

990317

ORDINANCE NUMBER 98-61

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to, the City of Beatrice, Nebraska, part of the Northwest Quarter (NW1/4) of Section 22, Township Four (4) North, Range 6 East of the 6th P.M., Gage County, Nebraska; to provide service benefits thereto; to provide for severability; to repeal conflicting ordinances; and to provide for publication in pamphlet form and an effective date of this ordinance.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council of the City of Beatrice, Nebraska that:

- A. The parcel of land, streets and highways located in the Northwest Quarter (NW1/4) of Section 22, Township 4 North, Range 6 East of the 6th P.M., Gage County, Nebraska, as hereinafter more particularly described, are urban and suburban in character and not agricultural and rural in character, and that the subject property is contiguous and adjacent to the corporate limits of the said City;
- B. Police, fire, and snow removal benefits are available thereto; and City water and sanitary sewer service are available as provided by law; and
- C. There is a unity of interest in the use of such parcel of land, streets and highways with the use of lots and lands, streets, and highways in the City and the community convenience and welfare and interest of said City will be enhanced through incorporating such parcel of land, streets and highways within the corporate limits of said City.

SECTION 2. That the boundaries of the City of Beatrice, Nebraska, be and hereby extended to include within the corporate limits of said City the contiguous and adjacent tract of land and streets and highways located in the Northwest Quarter (NW1/4) of Section 22, Township Four (4) North, Range Six (6) East of the Sixth P.M., Gage County, Nebraska described as follows:

A part of the West Half (W1/2) of the Northwest Quarter (NW1/4), and also a part of the West 10 acres of the East Half (E1/2) of the Northwest Quarter (NW1/4) of Section 22, Township 4 North, Range 6, East of the 6th P.M., Gage County, Nebraska, more particularly described as follows:
Commencing at the Northwest corner of the Northwest Quarter (NW1/4) of said Section 22; thence N88°12'38"E 1486.80' along the north line of said Section 22 to the Northeast corner of the West 10 Acres of the East Half (E1/2) of the Northwest Quarter (NW1/4) of said Section 22; thence S02°07'39"E 1084.07' along the Easterly line of the West 10 Acres of the East Half (E1/2) of the Northwest Quarter (NW1/4) of said Section 22 to a 5/8" rebar found at the point of beginning; thence continuing along said Easterly line S02°07'39"E 265.19' to a found 5/8" rebar; thence S88°24'20"W 677.97' along a line 1302.94' Northerly and parallel with the Southerly line of the Northwest Quarter (NW1/4) of said Section 22 to the intersection of the East line of 8th

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Street extended North from the Bauman Addition to the City of Beatrice; thence South along the East line of said 8th Street extended North on a bearing of S02°09'48"E, a distance of 299.72 feet to the Northwest corner of Lot 2 of said Bauman Addition; thence S89°51'20" W, a distance of 60' to the Northeast corner of Lot 1 of said Bauman Addition; thence along the West line of said 8th Street extended on a bearing of N02°08'16" W, a distance of 299.82' to a point; thence N09°19'08" W, a distance of 660.03' to a point; thence N88°15'57" E, a distance of 37' to a point; thence S58°39'56" E, a distance of 282.90' to a point; thence S68°26'07"E, a distance of 597.95' to the point of beginning.

SECTION 3. That said parcel of land, streets and highways are hereby annexed to the City of Beatrice, Gage County, Nebraska.

SECTION 4. That upon the taking effect of this ordinance, the police, fire and snow removal service of such City shall be furnished to the parcel of land, streets and highways herein annexed; and water service and sanitary sewer service are available as provided by law.

SECTION 5. That a certified copy of this ordinance together with a plat of such parcel of land, streets and highways be filed of record in the offices of the Register of Deeds and County Assessor of Gage County, Nebraska.

SECTION 6. That if any subsection, sentence, clause or phrase of this Ordinance or the annexation of any parcel 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, phrase, or clause separately.

SECTION 7. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 4 day of January, 1999

John Bartels
Mayor

Attest:

Gene Holowski
City Clerk

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NORTH HIGHWAY 77

NORTH HIGHWAY 77

CEMETERY PROPERTY

EXISTING
"G" ZONE

MIDWEST LIVESTOCK

LOT 1, BAUMAN ADD.

587' 51.20" W
60.00'
5TH STREET

LOT 2, BAUMAN ADD.

299.82' M.
16' 16" 20N

502' 09' 48" E
299.72'

EXISTING CITY LIMITS
EXISTING CITY LIMITS
EXISTING CITY LIMITS

188' 15' 57" E
37.00'

58' 39' 56" E
282' 20' 56" E

EXISTING "G" ZONE
PROPOSED "G" ZONE
EXISTING "A" ZONE
PROPOSED "A" ZONE
EXISTING COMMERCIAL ISLAND USE PATTERN
PROPOSED COMMERCIAL ISLAND USE PATTERN

588' 24' 20" W
1302.94'

PROPOSED CITY LIMITS

PROPOSED CITY LIMITS

568' 26' 07" E
597.95'

DATE : 10/07/98
SCALE : 1" = 100'

POINT OF
BEGINNING

502' 07' 39" E
265.19'

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EXHIBIT "A"

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AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA, }
GAGE COUNTY } ss.

Emily Carr, being first duly sworn on oath, says that _____ s he is the _____ Chief Clerk _____ of the Beatrice Daily Sun, a legal daily newspaper printed & published in Gage County, Nebraska, and having a bonafide circulation of more than 300 copies of each issue; that the notice, a true copy of which is hereto attached was published in each and every Friday issue of said newspaper for 1 consecutive weeks, the first publication being on the 8th day of January, 19 99; and the last publication being on the 8th day of January, 1999; that said newspaper had been published in whole or in part in the office of said county from which distribution took place, for more than 52 consecutive weeks prior to the publication of said notice.

NOTICE OF PASSAGE AND PUBLICATION OF ORDINANCE

Public notice is hereby given that the Mayor and Council of the City of Beatrice, Nebraska, at their meeting January 4, 1999, have passed and approved Ordinance Number 98-61 the title of which reads as follows:

"An ordinance to extend the boundaries and include within the corporate limits of, and to annex to, the City of Beatrice, Nebraska, part of the Northwest Quarter (NW 1/4) of Section 22, Township Four (4) North, Range 6 East of the 6th P.M., Gage County, Nebraska; to provide service benefits thereto; to provide for severability; to repeal conflicting ordinances; and to provide for publication in pamphlet form and an effective date of this ordinance."

Said ordinance has been published in pamphlet form. Copies of the Ordinance as so published are available at the office of the City Clerk, 205 N. 4th Street, Beatrice, Nebraska.

Gwen Grabouski, CMC/AE
City Clerk

January 8, 1999

Emily Carr

Subscribed in my presence and sworn to before me this 8th day of January, 19 99.

Lavonna Moslander

Notary Public

My Commission expires 1/11/03

First week,.....\$ 15.34
Subsequent weeks\$ _____
Total\$ 15.34

GENERAL NOTARY-State of Nebraska
LAVONNA MOSLANDER
My Comm. Exp. Jan. 11, 2003

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