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ORDINANCE NO. 6902

83-003356

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, certain contiguous and adjacent tracts of land, streets, and highways in part of Sections 1, 2, 3, 10, 11, 12, 13, and 14, all in Township 11 North, Range 10 West of the 6th P.M., Hall County, Nebraska; to provide for service of benefits thereto; to provide notice of limited referendum; to provide severability; and to provide a time when this ordinance shall take effect and be in force.

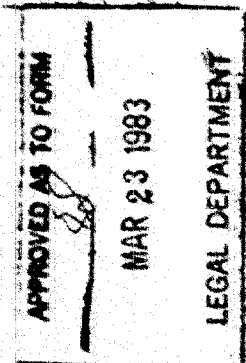
WHEREAS, it is hereby found and determined by the City Council of the City of Grand Island that:

- (a) The tracts of land and streets and highways in part of Sections 1, 2, 3, 10, 11, 12, 13, and 14, all in Township 11 North, Range 10 West of the 6th P.M., Hall County, Nebraska, as hereinafter more particularly described, are urban and suburban in character and contiguous and adjacent to the corporate limits of such City, and are not agricultural land rural in character; and
- (b) There is a unity of interest in the use of such tracts of land and streets and highways with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of such City will be enhanced through incorporating such lands and streets and highways within the corporate limits of such City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That the boundaries of the City of Grand Island, Nebraska, be, and hereby are, extended to include within the corporate limits of such City the contiguous and adjacent tracts of land and streets and highways in part of Sections 1, 2, 3, 10, 11, 12, 13, and 14, all in Township 11 North, Range 10 West of the 6th P.M., Hall County, Nebraska, more particularly described as follows:

Beginning at a point 33 feet South and 75 feet East of the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 1, Township 11 North, Range 10 West of the 6th P.M.; thence running North on the East right-of-way line of U.S. Highway No. 281 for a distance of 2,157.3 feet; thence deflect-



ing slightly right and continuing North on the easterly right-of-way line of U.S. Highway No. 281 and the northerly prolongation of this last described course to the North line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 1, Township 11 North, Range 10 West of the 6th P.M.; thence running West on the North line of said Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 1 to the easterly line of Bosselman Second Subdivision; thence running southwesterly on the easterly line of Bosselman Second Subdivision to the Southeast corner of Lot 42 in said subdivision; thence deflecting right and running southwesterly along the East line of Lot 43 of said subdivision a distance of 112.29 feet to a point on a curved line having a radius of 494 feet; thence continuing in a southerly direction on a line curving to the left, having a radius of 494 feet, for an arc distance of 775.96 feet, this last described course being the East side of Lot 43 in Bosselman Second Subdivision, and the East right-of-way line of Diers Avenue; thence continuing southerly on a line curving to the right and having a radius of 600 feet for an arc distance of 544.54 feet, this last described course being on the easterly right-of-way line of Diers Avenue; thence running southerly on the East right-of-way line of Diers Avenue for a distance of 603.47 feet; thence deflecting right  $6^{\circ} 54' 20''$  and running South along the easterly right-of-way line of Diers Avenue and the easterly line of Bosselman Subdivision a distance of 552.27 feet; thence deflecting right  $5^{\circ} 09' 00''$  and running South a distance of 200 feet; thence deflecting right  $35^{\circ} 12' 00''$  and running southwesterly a distance of 95.5 feet to the North right-of-way line of Capital Avenue; thence running South a distance of 45.0 feet to the South line of the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ ) of Section 1, Township 11 North, Range 10 West of the 6th P.M.; thence running West on the South line of said Southwest Quarter of the Southeast Quarter of Section 1 to the West line of Bosselman Second Subdivision; thence running North on the West line of Bosselman Second Subdivision to the southerly right-of-way line of Nebraska Highway No. 2; thence running northwesterly along the southerly right-of-way line of Nebraska Highway No. 2 to a point 1,359.09 feet northwesterly of the intersection of the West right-of-way line of Independence Avenue and the southerly right-of-way line of Nebraska Highway No. 2; thence running South a distance of 1,054.34 feet to the Northwest corner of Capital Heights Eighth Subdivision; thence running South on the West line of Capital Heights Eighth Subdivision and Capital Heights Seventh Subdivision to the North line of Jack Voss Horse Country Club Subdivision; thence running West on the North line of Jack Voss Horse Country Club Subdivision to the Northwest corner of said subdivision; thence continuing West to a point on the North line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 3, Township 11 North, Range 10 West of the 6th P.M., said point being 33 feet west of the Northeast corner of said Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 3; thence running South 33 feet West of and parallel to the East line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 3 to the North line of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section 10, Township 11 North, Range 10 West; thence continuing South parallel to and 33 feet West of the East line of said Section 10 to the

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westerly prolongation of the South line of Western Heights Subdivision; thence running East along the South line of Western Heights Subdivision and its westerly prolongation to the West line of Western Heights Third Subdivision; thence running South on the West line of Western Heights Third and Fourth Subdivisions to the North line of Bockman First Subdivision; thence running West to the Northwest corner of Bockman First Subdivision; thence running South on the West line of Bockman First Subdivision and its southerly prolongation to a point 33 feet South of the North line of Section 14, Township 11 North, Range 10 West of the 6th P.M.; thence running East parallel to and 33 feet South of the North line of said Section 14 to the East line of Section 14; thence continuing East to a point 33 South and 33 feet East of the Northwest corner of Section 13, Township 11 North, Range 10 West of the 6th P.M.; thence running North to a point 33 feet East of the Southwest corner of Section 12, Township 11 North, Range 10 West; thence continuing North parallel to and 33 feet East of the West line of Section 12 to a point 33 feet South and 33 feet East of the Northwest corner of Section 12; thence running East parallel to and 33 feet South of the North line of Section 12 to the East right-of-way line of U.S. Highway No. 281, also being the point of beginning.

SECTION 2. Such tract of land and streets and highways are hereby annexed to the City of Grand Island, Hall County, Nebraska.

SECTION 3. Upon the taking effect of this ordinance, the inhabitants of territories annexed herein shall receive substantially the benefits of other inhabitants of the City of Grand Island as soon as practicable and as provided by law. Such inhabitants shall be subject to the ordinances and regulations of the City of Grand Island except that any extraterritorial property use regulations imposed upon any annexed lands by the City before such annexation shall continue in full force and effect until otherwise changed.

SECTION 4. This ordinance may be subject to limited referendum pursuant to Neb. Rev. Stat. § 18-2528 (1982 Cum. Supp.) for a period of thirty days after the first publication of this ordinance. After such thirty day period, this ordinance, the annexation of the above described tract of land and streets and highways and measures related to it will not be subject to further right of referendum.

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SECTION 5. If any section, subsection, sentence, clause, or phrase of this ordinance, or the annexation of any tract of land, street, or highway by this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause, or phrase separately.

SECTION 6. This ordinance shall be in force and take effect from and after its passage, approval, and publication in the Grand Island Daily Independent, as provided by law, and on September 6, 1983.

Enacted 25 APRIL 83.

  
Robert L. Kriz, Mayor

ATTEST:

  
City Clerk

Entered as Document No.

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