

RESOLUTION 2019- 30

WHEREAS: The Keith County Highway Department has requested to vacate two tracts described as follows:

TRACT 1- A tract more specifically described as commencing at the C ¼ of Section 7, Township 14 North, Range 38 West of the 6th P.M. Keith County Nebraska; thence West 33 feet to a point, also being the Point of Beginning; thence South parallel with the east line of the SW ¼ of said Section, a platted distance of 1389.83 feet; thence West 45 feet to the SE corner of Meadow Lake Subdivision; thence North on the east line of said Meadow Lake Subdivision, a platted distance of 1389.83 feet to the NE corner of said Meadow Lake Subdivision; thence East 48 feet to the Point of Beginning containing 1.50 acres, more or less;

TRACT 2 – A tract more specifically described as commencing at the C ¼ of Section 7, Township 14 North, Range 38 West of the 6th P.M. Keith County Nebraska; thence East 33 feet to a point, also being the Point of Beginning; thence South parallel with the west line of the SE ¼ of said Section, a platted distance of 1688.00 feet; thence East 11 feet to the SW corner of Amen’s First Subdivision; thence North on the west line of said Amen’s First Subdivision, a platted distance of 1688.00 feet to the NW corner of Said Amen’s First Subdivision; thence West 11 feet to the Point of Beginning containing 0.49 acres, more or less; and

WHEREAS: The Keith County Planning Commission at the February 7, 2019 meeting did conduct a public hearing on said petition after due notice had been published in the official county newspaper; and

WHEREAS: The Keith County Planning Commission after due consideration, recommended approval of the vacation request as described; and

WHEREAS: the Keith County Board of Commissioners at the regular meeting held February 27, 2019, deemed it would be in the public interest to vacate the public road and directed the County Highway Superintendent to perform a study on the feasibility of the road vacation; and

WHEREAS: The Keith County Board of Commissioners held a public hearing on the 3rd day of April, 2019 and received the report from Keith County Highway Superintendent Tim Ryan recommending the road vacation of Tract 1 and Tract 2 as described above with the following requirements:

Tract 1 approved with the following requirements:

- This access will be allowed only one common driveway that will be determined by the Keith County Highway Superintendent;
- This frontage road will be dedicated to the use of the Public and shall not be gated or made private;
- This frontage road will serve as access for the Meadow Lake Subdivision and all properties on the West side of Ogallala Beach Road in Section 7, Township 14 North, Range 38 West of the 6th P.M. Keith County Nebraska;
- The maintenance of this road will be the responsibility of the land owners of Meadow lake Subdivision and all other land owners who use it to for property access;

Tract 2 approved with no additional requirements;

WHEREAS: The Keith County Board of Commissioners, after due notice in the official county newspaper, did hold a public hearing on May 1, 2019, in the Keith County Courthouse on said request and recommendation; and

NOW THEREFORE BE IT RESOLVED, THAT: That the Keith County Board of Commissioners approve said petition to vacate Tract 1 and Tract 2 as described above with the petitioned vacated roads reverting as follows:

Tract 1: All 48’ x 1,389.83’ will revert to the Meadow Lake Subdivision to serve as access frontage road for Meadow Lake Subdivision and all properties on the West side of Ogallala Beach Road in Section 7, Township 14 North, Range 38 West of the 6th P.M. Keith County Nebraska;

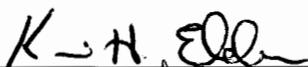
Tract 2: Will revert to each adjacent lot owner directly to the east of the road vacation;

- All 11’ x 328.05’ adjacent to Lot 1 Amens First Subdivision will revert to Kristei & Laura Jones;
- All 11’ x 241.53’ adjacent to Lot 2 Amens First Subdivision will revert to Michael & Rozanne Tuttle;
- All 11’ x 649.42’ adjacent to Lots 3, 4, and 5 Amens First Subdivision will revert to Ryan Tobin;
- All 11’ x 303.00’ adjacent to Lots 6 and 7 Amens First Subdivision will revert to Darrin & Tammy Padgett;
- All 11’ x 66.00’ adjacent to Bayview Court will revert to Amens First Subdivision’s Bayview Court;
- All 11’ x 100.00’ adjacent to Lot 10 Amens First Subdivision will revert to an undivided 1/5th shared interest to the owners of Lot 10 Amens First Subdivision;

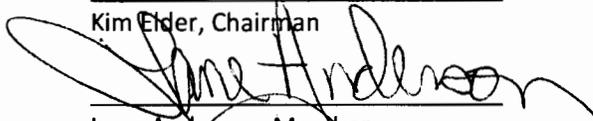
Said vacation does not apply to any current or future County, State or private utility easements.

Dated this 8th day of May, 2019.

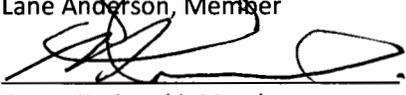
KEITH COUNTY NEBRASKA
BOARD OF COMMISSIONERS



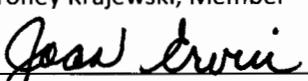
Kim Elder, Chairman



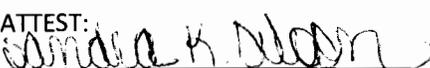
Lane Anderson, Member



Toney Krajewski, Member



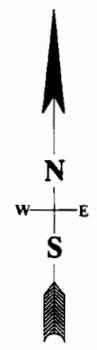
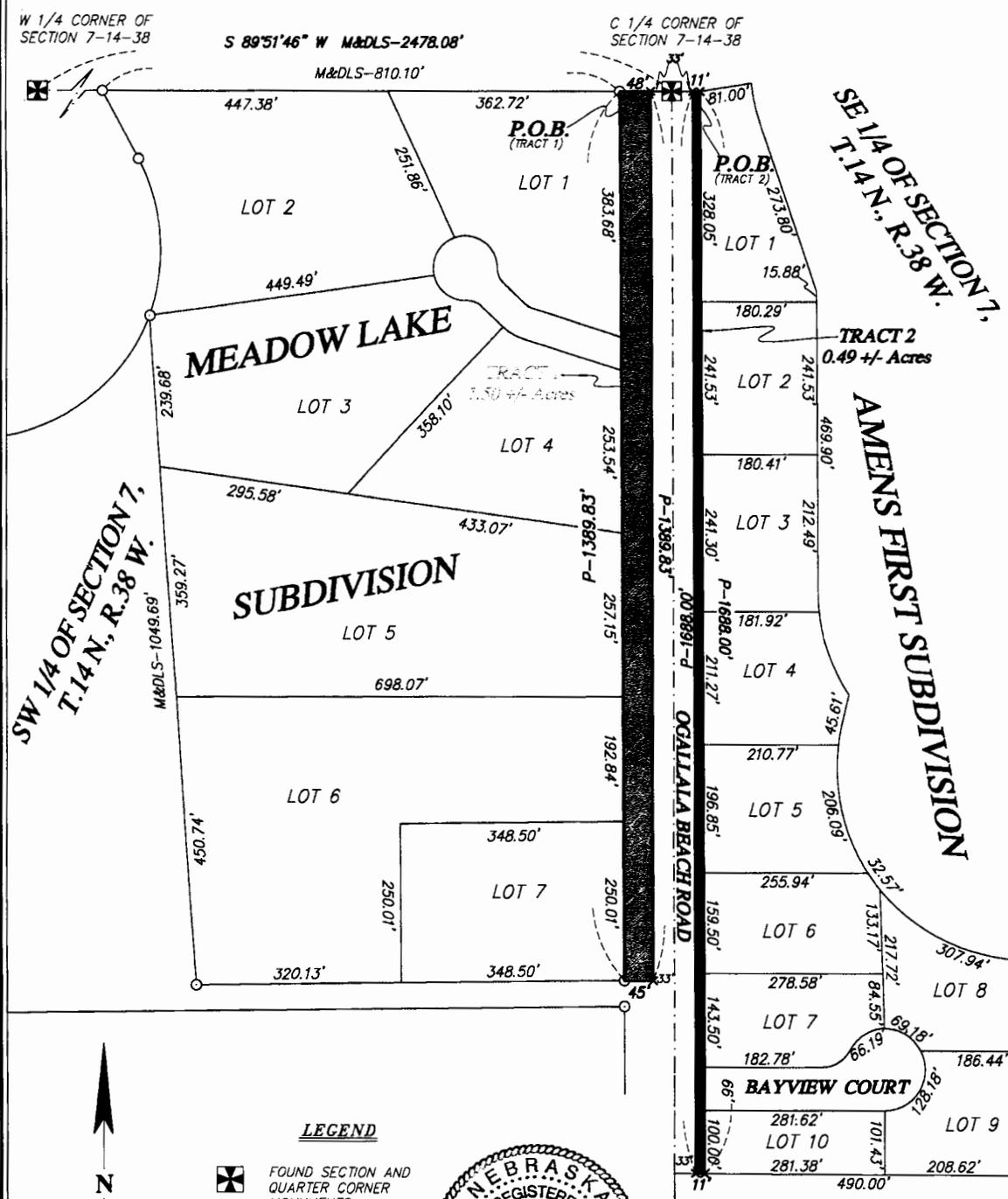
Joan Ervin, Member

ATTEST:


Sandra K. Olson, Keith County Clerk

Corey Crandall, Member

AN EXHIBIT OF VACATION OF ROAD RIGHT-OF-WAY OF OGALLALA BEACH ROAD, KEITH COUNTY, NEBRASKA



SCALE 1" = 200'

LEGEND

- FOUND SECTION AND QUARTER CORNER MONUMENTS
- FOUND MONUMENT 1/2" REBAR
- DLS- RYAN E. DICKINSON, RLS 554, DISTANCE
- M- MEASURED DISTANCE
- P- PLATTED DISTANCE
- X- TEMPORARY POINT



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SURVEYOR'S CERTIFICATE

I do hereby certify that, under my personal supervision, this exhibit was prepared and completed this 25th day of September 2018, and is correct to the best of my knowledge.

[Signature]
 Ryan E. Dickinson, Registered Land Surveyor
 Nebraska Reg. No. 554

DICKINSON LAND SURVEYORS, INC.
 NEBRASKA AND COLORADO CERTIFIED
 302 DIAMOND SPRINGS TRAIL, OGALLALA, NEBRASKA 69153
 OFFICE: 308-284-8440 www.dickinsonlandsurveyors.com

**AN EXHIBIT OF VACATION OF ROAD
RIGHT-OF-WAY OF OGALLALA BEACH ROAD,
KEITH COUNTY, NEBRASKA**

LEGAL DESCRIPTION FOR TRACT 1:

A tract of land located in the SW 1/4 of Section 7, T.14 N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows:

Commencing at the C 1/4 corner of Section 7, T.14 N., R.38 W. of the 6th P.M., Keith County, Nebraska; thence West 33 feet to a point, also being the Point of Beginning; thence South parallel with the east line of the SW 1/4 of said Section, a platted distance of 1389.83 feet; thence West 45 feet to the SE corner of Meadow Lake Subdivision; thence North on the east line of said Meadow Lake Subdivision, a platted distance of 1389.83 feet to the NE corner of said Meadow Lake Subdivision; thence East 48 feet to the Point of Beginning containing 1.50 acres, more or less.

LEGAL DESCRIPTION FOR TRACT 2:

A tract of land located in the SE 1/4 of Section 7, T.14 N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows:

Commencing at the C 1/4 corner of Section 7, T.14 N., R.38 W. of the 6th P.M., Keith County, Nebraska; thence East 33 feet to a point, also being the Point of Beginning; thence South parallel with the west line of the SE 1/4 of said Section, a platted distance of 1688.00 feet; thence East 11 feet to the SW corner of Amen's First Subdivision; thence North on the west line of said Amen's First Subdivision, a platted distance of 1688.00 feet to the NW corner of said Amen's First Subdivision; thence West 11 feet to the Point of Beginning containing 0.49 acres, more or less.

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