

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF FIXING THE DATE, )  
TIME AND PLACE FOR A PUBLIC )  
HEARING REGARDING A REQUEST TO ) RESOLUTION NO. R-16-0005  
VACATE PORTIONS OF SOUTH 54<sup>TH</sup> STREET, )  
MORE PARTICULARLY DESCRIBED IN )  
EXHIBIT "A", AND LOCATED IN LANCASTER )  
COUNTY, NEBRASKA )

WHEREAS, the Board of County Commissioners of Lancaster County, Nebraska, ("the Board"), pursuant to Neb. Rev. Stat. § 39-1722 (Reissue 2008), received a report from the Lancaster County Engineer and the Lincoln-Lancaster County Planning Department regarding the vacation of portions of South 54th Street, more particularly described in Exhibit "A," and located in Lancaster County, Nebraska; and

WHEREAS, the report from the Lancaster County Engineering Department is provided in Exhibit "B", which is attached hereto and incorporated by this reference.

NOW, THEREFORE, BE IT RESOLVED, by the Board as follows:

1) That a public hearing on the vacation for the aforesaid described road is hereby set for the 2<sup>nd</sup> day of February, 2016, at 9:00 a.m., or as soon thereafter as is practicable, in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska.

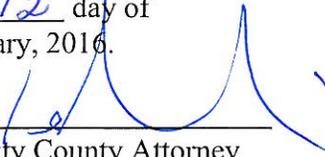
2) That the Lancaster County Clerk should be and hereby is directed to publish this resolution once a week for three consecutive weeks in a legal newspaper of the County and is further directed where possible to send copies of this resolution, either by registered or certified mail, to the owners of the land abutting on or adjacent to the portion of the road to be vacated, by mailing the same to the last known address of such owner not less than two weeks in advance of

the above-referenced hearing date.

DATED this 12 day of January, 2016, at the City County Building, Lincoln,  
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 12 day of  
January, 2016.

  
\_\_\_\_\_  
Deputy County Attorney  
for JOE KELLY  
Lancaster County Attorney

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Hudkins Absent.

\_\_\_\_\_  
Wittgen Absent

LANCASTER  
COUNTY

Pamela L. Dingman, P.E.  
County Engineer

ENGINEERING

DEPARTMENT

Kenneth D. Schroeder, R.L.S.  
Deputy County Surveyor

Date: January 5, 2016

To: Lancaster County Board of Commissioners

From: Ken Schroeder   
County Surveyor

Subject: Resolution No. R-15-0062  
Study to vacate a portion of (old) South 54<sup>th</sup> Street between Hickman Road and Relocated South 54<sup>th</sup> Street located in the SW ¼ of Section 28, T8N, R7E of the 6<sup>th</sup> P. M., Lancaster County, NE.

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Pursuant to Resolution R-15-0062, this office has reviewed the request for vacating a portion of Old South 54<sup>th</sup> Street between Hickman Road and Relocated South 54<sup>th</sup> Street as shown on enclosed Exhibit "A" located in the SW ¼ of Section 28, T8N, R7E of the 6<sup>th</sup> P. M., Lancaster County, Nebraska and would offer the following comments:

1. The area of proposed South 54<sup>th</sup> Street road vacation was deeded to Lancaster County on June 22, 1948 by warrant deed recorded in Deed Book 417, Page 323 and was acquired following the June 15, 1948 Resolution #675 vacating a one half mile portion of County Road #584 being along the west line of the SW ¼ of said Section 28 from Hickman Road to the Railroad right-of-way north.
2. The area of proposed road vacation consists of 1.33 acres of the 66' wide old South 54<sup>th</sup> Street road right-of-way which lies north of the north right-of-way line of Hickman Road and south of the southwesterly right-of-way line of relocated South 54<sup>th</sup> Street described in warranty deed instrument #2012-36862. (see exhibit "A")
3. The recent reconstruction and realignment of South 54<sup>th</sup> Street, Project C55-S-405(3) from Hickman Road to Roca Road has now left this part of old South 54<sup>th</sup> Street abandoned and of no use for road purposes. Also, in conjunction with grading Project C55-S-405(3), the old roadbed in the area of proposed road vacation has been eliminated, utility lines have relocated to the new right-of-way and a field access drive onto relocated South 54<sup>th</sup> Street has been constructed near the northerly end of proposed area of vacation.
4. This office has no immediate plans, nor has any long range plans that would include the need to utilize the 66' of old South 54<sup>th</sup> Street in the area of proposed road vacation and would therefore have no opposition to the vacation request subject to the following.
  - a. The abutting lands on either side of the area of proposed South 54<sup>th</sup> Street vacation which is of same private ownership to be combined with vacated South 54<sup>th</sup> Street to form one lot bordered by the existing right-of-ways of Hickman Road, relocated South 54<sup>th</sup> Street and B.N.S.F. Railroad.
  - b. That upon creation of the above mentioned combined single lot, vehicular access to the public roadway shall be limited to the one existing access drive constructed onto relocated South 54<sup>th</sup> Street and that vehicular access from this lot to Hickman Road will not be allowed.
  - c. That the land in question be sold as part of the vacation to the adjacent owners, but if no sale can be completed on terms that are in the County's best interests, then title to the land shall be retained by the County and may be sold at a later date.

Page Two

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5. The adjacent property to this vacation is located within the City of Hickman's 1-mile zoning jurisdiction and is currently under consideration for re-zoning by the City of Hickman Planning Commission.
6. Value at this time is unknown with an appraisal report forthcoming.

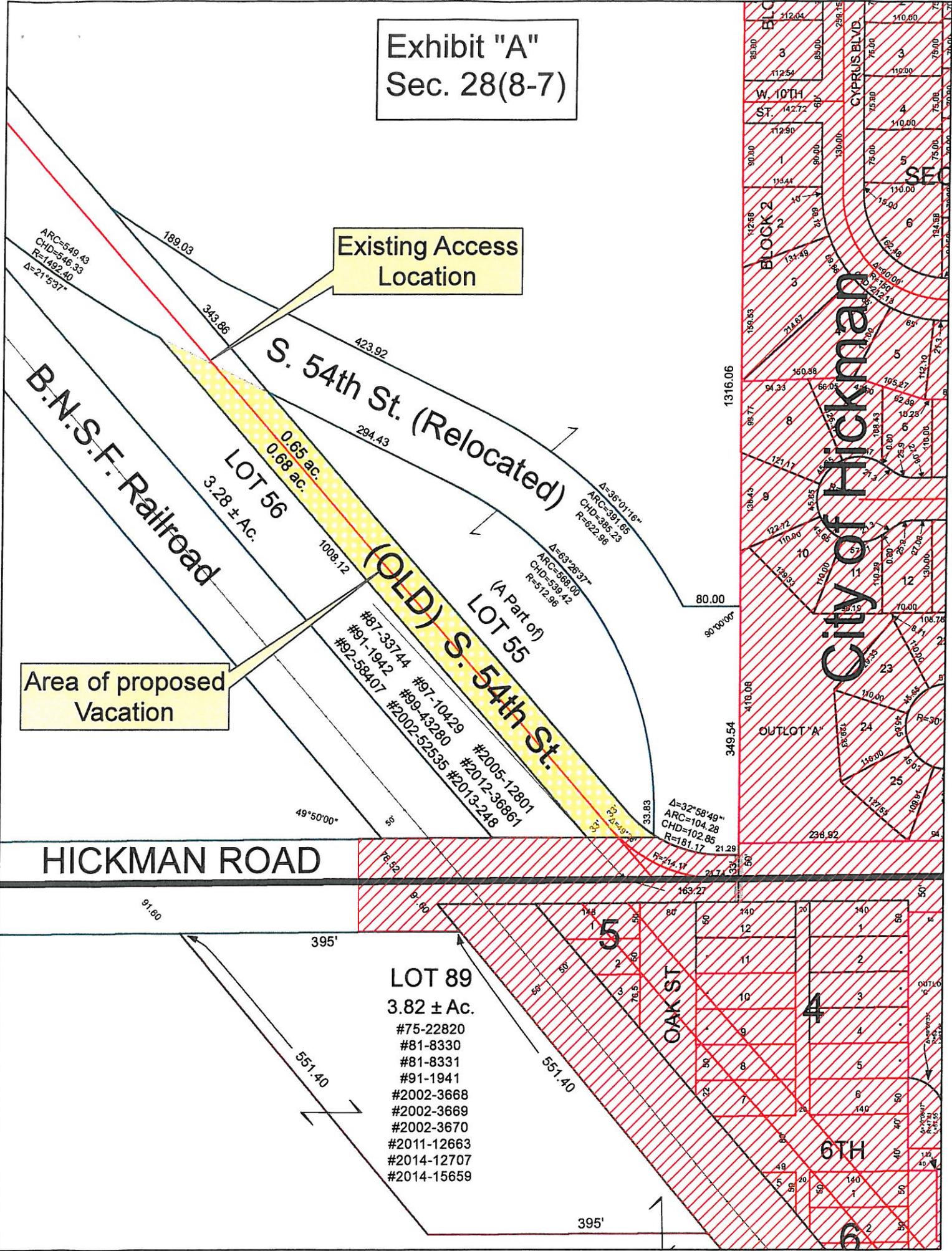
Enclosures

Cc: Pamela L. Dingman, P.E., Lancaster County Engineer  
James Shotkoski, Right-of-Way Manager  
David Derbin, Deputy County Attorney  
Michael Meyers, Hickman, City Administrator  
Kelly Lundgren, County Clerk's Office

Exhibit "A"  
Sec. 28(8-7)

Existing Access Location

Area of proposed Vacation





S. 54th St. (Relocated)

12/21/2015

South



HICKMAN ROAD

12/21/2015

North

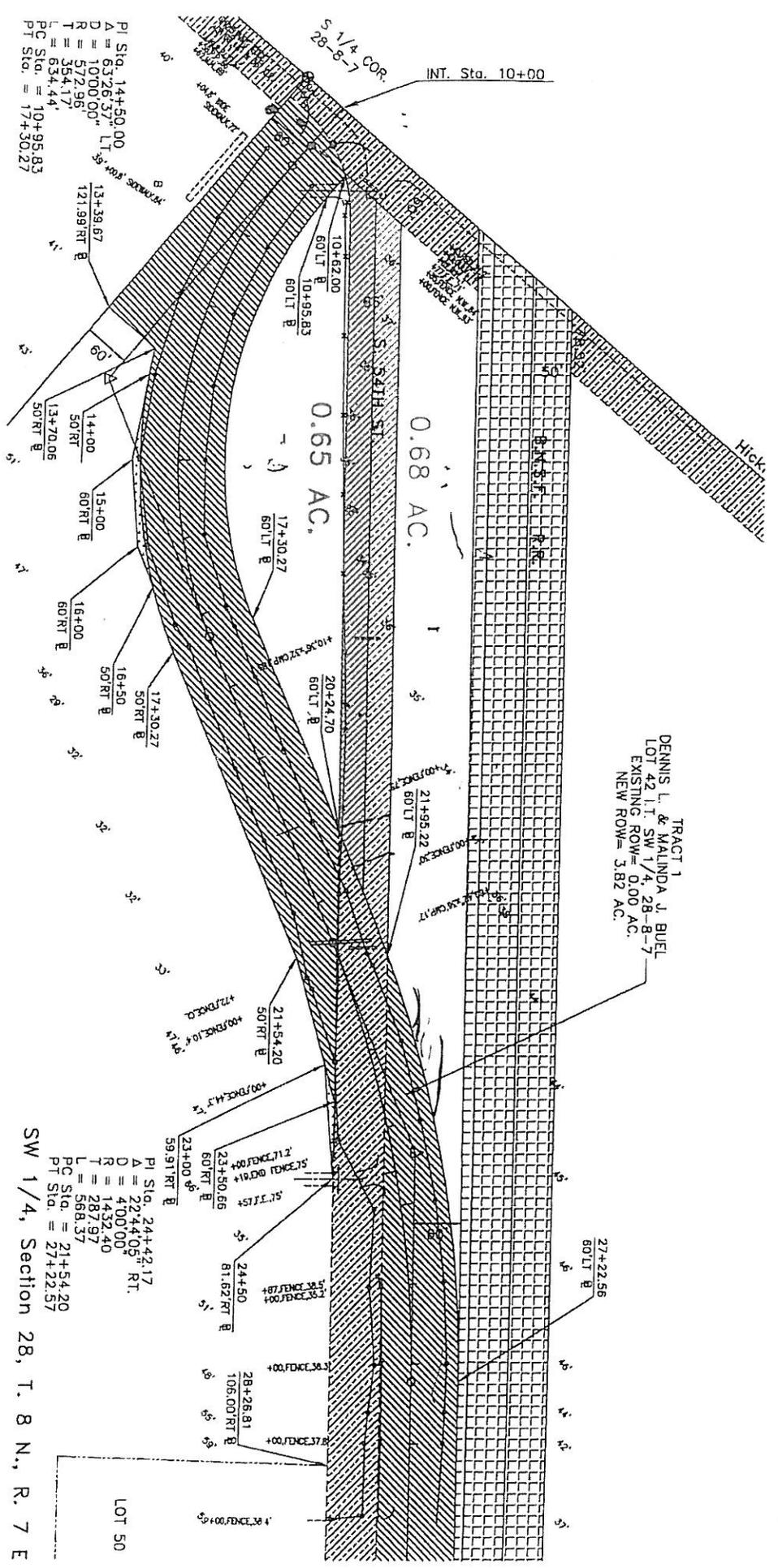


A portion of South 54<sup>th</sup> Street Right Of Way to be vacated  
South 54<sup>th</sup> St. (Hickman Rd. to Roca Rd.)

A part of the South 54<sup>th</sup> Street Right Of Way, located in the SW ¼, of Section 28, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said SW ¼; thence South 89 Degrees, 35 Minutes, 15 Seconds West, with the south line of said SW ¼, a distance of 163.27 feet to a point of intersection with the southeasterly extension of the westerly right of way line of South 54<sup>th</sup> Street; thence North 40 Degrees, 56 Minutes, 11 Seconds West, with the southeasterly extension of the westerly right of way line of South 54<sup>th</sup> Street, a distance of 78.93 feet to the point of beginning, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW ¼; thence continuing North 40 Degrees, 56 Minutes, 11 Seconds West, with the westerly right of way line of South 54<sup>th</sup> Street, a distance of 929.19 feet to a point; thence with a curve turning to the left, with a radius of 1492.40 feet, with a delta angle of 01 Degrees, 38 Minutes, 28 Seconds, with an arc length of 42.75 feet, said arc subtended by a chord which bears South 62 Degrees, 51 Minutes, 01 Seconds East, with a chord length of 42.75 feet to a point; thence South 63 Degrees, 40 Minutes, 16 Seconds East, a distance of 129.50 feet to a point of intersection with the easterly right of way line of South 54<sup>th</sup> Street; thence South 40 Degrees, 56 Minutes, 11 Seconds East, with the easterly right of way line of South 54<sup>th</sup> Street, a distance of 778.56 feet to a point; thence with a curve turning to the left, with the easterly right of way line of South 54<sup>th</sup> Street, with a radius of 181.17 feet, with a delta angle of 16 Degrees, 29 Minutes, 46 Seconds, with an arc length of 52.16 feet, said arc subtended by a chord which bears South 49 Degrees, 11 Minutes, 03 Seconds East, with a chord length of 51.98 feet to a point; thence South 00 Degrees, 13 Minutes, 38 Seconds East, a distance of 2.19 feet to a point, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW ¼; thence South 89 Degrees, 35 Minutes, 15 Seconds West, 60.00 feet north of and parallel with the south line of said SW ¼, a distance of 94.75 feet to the point of beginning.

Containing 1.33 acres, more or less.



PI Sta. = 14+50.00  
 Δ = 63°26'37"  
 D = 1000.00'  
 R = 572.96'  
 T = 354.17'  
 PC Sta. = 10+95.83  
 PT Sta. = 17+30.27

PI Sta. = 24+42.17  
 Δ = 22°44'09"  
 D = 400.00'  
 R = 1432.40'  
 T = 287.97'  
 PC Sta. = 21+54.20  
 PT Sta. = 27+22.57

TRACT 1  
 DENNIS L. & MALINDA J. BUEL  
 LOT 42 I.T. SW 1/4, 28-8-7  
 EXISTING ROW = 0.00 AC.  
 NEW ROW = 3.82 AC.

SW 1/4, Section 28, T. 8 N., R. 7 E

LOT 50