RESOLUTION ACCEPTING RECOMMENDATION OF COUNTY ENGINEER AND FIXING DATE OF PUBLIC HEARING FOR THE VACATION OF SOUTH 19TH CIRCLE ADJOINING LOTS 2 & 3 KENNEDY TOWN CENTER REPLAT THREE

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;

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board;

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722, et seq., the County Board of Commissioners is authorized to vacate or abandon certain roadways or parts thereof;

WHEREAS, this Board previously passed a resolution (2016-30) asking the County Engineer to study the vacation of County Road right-of-way located on South 19th Circle Adjoining Lots 2 & 3 Kennedy Town Center Replat Three and described more particularly below; and

WHEREAS, the County Engineer has prepared his recommendation concerning said vacation (see attached) and the matter is ready for public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. § 39-1722, et seq., a public hearing will be held on the 5th day of April, 2016 at 3:00 p.m. in the Board Room of the Sarpy County Courthouse, Papillion, Nebraska, to receive public comment regarding the vacation of land located within the zoning jurisdiction of the City of Bellevue, Sarpy County, Nebraska:

A street vacation being an irregular southerly 106 feet of South 19th Circle, adjoining Lots 2 & 3, Kennedy Town Center Replat Three, a subdivision in Sarpy County, Nebraska (see attached map).

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

The above and foregoing Resolution was duly approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on this 8th day of March, 2016.

ATTEST:

Sarpy County Board Chairman

Sarpy County Clerk

[Seal]
Memorandum

To: Sarpy County Board of Commissioners

From: Dennis Wilson, Engineer, Sarpy County Public Works

Date: February 26, 2016

Re: Vacation of S. 19th Circle adjoining Lots 2 & 3, Kennedy Town Center Replat Three.
Resolution No. 2016-305

I recommend approval of the vacation of S. 19th Circle adjoining Lots 2 & 3 Kennedy Town Center Replat Three.

This recommendation is also subject to any improvements public or private, recorded or not, that exists in the current public right-of-way.

This area is located within the Extended Territorial Jurisdiction (ETJ) of the City of Bellevue.

Dennis Wilson, P.E., PhD
Sarpy County Engineer
KENNEDY TOWN CENTER REPLAT SIX

LOTS 1 & 2

BEING A REPLATTING OF ALL OF LOT 81, KENNEDY TOWN CENTER, A SUBDIVISION LOCATED IN SECTION 15, TOGETHER WITH ALL OF LOTS 1 THRU 4, KENNEDY TOWN CENTER REPLAT THREE, A SUBDIVISION LOCATED IN SAID SECTION 15, ALL LOCATED IN THE NW1/4 OF THE NW1/4 AND PART OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 15, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- EXIST. PROPERTY LINES

1 inch = 100 ft.
RESOLUTION DIRECTING ENGINEER TO STUDY POSSIBLE VACATION OF LOTS 2 & 3 KENNEDY TOWN CENTER REPLAT THREE

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;

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722, et seq., the County Board is authorized to vacate or abandon certain roadways or parts thereof, if it is in the public’s best interests.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT pursuant to Neb. Rev. Stat. § 39-1722, et seq., the Sarpy County Engineer is hereby instructed to make a study of the use being made of the tract of land described below, said land being located within the zoning jurisdiction of Sarpy County, Nebraska:

Lots 2 & 3 Kennedy Town Center Replat Three (see attached map).

BE IT FURTHER RESOLVED that the County Engineer is to provide a written report to the Board within thirty (30) days of the study and provide his recommendation as to the vacation or abandonment thereof, and a certification as to whether the above-described roadways are within the zoning jurisdiction of any city of the metropolitan, primary, or first class city.

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 9th day of February, 2016.

Attest

Sarpy County Board Chairman

County Clerk
LEGAL DESCRIPTION

A STREET VACATION BEING PART OF SOUTH 19TH CIRCLE, LOCATED IN PART OF KENNEDY TOWN CENTER REPLAT THREE, A SUBDIVISION LOCATED IN PART OF THE NE1/4 OF THE SW1/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 5TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, SAID KENNEDY TOWN CENTER REPLAT THREE, SAID POINT ALSO BEING THE SOUTH-EAST CORNER OF LOT 4, SAID KENNEDY TOWN CENTER REPLAT THREE, AND ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 19TH CIRCLE, THENCE SOUTH-WESTERLY ALONG THE EAST LINE OF SAID LOT 3, KENNEDY TOWN CENTER REPLAT THREE, SAID LINE ALSO BEING SAID WEST RIGHT-OF-WAY LINE OF SOUTH 19TH CIRCLE ON A CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET, A DISTANCE OF 28.75 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS 51°55'04''W (ASSUMED BEARING), A DISTANCE OF 27.96 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET, A DISTANCE OF 91.74 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N85°42'48''E 83.06' FEET; THENCE SOUTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH 19TH CIRCLE, A DISTANCE OF 287.35 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°42'19''W 95.01 FEET, A DISTANCE OF 11.17 FEET; THENCE SOUTHWESTERLY ALONG SAID WEST LINE OF LOT 2, KENNEDY TOWN CENTER REPLAT THREE, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF SOUTH 19TH CIRCLE ON A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET, A DISTANCE OF 11.18 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S35°36'16''E, A DISTANCE OF 11.17 FEET; THENCE SOUTH-WESTERLY ALONG SAID WEST LINE OF LOT 2, KENNEDY TOWN CENTER REPLAT THREE, SAID LINE ALSO BEING SAID EAST LINE OF LOT 3, KENNEDY TOWN CENTER REPLAT THREE, AND ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID SOUTH 19TH CIRCLE, THENCE SOUTH-WESTERLY ALONG SAID WEST LINE OF LOT 2, KENNEDY TOWN CENTER REPLAT THREE, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF SOUTH 19TH CIRCLE ON A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET, A DISTANCE OF 60.00 FEET, A DISTANCE OF 287.35 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S35°36'16''E, A DISTANCE OF 11.18 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 8,645 SQUARE FEET OR 0.221 ACRES, MORE OR LESS.

E & A CONSULTING GROUP, INC.
Engineering + Planning + Environmental + Field Service
10150 Valley Road, Suite 110, Omaha, NE 68114 Phone: 402.895.4700 Fax: 402.895.3598

STREET VACATION
KENNEDY TOWN CENTER REPLAT THREE
SARPY COUNTY, NEBRASKA

Drawn by: CIV
Checked by: E & A
Date: 01/12/2016
Job No.: 2016.701.001

Jeff Ellis
1/13/2016 2:34 PM
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Notice of Public Hearing

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that pursuant to Neb. Rev. Stat. §39-1722 et seq. (Reissue 1998) a public hearing will be held on Tuesday, April 5, 2016 at 3:00 P.M., or as soon thereafter as it may be heard, in the Sarpy County Courthouse Board Room, 1210 Golden Gate Drive, Papillion, Nebraska 68046, to receive public comment regarding the vacation of “A street vacation being an irregular southerly 106 feet of South 19th Circle, adjoining Lots 2 and 3, Kennedy Town Center Replat Three, a subdivision in Sarpy County, Nebraska”.

Debra J. Houghtaling
Sarpy County Clerk
LEGAL DESCRIPTION:

A STREET VACATION BEING AN IRRGULAR SOUTHERLY 106 FEET OF SOUTH 19TH CIRCLE, ADJOINING LOTS 2 AND 3, KENNEDY TOWN CENTER REPLAT THREE, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.