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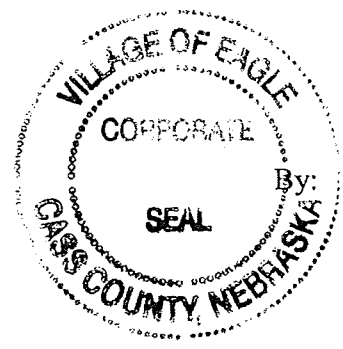
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\$34.00

CERTIFICATION

I, Nick Nystrom, Clerk of the Village of Eagle, Nebraska, hereby certify that attached is a true, full and correct copy of Ordinance No. 2016-03 adopted by the Board of Trustees of the Village of Eagle, Nebraska on the 2nd day of August, 2016, as the same appears on file and of record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Eagle, Nebraska, as of this 4th day of August, 2016.



VILLAGE OF EAGLE, NEBRASKA

By: *Nick Nystrom*
Nick Nystrom, Village Clerk

TM

ORDINANCE NO. 2016-03

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA TO CONFIRM THE ANNEXATION OF THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: EAGLE EYRIE ADDITION, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 9 EAST, OF THE 6TH PRINCIPAL MERIDIAN, CASS COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 29; THENCE WESTERLY ON AN ASSUMED BEARING OF NORTH 90°00'00" WEST, ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 29, 955.91 FEET; THENCE SOUTHERLY SOUTH 00°00'00" EAST, 65.00 FEET, TO A POINT OF INTERSECTION ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34, ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY SOUTH 00°06'25" EAST, 303.00 FEET; THENCE WESTERLY SOUTH 90°00'00" WEST, 246.00 FEET; THENCE NORTHERLY NORTH 00°06'25" WEST, 303.00 FEET, TO A POINT OF INTERSECTION ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 34; THENCE EASTERLY NORTH 90°00'00" EAST, ON SAID RIGHT OF WAY LINE, 246.00 FEET, TO THE POINT OF BEGINNING, CONTAINING A TOTTAL CALCULATED AREA OF 74,538 SQUARE FEET, OR 1.711 ACRES, MORE OR LESS, TO THE VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE VILLAGE OF EAGLE; THAT AN ACCURATE MAP OR PLAT OF THE ABOVE-DESCRIBED REAL ESTATE BE RECORDED IN THE OFFICES OF THE CASS COUNTY REGISTER OF DEEDS AND CASS COUNTY ASSESSOR; THAT THE INHABITANTS OF, AND THE ABOVE-DESCRIBED REAL ESTATE, SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE VILLAGE OF EAGLE; TO PROVIDE THAT THE CHAIR OF THE BOARD OF TRUSTEES AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF EAGLE, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED BY POSTING WITHIN THE FIRST FIFTEEN DAYS AFTER ITS PASSAGE AND APPROVAL.

WHEREAS, the Planning Commission of the Village of Eagle held a public hearing on May 23, 2016 and recommended annexation of the above-described property after proper notice was given, conditional upon the approval of the Final Plat and Rezoning of said parcel from AG to HC and,

WHEREAS, the Board of Trustees conducted a public hearing regarding the annexation

of the above-described property on June 7th, with no objections to said annexation being noted by the public or others, and

WHEREAS, notice was provided the property owners of the property described above as well as School District 145 and the Cass County Zoning and Planning Commission of each public hearing and

WHEREAS, all public notices provided for the Public Hearings, and this Ordinance have been provided by law, and,

WHEREAS, the aforementioned described real estate was at that time and presently within the zoning jurisdiction of the Village of Eagle, Cass County, Nebraska, and,

WHEREAS, the above described real estate is contiguous to the Village of Eagle Nebraska, and is being annexed into the corporate limits of the Village of Eagle, Nebraska, and

WHEREAS, the real property and the owners located within the described area shall benefit from the provision of public services by the Village of Eagle pursuant to a subdivision agreement including but not limited to sewer and water, and a plan for annexation is not necessary for implementation on that the property; and

WHEREAS, the zoning jurisdiction territory of the Village of Eagle shall not be modified after addition of this property to the Village corporate limits by extending the extraterritorial boundary map one mile respectively; and

WHEREAS, the annexation of the above-described real estate is in the best interests of the Village of Eagle Nebraska, and its citizens,

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIR AND BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA, AS FOLLOWS:

Section 1. That the findings herein above made should be and are hereby made a part of this Ordinance as fully as if set out in length herein.

Section 2. That the Village Board of Trustees confirms that the following described real estate shall be annexed to the Village of EAGLE, Nebraska, and included within the corporate limits of the Village of EAGLE, Nebraska, said property enjoying the benefits of the services provided by the Village, said real estate being described as follows, to wit:

Eagle Eyrie Addition, a subdivision of a part of the Northeast Quarter of Section 29, Township 10 North, Range 9 East, of the 6th Principal Meridian, Cass County, Nebraska and being more particularly described as follows:

Referring to the Northeast corner of said Section 29; thence westerly on an assumed bearing of North 90°00'00" West, on the North line of the Northeast Quarter of Section 29, 955.91 feet; thence southerly South 00°00'00" East, 65.00 feet, to a point of intersection on the southerly

right of way line of Highway 34, also being the true Point of Beginning; thence southerly South 00°06'25" East, 303.00 feet; thence westerly South 90°00'00" West, 246.00 feet; thence northerly North 00°06'25" West, 303.00 feet, to a point of intersection on the southerly right of way line of Highway 34; thence easterly North 90°00'00" East, on said right of way line, 246.00 feet, to the Point of Beginning. Containing a total calculated area of 74,538 square feet, or 1.711 acres, more or less.

Section 3. That an accurate map or plat of the above described real estate, certified by a duly licensed surveyor, and acknowledged and approved as provided by law, shall at once be filed and recorded in the office of the Cass County Register of Deeds and the office of the Cass County Assessor, together with a certified copy of this Ordinance, declaring such annexation, under the seal of the Village of Eagle, Nebraska.

Section 4. That the inhabitants of, and the above-described real estate, shall be subject to the ordinances and regulations of the Village of Eagle Nebraska.

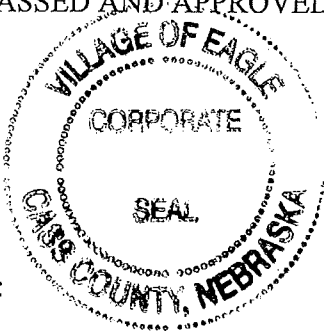
Section 5. That the Chair of the Board of Trustees and the appropriate Department, whether one or more, of the Village of Eagle, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 6. That if any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 7. That all ordinances and parts of ordinances past and approved prior to the passage, approval, publication of this ordinance, and in conflict herewith, are hereby repealed.


Section 8. That this Ordinance shall be published by posting in three (3) public places within the Village of Eagle, Nebraska, within the first fifteen days after its passage and approval and shall be effective the fifteenth day after its passage and approval, provided it has been published, as aforementioned, within the first fifteen days after its passage and approval.

PASSED AND APPROVED this 2 day of August, 2016.




VILLAGE OF EAGLE,
CASS COUNTY, NEBRASKA

BY:


Travis Moore, Village Chair

ATTEST:


Nick Nystrom, Village Clerk

