

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

DIRECTING THE COUNTY ENGINEER)
TO CONDUCT A STUDY AND THE)
PLANNING DEPARTMENT TO WRITE A)
REPORT REGARDING VACATING PORTIONS) RESOLUTION NO. R-19-0036
OF A PUBLIC ROAD, MORE PARTICULARLY)
DESCRIBED IN EXHIBITS "A" AND "B", AND)
LOCATED IN LANCASTER COUNTY,)
NEBRASKA)

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722, the Board of County Commissioners of Lancaster County, Nebraska, (hereinafter referred to as the "County Board") may by resolution, when it deems the public interest may require vacation or abandonment of a public road of the County, direct the County Engineer to study the use being made of such public road and to submit in writing to the County Board within thirty days, a report on the study and the Engineer's recommendation as to the vacation or abandonment the road; and

WHEREAS, pursuant to Neb. Rev. Stat. §§ 39-1722, the County Board shall not require vacation or abandonment of any public road or any part thereof which is within the area of zoning jurisdiction of a city of the metropolitan, primary, or first class without the prior approval of the governing body of such city;

WHEREAS, the County Board has received information that the public interest may require vacation or abandonment of portions of S.W. 91st Street, located in Lancaster County, Nebraska, and more particularly described in Exhibits "A" and "B", which are attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to County Resolution No. 3049, the County Board shall also refer this matter to the Lincoln/Lancaster County Planning Department ("Planning") to report in

writing to the County Board within thirty days as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan. Planning shall also determine whether the road to be vacated is within three miles of the City of Lincoln. If the road to be vacated is within three miles of the City of Lincoln, City Council approval must also be obtained, and Planning will initiate this process. The City Clerk will forward such approval or disapproval to the County Clerk and the County Board;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the Lancaster County Engineer, or such person designated by the Engineer, shall conduct a study of the use being made of the above-described portion of public road and shall submit in writing to the County Board within thirty days a report upon the study made of, and a recommendation regarding, the proposed vacation; and that the study shall include procuring a title search of the above-described portion of public road; and

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that Planning shall write a report as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan and shall submit in writing to the County Board within thirty days a report and its recommendation regarding the proposed vacation. Planning shall also determine whether the road to be vacated is within three miles of a city of the metropolitan, primary, or first class. If the road to be vacated is within three miles of the City of Lincoln, Planning will initiate this process to get the City Council's approval.

DATED this _____ day of _____, 2019.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this _____ day of
_____, 2019.

for PAT CONDON
County Attorney

EXHIBIT "A"

Section 22 (9-5)

Village of Denton

LOT 153
2.19 ± Ac.
Deed Book 5-105

LOT 154
7.22 ± Ac.
#77-30626
#93-30001
#2001-66106
#2012-33488
#2013-26071
#2013-26072



LOT 9
39.14 ± Ac.
Deed Book #457, Pg.635
#87-2702
#2003-50235
#2012-12345

LOT 4
9.34 ± Ac.
#2001-66106
#2012-33488
#2013-26071
#2013-26072

LOT 155
3.44 ± Ac.
#94-14324

LOT 156
71.06 ± Ac. Total
70.20 ± Ac. Net
Deed Book #500, Pg.185
#2006-822
#2009-61475
#2012-7451

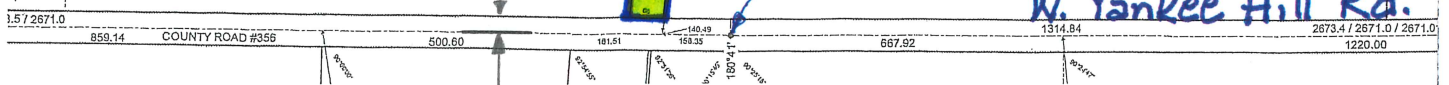
LOT 190
82.24 ± Ac. Total
81.14 ± Ac. Net
#2016-2587

Area of Proposed Road Vacation

S.W. 91st St.

SW Corner SE 1/4 Sec. 22

W. Yankee Hill Rd.



1322.33
1305.85
2843.26

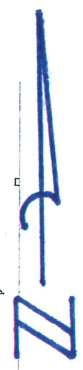


EXHIBIT "B"

A 66.00 foot strip of land, located in Section 22, Township 9 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska, (Also known as a part of SW 91 Street).

Commencing at the southwest corner of the SE1/4 of said Section 22, thence in a westerly direction, with the south line of said Section 22, a distance of 140.49 feet, to a point of intersection with the southerly extension of the easterly right-of-way line of "SW 91st Street"; thence in a northerly direction, with the southerly extension of the easterly right-of-way line of "SW 91st Street", to a point located 33.00 feet northerly from the south line of said section 22, said point being the POINT OF BEGINNING; thence in a northerly direction, with the easterly right-of-way line of "SW 91st Street", a distance of 1770.54 feet, to a point located 33.00 feet easterly from the west line of the SE1/4 of said Section 22; thence in a northerly direction, with the easterly right-of-way line of "SW 91st Street", a distance of 884.31 feet, to a point located 28.00 feet northerly from the north line of the SE1/4 of said Section 22, said point also being a point of intersection with the south line of Road Vacation Resolution Number 5326, said point also being the southeast corner of said Resolution Number 5326; thence in a westerly direction, with the south line of said Resolution Number 5326, a distance of 66.00 feet, to a point of intersection with the west line of said Resolution Number 5326, said point being the southwest corner of said Resolution Number 5326; thence in a southerly direction with the westerly right-of-way line of "SW 91st Street", to a point of intersection with the northerly right-of-way line of "West Yankee Hill Road"; thence with the northerly right-of-way line of "West Yankee Hill Road", a distance of 66.00 feet, to the TRUE POINT OF BEGINNING.

Containing an area of 4.02 acres, more or less