP, a Nebraska limited liability partnership, hereinafter referred to as GRANTOR, for and in consideration of the sum of one dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto JEFFREY J. DOLEZAL, his successors, invitees and guests hereinafter referred to as GRANTEE, a non-exclusive permanent easement over and across for ingress and egress on the following legally described property:

A 10 foot wide strip of land to be used as an access easement for ingress and egress purposes, located in part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3, as shown on survey completed by Gary Jensen, LS-478, dated November 7, 1997, of the North Half of Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, being five feet on each of and parallel with the following described centerline:

Commencing at the most Northeast corner of Parcel 4 as surveyed, platted and recorded in Sarpy County and shown on a survey by Gary Jensen, LS-478, dated November 7, 1997; thence along the easterly line of said Parcel 4, S 24°15'45" E, 33.34 feet to the TRUE POINT OF BEGINNING; thence S 79°19'37" E, 78.27 feet to beginning of a curve to the right, concave southerly, having a radius of 61.12 feet; thence along said curve, an arc length of 19.87 feet, having a chord bearing S 70°02'05" E, and a chord distance of 19.74 feet to the end of said curve; thence S 60°44'32" E, 65.18 feet to the beginning of a curve to the left, concave northerly, having a radius of 16.19 feet; thence along said curve; an arc length of 11.88 feet, having a chord bearing of S 81°45'30" E and a chord distance of 11.62 feet to the end of said curve; thence N 77°13'33" E, 6.02 feet to the beginning of a curve to the left, concave southerly, having a radius of 25.94 feet; thence along a said curve, an arc length of 8.39 feet, having a chord bearing of N 85°18'53" E, and a chord distance of 8.33 feet to the end of said curve; thence S 84°14'27" E, 69.48 feet to the beginning of a curve to the left, concave northerly, having a radius of 159.45 feet; thence along the curve, an arc length of 123.26 feet, having a chord bearing of N 73°36'48" E and a chord distance of

Record & Return to: Adams & Sullivan, P.C., L.L.O., 1246 Golden Gate Drive, Suite 1, Papillion, NE 68046
120.21 feet to the end of said curve; thence N 51°28’02” E, 34.15 feet; thence N 45°42’12” E, 72.74 feet to the beginning of a curve to the right, concave southeasterly, having a radius of 183.76 feet; thence along said curve, an arc length of 65.88 feet, having a chord bearing N 55°58’23” E and a chord distance of 65.52 feet to the end of said curve; thence N 66°14’35” E, 105.50 feet to the beginning of a curve to the left, concave northwesterly, having a radius of 136.57 feet; thence along said curve, an arc length of 160.42 feet, having a chord bearing of N 32°35’35” E and a chord distance of 151.35 feet to the center of said curve; thence N 01°03’25” W, 53.40 feet; thence N 03°36’24” E, 50.83 feet to a curve to the right, concave southeasterly, having a radius of 116.47 feet; thence along said curve, an arc length of 153.37 feet; having a chord bearing of N 41°19’51” E, and a chord distance of 142.53 feet, to the end of said curve; thence N 79°03’19” E, 135.91 feet; thence N 81°00’45” E, 204.97 feet to the beginning of a non-tangent curve to the left, concave northwesterly, with a radius of 196.74 feet, to which point a radial line bears S 12°35’40” W, with a distance of 196.74; thence along said curve, an arc length of 269.85 feet, having a chord bearing of N 38°06’32” E, and a chord distance of 249.19 feet to the end of said curve; thence N 01°10’58” W, 418.3 feet, more or less, to a point of the southerly right-of-way line of Buffalo Road, being the POINT OF TERMINATION (the "Easement Area")

to have and to hold unto said GRANTEEES for the benefit of the following described properties:

Tax Lot E4, in Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska

The GRANTOR may continue to use the Easement Area for other purposes as well as the purposes herein expressed, subject to the right of the GRANTEE to use the same for the purposes herein expressed.

GRANTOR does confirm with said GRANTEE that GRANTOR is well seized in fee of the above-described property and that it has the right to grant and convey this access easement in the manner and form aforesaid, and that it will warrant and defend this access easement to said GRANTEE against the lawful claims and demands of all persons.

The access easement shall run with the land and all rights granted hereunder shall inure to the benefit of GRANTEE’s successors in interest in the land benefited by this access easement.

F & K Riha Family Limited Partnership, Grantor

By:  
Frank J. Riha, Managing Partner

By:  
Kathleen A. Riha, Managing Partner
STATE OF NEBRASKA  
COUNTY OF SARPY  

On this 5th day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Riha and Kathleen A. Riha, Managing Partners of F & K Riha Family Limited Partnership, known to me to be the identical person who signed the foregoing instrument as Grantor, and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes therein expressed on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public

Jeffrey J. Dolezal, Grantee

STATE OF NEBRASKA  
COUNTY OF  

On this ___ day of April 2018, before me, a Notary Public, qualified for said county, personally came Jeffrey J. Dolezal, known to me to be the identical person who signed the foregoing instrument as Grantee, and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public
STATE OF NEBRASKA  
COUNTY OF SARPY  

On this ___ day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Riha and Kathleen A. Riha, Managing Partners of F & K Riha Family Limited Partnership, known to me to be the identical person who signed the foregoing instrument as Grantor, and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes therein expressed on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public

Jeffrey J. Dolezal, Grantee

STATE OF NEBRASKA  
COUNTY OF SARPY  

On this 17th day of April 2018, before me, a Notary Public, qualified for said county, personally came Jeffrey J. Dolezal, known to me to be the identical person who signed the foregoing instrument as Grantee, and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public
ACCESS EASEMENT FOR INGRESS AND EGRESS

through part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3,
of the North Half of Section 32, Township 13 North, Range 12 East, 6th P.M., Sarpy County, Nebraska.

LEGAL DESCRIPTION

A 10-foot strip of land to be used as an access easement for ingress and egress purposes, located in part of Tax Lot F1, part of Tax Lot F2, and part of Parcel 3, as shown on survey completed by Gary Jensen, LS-478, dated November 7, 1997, of the North Half of Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, setting five feet on each of and parallel with but otherwise described herein:

COMMENCING at the most Northwest corner of Parcel 4 as surveyed, plotted and recorded in Sarpy County and shown on a survey by Gary Jensen, LS-478, dated November 7, 1997; thence along the easterly line of said Parcel 4, S 84°14'27" E, 23.24 feet to the TRUE POINT OF BEGINNING; thence S 79°13'33" E, 78.27 feet to the beginning of a curve to the north, having a radius of 81.12 feet; thence along said curve, an arc length of 19.87 feet, having a chord bearing of S 70°52'02" E and a chord distance of 19.58 feet to the end of said curve; thence S 82°49'32" E, 65.18 feet to the beginning of a curve to the left, having a radius of 66.19 feet; thence along said curve, an arc length of 11.46 feet; a chord bearing of S 81°45'30" E and a chord distance of 11.42 feet to the end of said curve; thence N 77°13'53" E, 6.02 feet to the beginning of a curve to the left, having a radius of 23.94 feet; thence along said curve, an arc length of 8.33 feet, having a chord bearing of N 83°18'53" E and an arc distance of 8.31 feet to the end of said curve; thence S 84°14'27" E, 65.14 feet to the beginning of a curve to the left, having a radius of 135.45 feet; thence along the curve, an arc length of 123.36 feet, having a chord bearing of N 72°28'48" E and a chord distance of 120.21 feet to the end of said curve; thence N 51°28'02" E, 34.15 feet; thence N 45°42'10" E, 72.74 feet to the beginning of a curve to the right, having a radius of 183.76 feet; thence along said curve, an arc length of 65.81 feet, having a chord bearing of N 55°58'53" E and a chord distance of 65.62 feet to the end of said curve; thence N 60°14'26" E, 165.59 feet to the beginning of a curve to the left, having a radius of 136.57 feet; thence along said curve, an arc length of 180.43 feet, having a chord bearing of S 25°33'35" E and a chord distance of 191.30 feet to the end of said curve; thence N 01°37'25" W, 53.40 feet; thence N 03°36'24" E, 50.83 feet to the beginning of a curve to the right, having a radius of 118.47 feet; thence along a curve, an arc length of 153.37 feet, having a chord bearing of N 41°10'55" E and a chord distance of 142.53 feet to the end of said curve; thence N 78°52'18" N, 135.91 feet; thence N 81°06'43" E, 204.97 feet to the beginning of a curve to the right, having a radius of 196.65 feet; thence along said curve, an arc length of 289.85 feet, having a chord bearing of N 38°06'33" E and a chord distance of 244.19 feet to the end of said curve; thence N 91°10'58" W, 418.3 feet, more or less, to a point on the southerly right-of-way line of Buffalo Road, setting the POINT OF TERMINATION.

SURVEYOR’S CERTIFICATION

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision as required by Sections 81-810A to 81-810E of the Nebraska State Statutes, and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Stephen L. Humphries, LS-587
Date

BOUNDARYLINE SURVEYS
1014 Division Drive - Omaha, NE 68177 (402) 328-3201 - Fax: 402-328-3406

CERTIFICATE OF SURVEY

Microsoft Created
Project: 12901 Buffalo Road
Field Book: 324
Sheet 1 of 1
Scale: 1" = 50'
Drawn 03-28-16
Checked 03-28-16

Project

March 6, 2018, 12:56:00 PM
Page

Nebraska
ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, F & K RIHA FAMILY LIMITED PARTNERSHIP, a Nebraska limited partnership, hereinafter referred to as GRANTOR, for and in consideration of the sum of one dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto STEVEN SLADEK and REGINA SLADEK, Husband and wife, as joint tenants, their successors, invitees and guests hereinafter referred to as GRANTEE, a non-exclusive permanent easement over and across for ingress and egress on the following legally described property:

A 10 foot wide strip of land to be used as an access easement for ingress and egress purposes, located in part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3, as shown on survey completed by Gary Jensen, LS-478, dated November 7, 1997, of the North Half of Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, being five feet on each of and parallel with the following described centerline:

Commencing at the most Northeast corner of Parcel 4 as surveyed, platted and recorded in Sarpy County and shown on a survey by Gary Jensen, LS-478, dated November 7, 1997; thence along the easterly line of said Parcel 4, S 24°15'45" E, 33.34 feet to the TRUE POINT OF BEGINNING; thence S 79°19'37" E, 78.27 feet to beginning of a curve to the right, concave southerly, having a radius of 61.12 feet; thence along said curve, an arc length of 19.87 feet, having a chord bearing S 70°02'05" E, and a chord distance of 19.74 feet to the end of said curve; thence S 60°44'32" E, 65.18 feet to the beginning of a curve to the left, concave northerly, having a radius of 16.19 feet; thence along said curve; an arc length of 11.88 feet, having a chord bearing of S 81°45'30" E and a chord distance of 11.62 feet to the end of said curve; thence N 77°13'33" E, 6.02 feet to the beginning of a curve to the left, concave southerly, having a radius of 25.94 feet; thence along a said curve, an arc length of 8.39 feet, having a chord bearing of N 85°18'53" E, and a chord distance of 8.33 feet to the end of said curve; thence S 84°14'27" E, 69.48 feet to the beginning of a curve to the left, concave northerly, having a radius of 159.45 feet; thence along the curve, an arc length of 123.26 feet, having a chord bearing of N 73°36'48" E and a chord distance of
120.21 feet to the end of said curve; thence N 51°28'02" E, 34.15 feet; thence N 45°42'12" E, 72.74 feet to the beginning of a curve to the right, concave southeasterly, having a radius of 183.76 feet; thence along said curve, an arc length of 65.88 feet, having a chord bearing N 55°58'23" E and a chord distance of 65.52 feet to the end of said curve; thence N 66°14'35" E, 105.50 feet to the beginning of a curve to the left, concave northwesterly, having a radius of 136.57 feet; thence along said curve, an arc length of 160.42 feet, having a chord bearing of N 32°35'35" E and a chord distance of 151.35 feet to the center of said curve; thence N 01°03'25" W, 53.40 feet; thence N 03°36'24" E, 50.83 feet to a curve to the right, concave southeasterly, having a radius of 116.47 feet; thence along said curve, an arc length of 153.37 feet; having a chord bearing of N 41°19'51" E, and a chord distance of 142.53 feet, to the end of said curve; thence N 79°03'19" E, 135.91 feet; thence N 81°00'45" E, 204.97 feet to the beginning of a non-tangent curve to the left, concave northwesterly, with a radius of 196.74 feet, to which point a radial line bears S 12°35'40" E, with a distance of 196.74; thence along said curve, an arc length of 269.85 feet, having a chord bearing of N 38°06'32" E, and a chord distance of 249.19 feet to the end of said curve; thence N 01°10'58" W, 418.3 feet, more or less, to a point of the southerly right-of-way line of Buffalo Road, being the POINT OF TERMINATION (the "Easement Area")

to have and to hold unto said GRANTEES for the benefit of the following described properties:

Tax Lot E2 all in Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska

The GRANTOR may continue to use the Easement Area for other purposes as well as the purposes herein expressed, subject to the right of the GRANTEE to use the same for the purposes herein expressed.

GRANTOR does confirm with said GRANTEE that GRANTOR is well seized in fee of the above-described property and that it has the right to grant and convey this access easement in the manner and form aforesaid, and that it will warrant and defend this access easement to said GRANTEE against the lawful claims and demands of all persons.

The access easement shall run with the land and all rights granted hereunder shall inure to the benefit of GRANTEE’s successors in interest in the land benefited by this access easement.

F & K Riha Family Limited Partnership, Grantor

By: 

Frank J. Riha, Managing Partner

By: 

Kathleen A. Riha, Managing Partner
STATE OF NEBRASKA )
COUNTY OF SARPY )

On this __ day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Riha and Kathleen A. Riha, Managing Partners of F & K Riha Family Limited Partnership, known to me to be the identical person who signed the foregoing instrument as Grantor, and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes therein expressed on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public

__________________________
Steven Sladek, Grantee

__________________________
Regina Sladek, Grantee

STATE OF NEBRASKA )
COUNTY OF ________________ )

On this __ day of April 2018, before me, a Notary Public, qualified for said county, personally came Steven Sladek and Regina Sladek, Husband and Wife, known to me to be the identical persons who signed the foregoing instrument as Grantee, and acknowledged the execution thereof to be their voluntary act and deed for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public

__________________________
On this ___ day of April 2018, before me, a Notary Public, qualified for said county, personally came Frank J. Riha and Kathleen A. Riha, Managing Partners of F & K Riha Family Limited Partnership, known to me to be the identical person who signed the foregoing instrument as Grantor, and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes therein expressed on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at Papillion, Nebraska, on the day last above written.

Notary Public

[Signature]

Steven Sladek, Grantee

Regina Sladek, Grantee
**ACCESS EASEMENT FOR INGRESS AND EGRESS**

through part of Tax Lot F1, part of Tax Lot F2 and part of Parcel 3, of the North Half of Section 32, Township 13 North, Range 12 East, 6th P.M., Sarpy County, Nebraska

**LEGAL DESCRIPTION**

A 10-mile strip of land to be used as an access easement for ingress and egress pursuant, located in part of Tax Lot F1, part of Tax Lot F2, and part of Parcel 3, as shown on survey completed by Gary Jensen, LS-478, dated November 7, 1997, of the North Half of Section 32, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, being the feet on each of and parallel with the following described centerline:

COMMENCING at the most Northeast corner of Parcel 4 as surveyed, plotted and recorded by Gary Jensen, LS-478, dated November 7, 1997; thence along the centerline of said Parcel 4, S 24° 10' 42" E, 33.14 feet to the TRUE POINT OF BEGINNING; thence S 79° 19' 02" E, 76.27 feet to beginning of a curve to the right, concave southerly, having a radius of 61.12 feet; thence along said curve, an arc length of 10.87 feet, having a chord bearing of S 7° 02' 05" E and a chord distance of 19.74 feet to the end of said curve; thence S 62° 44' 32" E, 65.16 feet to the beginning of a curve to the left, concave northerly, having a radius of 16.18 feet; thence along said curve, an arc length of 11.47 feet, having a chord bearing of S 81° 45' 28" E and a chord distance of 11.62 feet to the end of said curve; thence S 77° 33' 32" E, 6.62 feet to the beginning of a curve to the left, concave southerly, having a radius of 25.54 feet; thence along said curve, an arc length of 8.39 feet, having a chord bearing of N 85° 13' 02" E, and a chord distance of 8.33 feet to the end of said curve; thence S 84° 14' 27" E, 69.48 feet to the beginning of a curve to the left, concave northerly, having a radius of 159.45 feet; thence along said curve, an arc length of 123.06 feet, having a chord bearing of N 73° 34' 48" E and a chord distance of 120.21 feet to the end of said curve; thence N 51° 23' 02" E, 34.15 feet; thence N 45° 42' 12" E, 72.74 feet to the beginning of a curve to the right, concave southerly, having a radius of 136.76 feet; thence along said curve, an arc length of 69.06 feet, having a chord bearing of N 0° 37' 17" E and a chord distance of 65.52 feet to the end of said curve; thence N 68° 14' 53" E, 105.50 feet to the beginning of a curve to the left, concave northerly, having a radius of 136.57 feet; thence along said curve, an arc length of 103.42 feet, having a chord bearing of N 32° 25' 17" E and a chord distance of 101.35 feet to the end of said curve; thence N 61° 03' 25" W, 53.40 feet; thence N 03° 26' 34" E, 50.83 feet to a curve to the right, concave southerly, having a radius of 116.47 feet; thence along said curve, an arc length of 133.53 feet, having a chord bearing of N 41° 19' 51" E, and a chord distance of 142.53 feet, to the end of said curve; thence N 79° 03' 19" E, 136.91 feet; thence N 81° 42' 05" E, 204.97 feet to the beginning of a non-circular curve to the left, concave southerly, with a radius of 196.74 feet, to which point a radial line bears S 12° 35' 04" E, with a distance of 196.74 feet; thence along said curve, an arc length of 269.85 feet, having a chord bearing of N 38° 52' 32" E, and a chord distance of 264.73 feet to the end of said curve; thence N 61° 10' 58" W, 418.33 feet, more or less, to a point on the southerly right-of-way line of Buffalo Road, bringing the POINT OF TERMINATION.

**SURVEYOR'S CERTIFICATION**

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision as required by Sections 81-1030 to 81-1032 of the Nebraska State Statutes, and I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

[Signature]

Date

**BOUNDRYLINE SURVEYS**

OCHSE-NIELSEN & ASSOCIATES, INC.
1201 Surveyors Drive - Omaha, NE 68132 - Phone: 402-391-2551 - Fax: 402-391-5144

**CERTIFICATE OF SURVEY**

Access Easement for Ingress and Egress near 11200 Buffalo Road Springfield, Nebraska

Project CHARTER

Field Book 324

Sheet 1 of 1

Date March 9, 2009

Distance 92.1
The District has reviewed the Special Use Permit application and offers the following comments:

The Emergency Response Plan provided with the application package does not address how recreational vehicles could either be removed during a flood or if the vehicles are anchored to prevent floatation. The plan should be revised to address how the applicant will ensure that each recreational vehicle complies with Sarpy County Floodplain Management Regulations.

Lori Ann Laster, P.E., CFM
Stormwater Management Engineer
Papio-Missouri River Natural Resources District

Frank Sladek has submitted an application for consideration of a Special Use Permit in the AG Agricultural Farming District to allow a commercial recreation and camping area, at 11303, 11411, 11431 Buffalo Road, legally described as Tax Lots E1, E2, E3, all in Section 32, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE. This application is slated for a November 21, 2017 Public Hearing before the Sarpy County Planning Commission, therefore, we would like to have any comments back prior to October 27, 2017. If additional information is needed to complete your review, please contact our office to request.

Thank you,
Vicinity Map - Current Zoning
Tax Lots E1, E2, E3, all in 32-13-12
Southeast of 120th Street & Buffalo Road
Special Use Permit
Subject Properties Outlined in blue (Residential Estates)

Current FLU - Sarpy Co

Tax Lots E1, E2, E3, all in 32-13-12
Southeast of 120th Street & Buffalo Road
Special Use Permit

Legend

Future Land Use - Sarpy County, Nebraska

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

Amended 9-12-2017
Vicinity Map - Flood Zones
Tax Lots E1, E2, E3, all in 32-13-12
Southeast of 120th Street & Buffalo Road
Special Use Permit
STATE OF NEBRASKA

County of Sarpy

Being duly sworn, upon oath, Michael Harrington deposes and says that he 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, November 8, 2017

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska.

The above facts are within my personal knowledge.

Michael Harrington

Accounting Manager

OR

Ron Petak

Executive Editor

OR

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, November 21, 2017, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration.

Frank Sladek has submitted an application for reconsideration of a Special Use Permit in the AG Agricultural Farming District to allow a commercial recreation and camping area, at 11303, 11411, and 11431 Buffalo Road, legally described as Tax Lots E1, E2, E3, all in Section 22, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE, Generally located southeast of 120th Street and Buffalo Road.

Richard Homes LLC has submitted an application for consideration of a Final Plat of a subdivision to be known as Hills of Aspen Creek (formerly Aspen Falls), Lots 1 - 472, inclusive and Outlots A through O, inclusive, being a platting of Tax Lot 1A1 and Tax Lot 1A2 located in the Southeast Quarter, together with Tax Lot 6 located in the South Half of the Northeast Quarter, all in Section 22, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE.

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

County of Sarpy

Being duly sworn, upon oath, 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 printed in the said newspaper once each week, the first insertion having been on:

Wednesday, May 30, 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.

[Signature]
Ron Petak
Executive Editor

[Signature]
Laura Estep-Bronk
Sales Representative

[Signature]
Notary Public