

RECEIVED

JAN 24 2013

LANCASTER COUNTY
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF APPROVING)
A CONSERVATION EASEMENT)
TO BE HELD BY THE NATURE)
CONSERVANCY ON PROPERTY)
GENERALLY LOCATED NEAR THE)
INTERSECTION OF NORTH 1ST STREET)
AND WEST RAYMOND ROAD,)
LANCASTER COUNTY, NEBRASKA)

RESOLUTION NO. R-13-0003

WHEREAS, the Conservation and Preservation Easements Act, *Neb. Rev. Stat.* §§ 76-2,111 to 76-2,118 (Reissue 2003) provides that the acquisition of conservation easements shall be approved by the appropriate governing body; and

WHEREAS, *Neb. Rev. Stat.* § 76-2,112 requires that, in order to minimize conflicts with land use planning, the proposed conservation easements must be submitted to the Lincoln-Lancaster County Planning Commission for comments regarding the conformity of the proposed conservation easements to the Comprehensive Plan prior to approval by the appropriate governing body; and

WHEREAS, the Nature Conservancy desires to acquire and retain a conservation easement to preserve and protect floodplains, wetlands, natural drainageways, and open space over property (hereinafter referred to as "Protected Property") generally located at North 1st Street and Raymond Road, and legally described in Attachment "A" which is incorporated herein as if fully set forth.

WHEREAS, the Director of Planning, has requested a finding on whether the acquisition of a permanent conservation easement over the Protected Property is in conformance with the Comprehensive Plan; and

WHEREAS, on December 12, 2012, the Lincoln-Lancaster County Planning Commission determined that said conservation easement is in conformance with the Comprehensive Plan, provided that (1) the ability to improve or widen North 1st Street and West Raymond Road is

preserved by excluding the area designated as future right-of-way from the easement or modify the easement to allow such improvement; and (2) such exclusion or modification is acceptable to the County Engineer and County Attorney.

WHEREAS, on January 22, 2013, the Lancaster County Board of Commissioners conducted a public hearing regarding said easement in which both the County Attorney and County Engineer indicated their approval to a legal description of said conservation easement which excepted the area that County Engineer believed would be necessary for future improvements to North 1st Street and West Raymond Road.

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Commissioners that the conservation easement granted to the Nature Conservancy as described in Attachment "A" is hereby approved and found to be in conformance with the Comprehensive Plan.

DATED this 29 day of January, 2013, at the County-City Building, Lincoln, Lancaster County Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this 29 day of
January, 2013.


for JOE KELLY
County Attorney

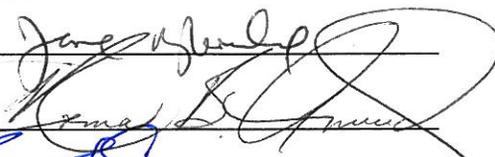
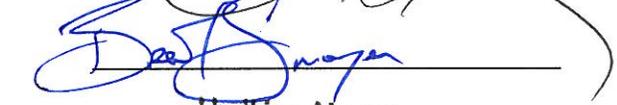



Hudkins Absent

EXHIBIT A
Property Description

LITTLE SALT FORK (WATSON TRACT)

Lot 14 in the Southeast Quarter of Section 34, Township 12 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska.

EXCEPTING: That portion of Lot 14 Irregular Tracts, in Section 34, Township 12 North, Range 6 East, lying south of a line that is sixty (60) feet north of and parallel with the south line of said Section 34, containing 0.27 acres, more or less. (West Raymond Road future right of way)

LITTLE SALT FORK (BENNETT TRACT)

Lot 36, irregular tracts in the Southeast Quarter of Section 34, Township 12 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska.

EXCEPTING: The east sixty (60) feet of Lot 36 Irregular Tracts adjacent to North 1st Street (a distance of 615.12 feet), and the south ten (10) feet of Lot 36 Irregular Tracts, in Section 34, Township 12 North, Range 6 East. Containing 1.14 acres, more or less. (North 1st Street and West Raymond Road present and future rights of way)

LITTLE SALT FORK (KRASS TRACT)

That part of the East half of the Southwest Quarter Section 34, Township 12 North, Range 6 East, of the 6th Principal Meridian, Lancaster County, Nebraska and being more particularly described as follows:

For the purpose of this legal description the South line of the Southwest Quarter has an assumed bearing of N 90°00'00" E.

Referring to the Southwest corner of Section 34; thence easterly on a bearing of N 90°00'00" E on the South line of the Southwest Quarter of said section, 1322.38 feet; thence northerly N 00°09'37" E, 50.00 feet, to a point of intersection on the northerly right-of-way line of Raymond Road; thence continuing on the last described bearing, on the West line of the East half of the Southwest Quarter of Section 34, 1318.70 feet, to the true point of beginning; thence northerly N 00°09'37" E, on said West line, 1278.92 feet, to a point of intersection on the North line of the Southwest Quarter of Section 34; thence easterly N 89°55'48" E, on said North line, 1318.33 feet; thence southerly S 00°04'22" W, on the East line of the East half of the Southwest Quarter of Section 34, 1280.63 feet; thence westerly S 90°00'00" W, on a line

parallel with the South line of the Southwest Quarter of Section 34, 1320.29 feet, to the true point of beginning.

Containing a total calculated area of 38.76 acres, more or less. Subject to all easements, restrictions, and reservations of record.