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By

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

2766 \$

FEE 41⁰⁰ FB 01-60000 VP
EXP 9-16-11 CO COMP EB
DEL 10-16-11 SCAN dc FY

RETURN: Gross & Welch
Attn: John Liff
2120 So. 72nd #800
Omaha, NE 68124

VP

ORDINANCE NO. 275

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF BENNINGTON OVER A CERTAIN TRACT OF LAND IN DOUGLAS COUNTY, NEBRASKA, WHICH TRACT IS CONTIGUOUS AND ADJACENT TO THE PRESENT LIMITS OF THE CITY OF BENNINGTON; INCORPORATING SAID TRACT INTO AND MAKING THE SAME A PART OF THE CITY OF BENNINGTON; REPEALING ANY AND ALL ORDINANCES OR AMENDMENTS TO ORDINANCES INSOFAR AS THEY CONFLICT HEREWITH, AND STATING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Section 1. The corporate limits of the City of Bennington shall be extended over, and shall include, all the land embraced within the boundaries described in the legal description and plat for property located in a portion of Section 9, T16N, R11E, attached as exhibit 1, and the property located in a portion of Section 10, T16N, R11E, attached as exhibit 2. The descriptions in exhibits 1 and 2 are incorporated by reference in this ordinance as if fully set forth.

Section 2. The land described in exhibits 1 and 2 is contiguous and adjacent to the existing corporate limits of the City of Bennington, Nebraska, and is urban and suburban in character. The owner of that portion of property described in exhibit 1, and the owner of that property described in exhibit 2, have requested the land be annexed and have filed accurate descriptions and plats with the City Clerk.

Section 3. The land described in exhibits 1 and 2, upon the effective date of annexation as set forth in Section 6 of this ordinance, shall be incorporated into, merged in, and be a part of the City of Bennington, Nebraska, subject to the jurisdiction thereof, and to its laws, regulations, and ordinances.

Section 4. Any and all ordinances, or amendments to ordinances of the City of Bennington, Nebraska, that conflict with any provisions of this ordinance, are hereby repealed.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Annexation shall be effective after the final reading of three readings. The first reading is on December 16, 1998, and subsequent readings shall be made at regularly scheduled meetings in January and February 1999.

PASSED AND APPROVED this 8th day of February, 1999.

David L. Clark
David Clark, Mayor

ATTEST:

Judy Hickman
Judy Hickman, City Clerk

CERTIFICATE

The undersigned City Clerk of the City of Bennington, Nebraska, does hereby certify that the within ordinance is a duly enacted and valid ordinance of the City of Bennington, Nebraska, and constitutes a part of the official records of the City of Bennington, under the care, custody, and control of the undersigned.



Judy Hickman
Judy Hickman, City Clerk

IMPRINTED CORPORATE SEAL
REGISTER OF DEEDS

LEGAL DESCRIPTION

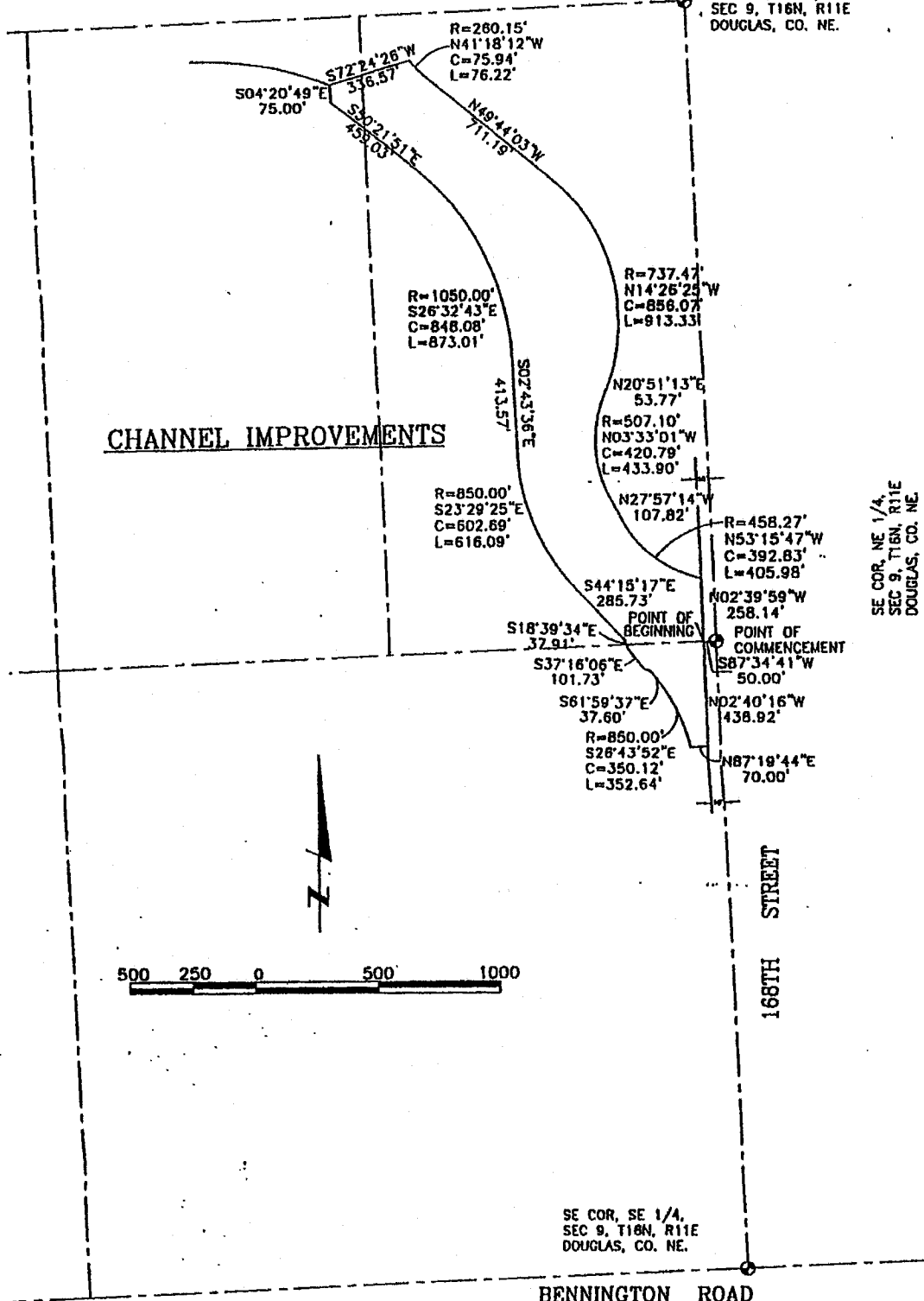
That part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:
 Commencing at the southeast corner of the Northeast Quarter of Section 9;
 Thence South 87°34'41" West (assumed bearings) for 50.00 feet along the south line of the said Northeast Quarter of Section 9 to the TRUE POINT OF BEGINNING;
 Thence North 02°39'59" West for 258.14 feet parallel with and 50.00 feet west of the east line of the Northeast Quarter of Section 9;
 Thence along a curve to the right (having a radius of 458.27 feet and a long chord bearing North 53°15'47" West for 392.83 feet) for an arc length of 405.98 feet;
 Thence North 27°57'14" West for 107.82 feet;
 Thence along a curve to the right (having a radius of 607.10 feet and a long chord bearing North 03°33'01" West for 420.79 feet) for an arc length of 433.90 feet;
 Thence North 20°51'13" East for 53.77 feet;
 Thence along a curve to the left (having a radius of 737.47 feet and a long chord bearing North 14°28'25" West for 856.07 feet) for an arc length of 913.33 feet;
 Thence North 49°44'03" West for 711.19 feet;
 Thence along a curve to the right (having a radius of 260.15 feet and a long chord bearing North 41°18'12" West for 75.94 feet) for an arc length of 76.22 feet;
 Thence South 72°24'26" West for 336.57 feet;
 Thence South 04°20'49" East for 75.00 feet;
 Thence South 60°21'51" East for 459.03 feet;
 Thence along a curve to the right (having a radius of 1050.00 feet and a long chord bearing South 26°32'43" East for 848.08 feet) for an arc length of 873.01 feet;
 Thence South 02°43'36" East for 413.57 feet;
 Thence along a curve to the left (having a radius of 850.00 feet and a long chord bearing South 23°29'25" East for 602.69 feet) for an arc length of 616.09 feet;
 Thence South 44°15'17" East for 285.73 feet;
 Thence South 18°39'34" East for 37.91 feet;
 Thence South 37°16'06" East for 101.73 feet;
 Thence South 61°59'37" East for 37.60 feet;
 Thence along a curve to the right (having a radius of 850.00 feet and a long chord bearing South 26°43'52" East for 350.12 feet) for an arc length of 352.64 feet;
 Thence North 87°19'44" East for 70.00 feet;
 Thence North 02°40'16" West for 438.92 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 9 to the Point of Beginning.
 Contains 25.08 acres.

NE NE
 SE NE
 NW NE
 NE SE

June 29, 1998
 LAMP, RYNEARSON & ASSOCIATES, INC.
 96009 (Channel Improvements in E 1/2, 9-16-11)

HIGHWAY 38

NE COR, NE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.



SE COR, NE 1/4,
SEC 9, T16N, R11E
DOUGLAS, CO. NE.

96009\9609L101 V2

Book _____ Page _____ Date JUNE 29, 1998 Dwn.By AET Job Number 96009.01-400



lamp, rynearson & associates, inc.

engineers surveyors planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2029

ph 402-496-2498
fax 402-496-2730

LEGAL DESCRIPTION

(E 1/2, 9-16-11)

That part of the East Half of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the southeast corner of the Northeast Quarter of Section 9;

Thence North 02°39'59" West (assumed bearings) for 258.36 feet along the east line of the Northeast Quarter of Section 9;

Thence South 87°20'01" West for 50.00 feet;

Thence along a curve to the right (having a radius of 458.27 feet and a long chord bearing North 53°15'47" West for 392.83 feet) for an arc length of 405.98 feet;

Thence North 27°57'14" West for 107.82 feet;

Thence along a curve to the right (having a radius of 507.10 feet and a long chord bearing North 03°33'01" West for 420.79 feet) for an arc length of 433.90 feet;

Thence North 20°51'13" East for 53.77 feet;

Thence along a curve to the left (having a radius of 737.47 feet and a long chord bearing North 14°26'25" West for 856.07 feet) for an arc length of 913.33 feet;

Thence North 49°44'03" West for 711.19 feet;

Thence along a curve to the right (having a radius of 260.15 feet and a long chord bearing North 41°18'12" West for 75.94 feet) for an arc length of 76.22 feet;

Thence South 72°24'26" West for 336.57 feet;

Thence South 04°20'49" East for 75.00 feet;

Thence South 50°21'51" East for 459.03 feet;

Thence along a curve to the right (having a radius of 1050.00 feet and a long chord bearing South 26°32'43" East for 848.08 feet) for an arc length of 873.01 feet;

Thence South 02°43'36" East for 413.57 feet;

Thence along a curve to the left (having a radius of 850.00 feet and a long chord bearing South 23°29'25" East for 602.69 feet) for an arc length of 616.09 feet;

Thence South 44°15'17" East for 285.73 feet;

Thence South 18°39'34" East for 37.91 feet;

Thence South 37°16'06" East for 101.73 feet;

Thence South 61°59'37" East for 37.60 feet;

Thence along a curve to the right (having a radius of 850.00 feet and a long chord bearing South 26°43'52" East for 350.12 feet) for an arc length of 352.64 feet;

Thence North 87°19'44" East for 70.00 feet;

Thence South 02°40'16" East for 1604.51 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 9;

Thence North 87°19'44" East for 50.00 feet to the east line of the Southeast Quarter of Section 9;

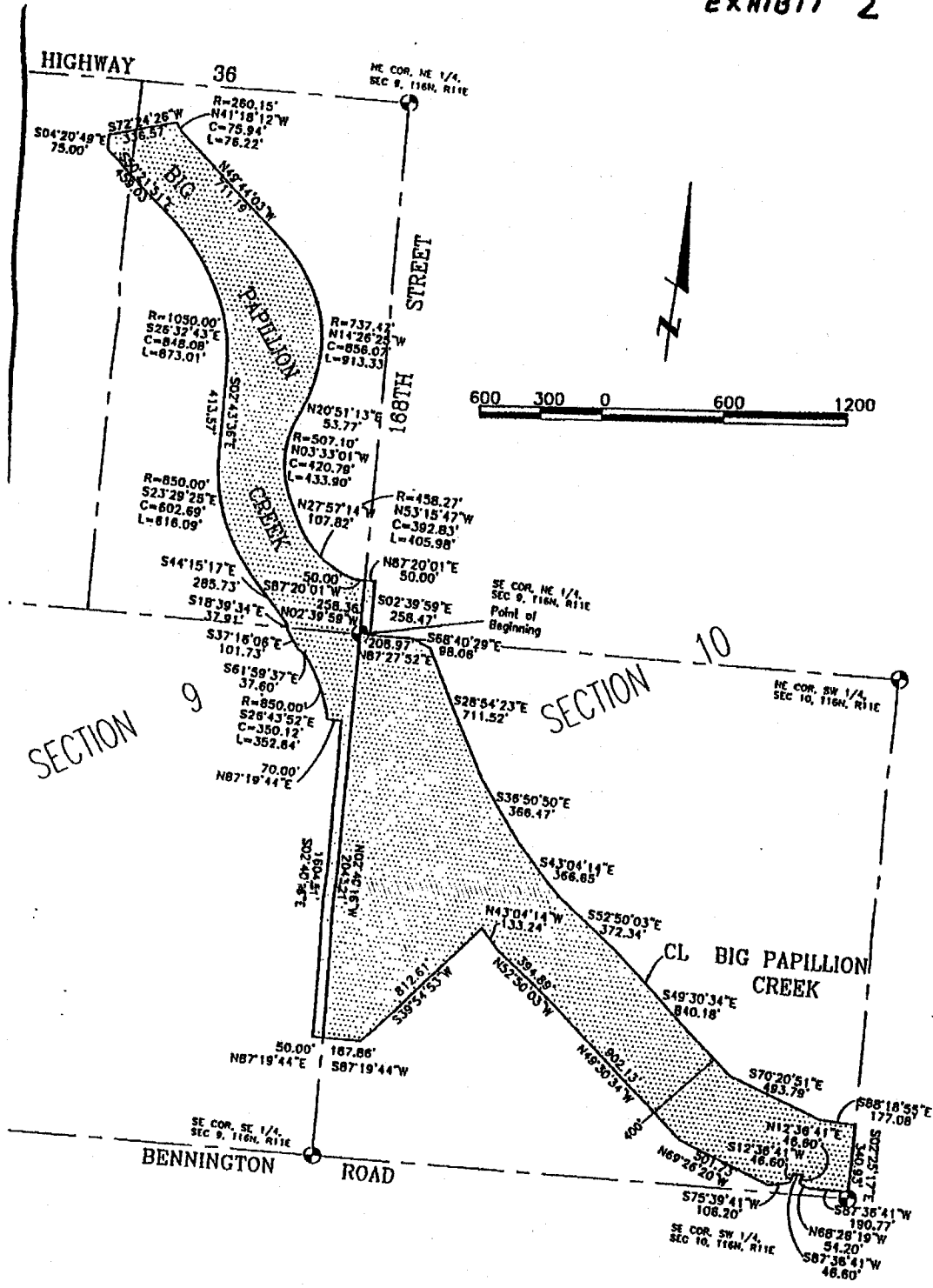
Thence North 02°40'16" West for 2043.21 feet to the Point of Beginning.

Contains 27.71 acres.

NE NE
NW NE
SE NE
NE SE
SE SE

October 12, 1998
LAMP, RYNEARSON & ASSOCIATES, INC.
City of Bennington Annexation

EXHIBIT 2



6009\96098N05

Book _____ Page _____ Date Oct. 12, 1998 Dwn. By ael Job Number 96009.01-400

lamp, ryneason & associates, inc.
 engineers surveyors planners

14710 west dodge road, suite 100 ph 402-498-2498
 omaha, nebraska 68154-2029 fax 402-498-2730

TOGETHER WITH

LEGAL DESCRIPTION (W 1/2, 10-16-11)

That part of the West Half of Section 10, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the southwest corner of the Northwest Quarter of Section 10;

Thence North 02°39'59" West (assumed bearings) for 258.36 feet along the west line of the Northwest Quarter;

Thence North 87°20'01" East for 50.00 feet;

Thence South 02°39'59" East for 258.47 feet parallel with and 50.00 feet east of the west line of the Northwest Quarter of Section 10 to the south line thereof;

Thence North 87°27'52" East for 208.97 feet along the north line of the Southwest Quarter to the centerline of the Papio Creek;

Thence southeast along the centerline of said Papio Creek for the next eight courses:

- 1) Thence South 68°40'29" East for 98.06 feet;
- 2) Thence South 28°54'23" East for 711.52 feet;
- 3) Thence South 36°50'50" East for 366.47 feet;
- 4) Thence South 43°04'14" East for 366.65 feet;
- 5) Thence South 52°50'03" East for 372.34 feet;
- 6) Thence South 49°30'34" East for 840.18 feet;
- 7) Thence South 70°20'51" East for 493.79 feet;
- 8) Thence South 88°18'55" East for 177.08 feet to the east line of the Southwest Quarter of Section 10;

Thence South 02°25'17" East for 340.93 feet along said east line to the north right of way line of Bennington Road;

Thence west along the north right of way line of Bennington Road for the next six courses:

- 1) Thence South 87°36'41" West for 190.77 feet;
- 2) Thence North 68°26'19" West for 54.20 feet;
- 3) Thence North 12°36'41" East for 46.60 feet;
- 4) Thence South 87°36'41" West for 46.60 feet;
- 5) Thence South 12°36'41" West for 46.60 feet;
- 6) Thence South 75°39'41" West for 106.20 feet;
- Thence North 69°26'20" West for 501.73 feet;
- Thence North 49°30'34" West for 902.13 feet;
- Thence North 52°50'03" West for 394.89 feet;
- Thence North 43°04'14" West for 133.24 feet;
- Thence South 39°54'53" West for 812.61 feet;
- Thence South 87°19'44" West for 187.86 feet to the west line of the Southwest Quarter

of Section 10;

Thence North 02°40'16" West for 2043.21 feet to the Point of Beginning.
Contains 48.82 acres.

NW	SW
SE	SW
SW	SW

October 12, 1998

LAMP, RYNEARSON & ASSOCIATES, INC.
City of Bennington Annexation