

RECEIVED

OCT 16 2014

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

LANCASTER COUNTY
CLERK

IN THE MATTER OF THE VACATION OF)
PORTIONS OF SW 28TH STREET, W. SIMON)
STREET AND W. FRYE STREET, MORE)
PARTICULARLY DESCRIBED IN EXHIBIT "A,")
AND LOCATED IN LANCASTER COUNTY,)
NEBRASKA)

R - 14 - 0068

RESOLUTION NO. _____

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722 (Reissue 2008), the Board of County Commissioners of Lancaster County, Nebraska (hereinafter referred to as the "County Board") directed the Lancaster County Engineering Department to conduct a study and submit a report regarding the use being made of portions of SW 28th Street, W. Simon Street and W. Frye Street, more particularly described in Exhibit "A," attached hereto and incorporated by this reference, all located in Lancaster County, Nebraska; and

WHEREAS, the Board has now received said report from the Engineering Department as well as a report from the Lincoln/Lancaster County Planning Department relative to the vacation of said road, both of which are attached hereto and incorporated by this reference; and

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1725, the Board conducted a public hearing on October 14, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the vacation of portions of SW 28th Street, W. Simon Street and W. Frye Street, more particularly described in Exhibit "A," is hereby approved and the land is to be sold to Pester Properties, LLC, at the fair market value of Five Thousand Dollars (\$5,000.00) subject to any restrictions, and easements in existence at the time of transfer.

BE IT FURTHER RESOLVED that prior to the transfer of ownership from Lancaster County to Pester Properties, LLC, Pester Properties, LLC, shall provide documentation to the

Lancaster County Attorney's Office evidencing the non-existence of utilities within the utility
easement areas.

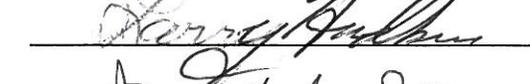
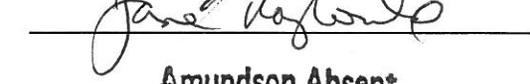
DATED this 21 day of October, 2014.

APPROVED AS TO FORM
this 21 day of
October, 2014.


for JOE KELLY
County Attorney

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA





Amundson Absent

Petition for Vacation of Public Road

The 40.00 foot wide platted Right-of-Way of S.W. 28th Street formerly known as 4th Street as originally platted in Werger's Addition to Martel Nebraska, from the South line of the 66.00 foot Right-of-Way line of W. Martel Road, formerly known as "A" Street as shown on Werger's Addition to Martel Nebraska, to the South line of the 60.00 foot Right-of-Way of W. Freye Street formerly known as "C" Street as originally shown on Werger's Addition to Martell Nebraska, all located in the NW 1/4 of Section 28, T8N, R6E P.M., Lancaster County, Nebraska.

The 53.00 foot wide platted Right-of-Way of W. Simon Street formerly known as "B" Street as originally platted on Werger's Addition to Martel Nebraska, from the East 40.00 foot Right-of-Way of S.W. 28th Street formerly known as 4th Street as originally platted in Werger's Addition to Martell Nebraska to the West line of the 16 foot wide alley Right-of-Way as originally platted in Werger's Addition to Martel Nebraska of Block 1 and 2, all located in the NW 1/4 of Section 28, T8N, R6E P.M., in Lancaster County, Nebraska.

The 60.00 wide platted W. Freye Street, formerly known as "C" Street as originally platted in Werger's Addition to Martel Nebraska from the East line of the Right-of-Way of 40.00 foot wide S.W. 28th Street formerly known as 4th Street as originally platted in Werger's Addition to Martel Nebraska from the West line of the 16.00 wide alley Right-of-Way of Block 2, Werger's Addition to Martel Nebraska, all located in the NW 1/4 of Section 28, T8N, R6E P.M., Lancaster County, Nebraska.