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FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2018-14688

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Floyd J. Douding

REGISTER OF DEEDS



CERTIFICATE OF THE CITY CLERK
CITY OF PAPIILLION

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

I, Nicole Brown, City Clerk of the City of Papillion, a Municipal Corporation, within and for the County of Sarpy, State of Nebraska, do hereby certify that the foregoing is a true and correct copy of Ordinance 1781 that was passed and approved by the Papillion City Council on June 5, 2018.

WITNESS my hand and seal on this 26th day of June, 2018.



Nicole Brown
Nicole Brown, City Clerk
City of Papillion

ORDINANCE NO. 1781

AN ORDINANCE TO APPROVE THE CHANGE OF ZONE OF CERTAIN REAL PROPERTY WITHIN THE ZONING JURISDICTION OF THE CITY OF PAPIILLION, SARPY COUNTY, NEBRASKA, LEGALLY DESCRIBED AS A TRACT OF LAND BEING PART OF TAX LOTS 7 AND 8, TAX LOTS LOCATED IN THE NE1/4 OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF 114TH STREET AND SCHRAM ROAD, FROM AGRICULTURAL (AG) TO SINGLE-FAMILY RESIDENTIAL (MEDIUM-DENSITY) (R-2) AND MULTIPLE-FAMILY RESIDENTIAL WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (SPECIFIC PUD) (R-4 PUD-2), TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF PAPIILLION BY CHANGING THE ZONING DISTRICT BOUNDARIES OF THE ZONING MAP IN ACCORDANCE WITH SECTION 205-32 OF PAPIILLION MUNICIPAL CODE, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, Neb. Rev. Stat. § 16-905 provides that the City may, by ordinance, designate its jurisdiction over territory outside of the corporate limits of the City under §16-901 or §16-902 of the Nebraska Revised Statutes by reference to an official zoning map; and

WHEREAS, pursuant to § 205-32 of the Papillion Municipal Code, the City of Papillion adopted a zoning map depicting boundaries of zoning districts established by the City, which map, together with legends, references, symbols, boundaries and other information, is prominently displayed in the City Council chambers; and

WHEREAS, it is anticipated that the following described real property generally located on the on the southeast corner of 114th Street and Schram Road will be platted in phases into SumTur Crossing; and

WHEREAS, the City Council of the City of Papillion has received a recommendation from the Papillion Planning Commission to approve the Change of Zone Application to rezone the real property from Agricultural (AG) to Single-Family Residential (Medium-Density) (R-2) and Multiple-Family Residential with a Planned Unit Development Overlay District (Specific PUD) (R-4 PUD-2) upon the platting of each individual phase.

BE IT ORDAINED by the Mayor and City Council of the City of Papillion, Nebraska, as follows:

Section 1. That the SumTur Crossing Change of Zone Application be and the same is approved to rezone the following described real property in phases:

A TRACT OF LAND BEING PART OF TAX LOTS 7 AND 8, TAX LOTS

LOCATED IN THE NE1/4 OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NE1/4 OF SECTION 5, THENCE N02°57'20"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID NE1/4 OF SECTION 5, A DISTANCE OF 448.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N02°57'20"W ALONG SAID WEST LINE OF THE NE1/4 OF SECTION 5, A DISTANCE OF 1616.66 FEET; THENCE N87°02'40"E, A DISTANCE OF 50.00 FEET TO EASTERLY RIGHT-OF-WAY LINE OF 114TH STREET; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF 114TH STREET ON THE FOLLOWING NINE (9) DESCRIBED COURSES: (1) N02°57'20"W ON A LINE 50.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF NE1/4 OF SECTION 5, A DISTANCE OF 122.00 FEET; (2) THENCE N54°01'14"E, A DISTANCE OF 23.84 FEET; (3) THENCE N27°32'16"E, A DISTANCE OF 104.45 FEET; (4) THENCE N18°01'45"E, A DISTANCE OF 78.19 FEET; (5) THENCE S88°24'30"W, A DISTANCE OF 42.01 FEET; (6) THENCE N05°20'30"W, A DISTANCE OF 48.04 FEET; (7) THENCE N13°57'33"W, A DISTANCE OF 110.02 FEET; (8) THENCE N18°19'55"W, A DISTANCE OF 82.97 FEET; (9) THENCE N41°06'18"E, A DISTANCE OF 13.15 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF 114TH STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SCHRAM ROAD; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SCHRAM ROAD ON THE FOLLOWING FIVE (5) DESCRIBED COURSES: (1) N83°06'14"E, A DISTANCE OF 176.54 FEET; (2) THENCE N87°19'42"E ON A LINE 50 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE1/4 OF SECTION 5, A DISTANCE OF 1089.75 FEET; (3) THENCE N24°48'08"E, A DISTANCE OF 13.66 FEET; (4) THENCE N87°23'30"E, A DISTANCE OF 60.30 FEET; (5) THENCE N68°16'07"E, A DISTANCE OF 15.16 FEET TO A POINT 33 FEET SOUTH OF SAID NORTH LINE OF THE NE1/4 OF SECTION 5; THENCE N02°40'18"W, A DISTANCE OF 33.00 FEET TO SAID NORTH LINE OF THE NE1/4 OF SECTION 5; THENCE N87°19'42"E ALONG SAID NORTH LINE OF THE NE1/4 OF SECTION 5, A DISTANCE OF 736.20 FEET; THENCE S02°40'18"E, A DISTANCE OF 33.00 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF SCHRAM ROAD; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SCHRAM ROAD ON THE FOLLOWING SIX (6) DESCRIBED COURSES: (1) N89°59'57"E, A DISTANCE OF 150.16 FEET; (2) THENCE S60°25'57"E, A DISTANCE OF 82.76 FEET; (3) THENCE S86°27'14"E, A DISTANCE OF 44.60 FEET; (4) THENCE S78°03'51"E, A DISTANCE OF 76.78 FEET; (5) THENCE N62°42'03"E, A DISTANCE OF 140.00 FEET TO A POINT BEING 50.00 FEET SOUTH OF SAID NORTH LINE OF THE NE1/4 OF SECTION 5; (6) THENCE

N87°19'42"E ALONG A LINE 50.00 SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NE1/4 OF SECTION 5, A DISTANCE OF 16.00 FEET TO THE EAST LINE OF SAID NE1/4 OF SECTION 5; THENCE S03°02'26"E ALONG SAID EAST LINE OF THE NE1/4 OF SECTION 5, A DISTANCE OF 2609.23 FEET TO THE SOUTHEAST CORNER OF SAID NE1/4 OF SECTION 5; THENCE S87°02'02"W ALONG THE SOUTH LINE OF SAID NE1/4 OF SECTION 5, A DISTANCE OF 2191.66 FEET; THENCE N79°04'19"E, A DISTANCE OF 248.12 FEET; THENCE N02°57'58"W, A DISTANCE OF 60.58 FEET; THENCE N55°55'41"W, A DISTANCE OF 12.02 FEET; THENCE N10°55'41"W, A DISTANCE OF 69.59 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, A DISTANCE OF 24.35 FEET, SAID CURVE HAVING ALONG CHORD WHICH BEARS N06°56'31"W, A DISTANCE OF 24.33 FEET; THENCE N02°57'21"W, A DISTANCE OF 166.49 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET, A DISTANCE OF 67.72 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N18°28'34"W, A DISTANCE OF 66.90 FEET; THENCE N34°04'38"W, A DISTANCE OF 62.11 FEET; THENCE N02°57'21"W, A DISTANCE OF 268.11 FEET; THENCE S55°55'22"W, A DISTANCE OF 300.28 FEET; THENCE S53°23'12"W, A DISTANCE OF 116.26 FEET; THENCE N34°04'38"W, A DISTANCE OF 9.52 FEET; THENCE S76°19'09"W, A DISTANCE OF 87.74 FEET; THENCE S58°12'13"W, A DISTANCE OF 148.45 FEET; THENCE S87°02'40"W, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

Such described real property shall be rezoned as the applicable phases are platted as follows:

Lots 1 – 122 and 146 – 335 and Outlots A – C, E, and H – Q shall be rezoned from Agricultural (AG) to Single-Family Residential (Medium-Density) (R-2).

Lots 123 – 145 and Outlots D, G, and R shall be rezoned from Agricultural (AG) to Multiple-Family Residential with a Planned Unit Development Overlay District (Specific PUD) (R-4 PUD-2).

Section 2. That within the boundary of each phase of SumTur Crossing, the zoning district shall only be changed, modified, and amended from Agricultural (AG) to Single-Family Residential (Medium-Density) (R-2) and Multiple-Family Residential with a Planned Unit Development Overlay District (Specific PUD) (R-4 PUD-2) upon the City Council of the City of Papillion's approval of the Final plat for each respective phase of SumTur Crossing provided that the City Council of the City of Papillion deems that each such Final plat substantially conforms to the corresponding portion of the SumTur Crossing Preliminary Plat approved by RES. #R17-0138. In the event that the City Council of the City of Papillion deems that a Final Plat for a phase does not substantially conform to the corresponding portion of the SumTur Crossing

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Preliminary Plat approved by RES. #R17-0138, the real property associated with that phase shall remain zoned AG (Agricultural) and a separate change of zone ordinance shall be required.

Section 3. That the zoning district boundaries of the official zoning map, which is prominently displayed in the City Council chambers pursuant to § 205-32 of the Papillion Municipal Code, be and the same is changed, modified, and amended in phases, as described in Section 2, in accordance with § 205-32 of the Papillion Municipal Code to reflect the change of zone for the above described real property.

Section 4. Effective Date. This Ordinance shall be in full force and effect fifteen (15) days after its passage. The City Clerk is directed to effectuate the publishing of this Ordinance for at least one (1) week in a newspaper in general circulation within the City of Papillion, which publication must take place within fifteen days of the passage of this Ordinance by the City Council. The City Clerk shall cause this Ordinance to be published in book or pamphlet form. That this Ordinance shall have the same force and effect as though it had been published at large. That a copy of said Ordinance shall be filed for use and examination by the public in the office of the City Clerk.


PASSED AND APPROVED this 5th day of June, 2018.

CITY OF PAPILLION,



DAVID P. BLACK, Mayor

Attest:



NICOLE L. BROWN, City Clerk

(SEAL)

Planning Commission: 05/31/2017
First Reading: 08/01/2017
Second Reading: 08/15/2017
Third Reading: 06/05/2018

