

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION AUTHORIZING VACATION OF A PORTION OF UNUSED RIGHT OF WAY LOCATED SOUTHEAST OF THE INTERSECTION OF CORNHUSKER ROAD AND 72<sup>ND</sup> STREETS IN SARPY COUNTY, NEBRASKA**

WHEREAS, pursuant to Neb. Rev. Stat. §39-1722, *et seq.*, (Reissue 1998), the County Board of Commissioners is authorized to vacate or abandon certain roadways or parts thereof, if such be in the public's best interest; and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1723, *et seq.*, (Reissue 1998), the County Surveyor has been directed to study the use being made of a certain road right-of-way and report said study to this Board, said right-of-way further described as:

**That part of the W ½ of the NW 1/4 of Sec. 25, T14N, R12E of the 6th P.M., Sarpy County, NE; described as follows:**

**Beginning at the SE corner of Tax Lot 3A in said NW 1/4; thence S 00°19'31"W (assumed bearing) 385.25 feet on the southerly extension of the easterly line of said Tax Lot 3A and on the easterly line of 72nd Street; thence S09°23'11"E 283.86 feet on the easterly line of 72nd Street; thence S 00°19'32"W 1090.00 feet on the easterly line of 72nd Street; thence N89°40'29"W 28.00 feet; thence N 00°19'31"E 931.12 feet on a line 28.00 feet westerly of and parallel with the easterly line of 72nd Street; thence northwesterly on a 2075.00 foot radius curve to the left, chord bearing N 05°43'55"W, chord distance 437.92 feet, an arc distance of 438.73 feet; thence N11°47'21"W 379.54 feet to the westerly extension of the southerly line of said Tax Lot 3A; thence N 81°01'10"E 107.39 feet on the southerly line of said Tax Lot 3A and its westerly extension to the point of beginning (containing 1.47 acres more or less).  
more or less;**

and,

WHEREAS, pursuant to Neb. Rev. Stat. §39-1724 (Reissue 1998), this Board has received said report from the Sarpy County Surveyor within thirty (30) days of the directive, and said report contains the study made and the County Surveyor's recommendation as to the vacation thereof as required by Neb. Rev. Stat. §39-1722 (Reissue 1998), and recommends the vacation of the unused right-of as described above; and,

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Instrument # 2002-46350  
Lloyd J. Dowding Register of Deed Sarpy Cty, NE

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WHEREAS, on the 10<sup>th</sup> day of September, 2002, a Public Hearing on the vacation was held as required by Neb. Rev. Stat. §39-1724 (Reissue 1998), after the publication and the service of notice on adjacent landowners. all as required by Neb. Rev. Stat. §39-1724 (Reissue 1998); and,

WHEREAS, subject right-of-way is within the zoning jurisdiction of the City of Papillion, Nebraska, and said, pursuant to Neb. Rev. Stat. §39-1725 (Reissue 1998), the City of Papillion has approved said vacation; and,

WHEREAS, it is in the best interests of the public that title to the above-described property be vacated, all pursuant to Neb. Rev. Stat. §39-1725 (Reissue 1998).

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that pursuant to Neb. Rev. Stat. §39-1722, *et seq.* (Reissue 1998), that the unused right of way described as:

**That part of the W ½ of the NW 1/4 of Sec. 25, T14N, R12E of the 6th P.M., Sarpy County, NE, described as follows:**

**Beginning at the SE corner of Tax Lot 3A in said NW 1/4; thence S 00°19'31"W (assumed bearing) 385.25 feet on the southerly extension of the easterly line of said Tax Lot 3A and on the easterly line of 72nd Street; thence S 09°23'11"E 283.86 feet on the easterly line of 72nd Street; thence S 00°19'32"W 1090.00 feet on the easterly line of 72nd Street; thence N89°40'29"W 28.00 feet; thence N 00°19'31"E 931.12 feet on a line 28.00 feet westerly of and parallel with the easterly line of 72nd Street; thence northwesterly on a 2075.00 foot radius curve to the left, chord bearing N 05°43'55"W, chord distance 437.92 feet, an arc distance of 438.73 feet; thence N 11°47'21"W 379.54 feet to the westerly extension of the southerly line of said Tax Lot 3A; thence N 81°01'10"E 107.39 feet on the southerly line of said Tax Lot 3A and its westerly extension to the point of beginning (containing 1.47 acres more or less).**

is hereby vacated; and said vacation is subject to any existing easements and utility improvements, public or private, recorded or not.

BE IT FURTHER RESOLVED THAT, pursuant to Neb. Rev. Stat. 39-1725 (Reissue 1997), the title to this vacated right of way shall be sold, and the County Surveyor is hereby authorized to negotiate a purchase agreement for said property and present the same to this Board for approval.

