

3841

C

FILED
CASS COUNTY, NE.

2013 JUL 16 PM 12:25

OK 28 Gen 788 PG

Daniel J. Allen
REGISTER OF DEEDS
#3841 \$34.00

AREA ABOVE TO BE USED FOR RECORDING INFORMATION

BY THE CASS COUNTY REGISTER OF DEEDS OFFICE

COVER PAGE

dt

ORDINANCE NO. 1862

AN ORDINANCE TO VACATE BESTMANN DRIVE AS DESCRIBED HEREIN; TO PROVIDE FOR OWNERSHIP OF THE SAME TO REVERT TO THE ADJACENT PROPERTY OWNERS; TO RESERVE A UTILITY EASEMENT; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA:

Section 1. The portion of Bestmann Drive described as follows and as shown on the attached Exhibit A is vacated, with ownership reverting to the adjacent property owners

VACATION OF BESTMANN DRIVE AT TAX LOT 36 IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 13, TOWNSHIP 12 NORTH, RANGE 13 EAST OF 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S2°04'13"E A DISTANCE OF 967.90 FEET TO THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD; THENCE N87°29'43"E A DISTANCE OF 539.98 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ON A 50.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 64.03 FEET WITH A CHORD BEARING N34°32'19"E AND CHORD DISTANCE OF 59.74 FEET; THENCE NORTHEASTERLY ON A 20.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 25.61 FEET WITH A CHORD BEARING N34°32'14"E AND CHORD DISTANCE OF 23.90 FEET; THENCE N2°09'00"W A DISTANCE OF 138.28 FEET; THENCE N2°17'43"W A DISTANCE OF 155.47 FEET; THENCE N2°28'50"W A DISTANCE OF 131.02 FEET; THENCE NORTHWESTERLY ON A 50.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 7.07 FEET WITH A CHORD BEARING N6°29'48"W AND A CHORD DISTANCE OF 7.06 FEET; THENCE N87°33'13"E A DISTANCE OF 33.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75; THENCE S2°25'57"E A DISTANCE OF 293.71 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75; THENCE S2°09'00"E A DISTANCE OF 205.27 FEET ALONG

THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75 TO THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD; THENCE S87°47'45"W A DISTANCE OF 82.97 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 18,492 SQUARE FEET, MORE OR LESS.

Section 2. The City hereby reserves in said vacated portion of the right of way a permanent utility easement described as follows, and as shown on the attached Exhibit B, for all public and private utilities to include but not limited to water, sanitary sewer, storm sewer, cable television service, telephone service, electrical service, and natural gas service as is necessary and convenient for the City and for services the City provides to its residents and businesses:

PERMANENT UTILITY EASEMENT OVER PART OF LOTS 3-A, 3-B, 4-A, 4, 5 AND 6 INCLUDING THE ADJACENT AND ABUTTING VACATED BESTMANN DRIVE RIGHT-OF-WAY IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 13, TOWNSHIP 12 NORTH, RANGE 13 EAST OF 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE EAST 10.00 FEET OF SAID LOTS 3-A, 3-B, 4-A, 4, 5 AND 6 INCLUDING THE ADJACENT AND ABUTTING VACATED BESTMANN DRIVE RIGHT-OF-WAY. SAID PARCEL CONTAINS 4,989 SQUARE FEET, MORE OR LESS.

Section 3. All previous ordinances or parts of ordinances in conflict are repealed.

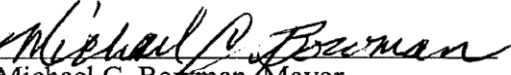
Section 4. This ordinance is adopted, with publication authorized in pamphlet form, and shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 15TH day of July 2013.

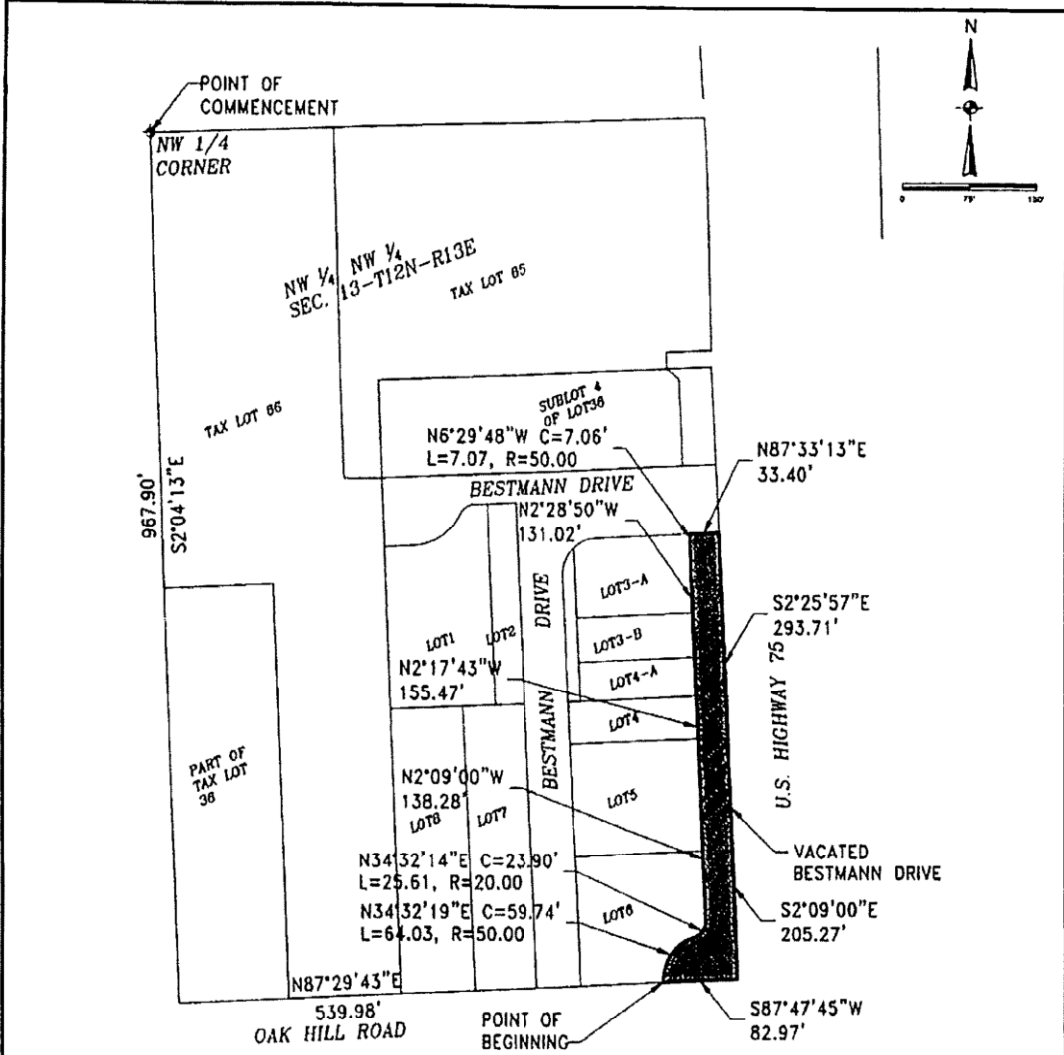
ATTEST:


Sandra J. Meyer, City Clerk





Michael C. Bowman, Mayor

Publication: July 18, 2013.



LEGEND

 PROPOSED VACATION

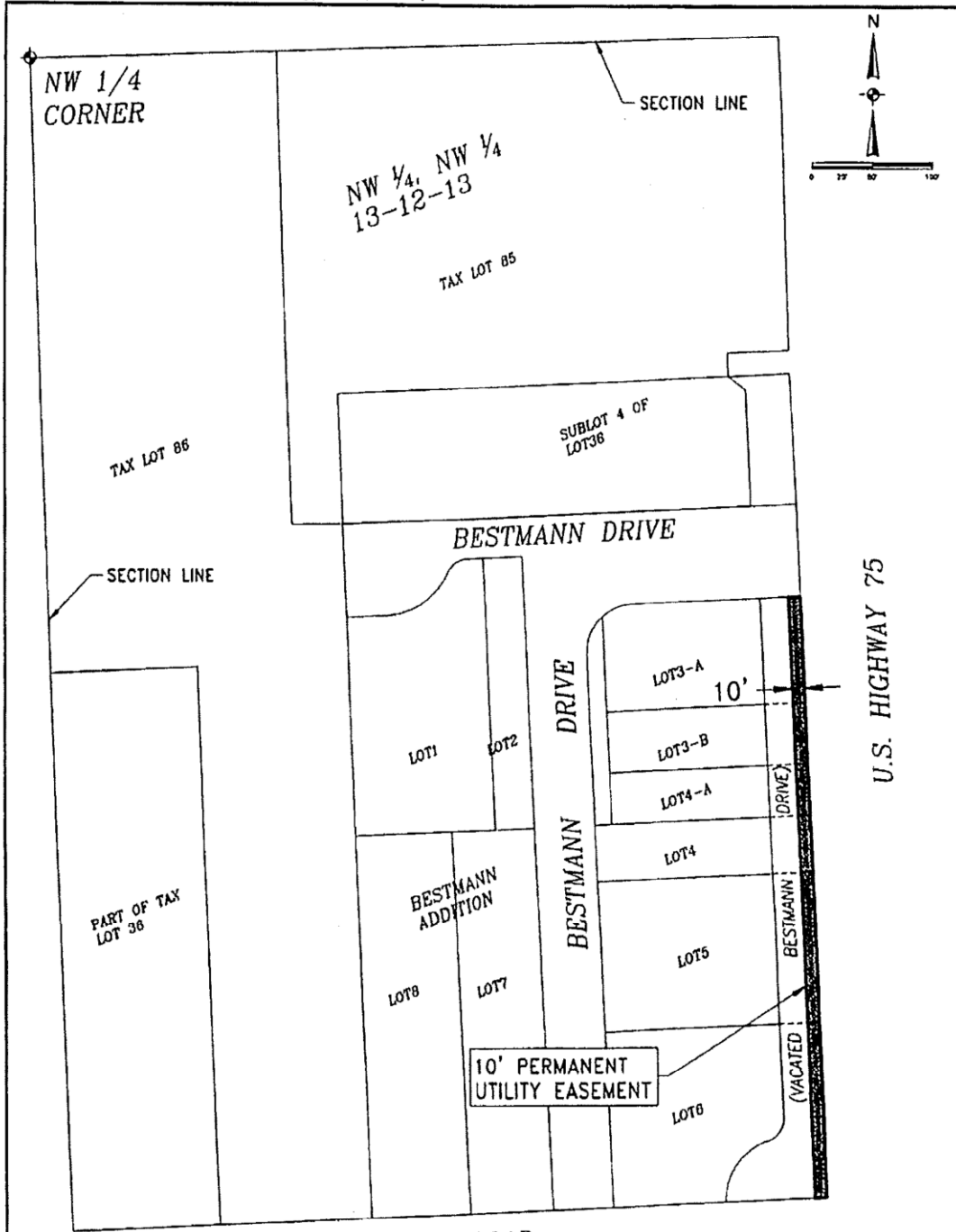
LEGAL DESCRIPTION

VACATION OF BESTMANN DRIVE AT TAX LOT 36 IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 13, TOWNSHIP 12 NORTH, RANGE 13 EAST OF 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S2°04'13"E A DISTANCE OF 967.90 FEET TO THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD; THENCE N87°29'43"E A DISTANCE OF 539.98 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ON A 50.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 64.03 FEET WITH A CHORD BEARING N34°32'19"E AND CHORD DISTANCE OF 59.74 FEET; THENCE NORTHEASTERLY ON A 20.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 25.61 FEET WITH A CHORD BEARING N34°32'14"E AND CHORD DISTANCE OF 23.90 FEET; THENCE N2°09'00"W A DISTANCE OF 138.28 FEET; THENCE N2°17'43"W A DISTANCE OF 155.47 FEET; THENCE N2°28'50"W A DISTANCE OF 131.02 FEET; THENCE NORTHWESTERLY ON A 50.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 7.07 FEET WITH A CHORD BEARING N6°29'48"W AND A CHORD DISTANCE OF 7.06 FEET; THENCE N87°33'13"E A DISTANCE OF 33.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75; THENCE S2°25'57"E A DISTANCE OF 293.71 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75; THENCE S2°09'00"E A DISTANCE OF 205.27 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 75 TO THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD; THENCE S87°47'45"W A DISTANCE OF 82.97 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF OAK HILL ROAD TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 18,492 SQUARE FEET, MORE OR LESS.


EXHIBIT 'A'

SHEET NO. 1 of 1	PROJECT NO. 15011-08 DATE JULY 10, 2013	VACATION PLAT	BESTMANN DRIVE VACATION PLATTSMOUTH, NEBRASKA	OLMSTED & PERRY CONSULTING ENGINEERS INC. 10750 PACIFIC STREET SUITE 232 OMAHA, NEBRASKA
---------------------	--	---------------	--	---



OAK HILL ROAD

LEGEND

 PROPOSED PERMANENT UTILITY EASEMENT

LEGAL DESCRIPTION

PERMANENT UTILITY EASEMENT OVER PART OF LOTS 3-A, 3-B, 4-A, 4, 5 AND 6 INCLUDING THE ADJACENT AND ABUTTING VACATED BESTMANN DRIVE RIGHT-OF-WAY IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 13, TOWNSHIP 12 NORTH, RANGE 13 EAST OF 6TH P.M., CITY OF PLATTSMOUTH, CASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE EAST 10.00 FEET OF SAID LOTS 3-A, 3-B, 4-A, 4, 5 AND 6 INCLUDING THE ADJACENT AND ABUTTING VACATED BESTMANN DRIVE RIGHT-OF-WAY. SAID PARCEL CONTAINS 4,989 SQUARE FEET, MORE OR LESS.

SHEET NO. 1 of 1	PROJECT NO. 13011-08 DATE JULY 10, 2013	PERMANENT UTILITY EASEMENT LOTS 3-A, 3-B, 4-A, 4, 5 AND 6 INCL. VACATED BESTMANN DRIVE SEC. 13, T12N, R13E	BESTMANN ADDITION PLATTSMOUTH, NEBRASKA	OLMSTED & PERRY CONSULTING ENGINEERS INC. 10730 PACIFIC STREET SUITE 232 OMAHA, NEBRASKA
---------------------	--	---	--	---

EXHIBIT 'B'