

RESOLUTION 07-35

A RESOLUTION APPROVING CONSERVATION EASEMENT FOR THE CENTRAL PLATTE NATURAL RESOURCES DISTRICT

WHEREAS, CHARLES B. RUZICKA, TRUSTEE OF THE CHARLES B. RUZICKA LIVING TRUST, U/T/A dated November 23, 1993, is the owner of the following described real estate, to-wit:

A tract of land in the East One-Half of Section Thirty (30), Township Nine (9) North, Range Twenty-One (21) West of the 6th P.M., Dawson County, Nebraska, and more particularly described as follows:

Referring to the Northeast Corner of Section Thirty (30), Township Nine (9) North, Range Twenty-One (21) West of the 6th P.M., Dawson County, Nebraska; thence South (assumed bearing), and along the East Line of said Section Thirty (30), a distance of 110.0 feet to the Point of Beginning; thence continue South, and along the East Line of said Section Thirty (30), a distance of 2801.88 feet; thence S 84°41' W, a distance of 2648.22 feet to a point on the West Line of the East Half (E½) of Section Thirty (30); thence North, and along the West Line of the East Half (E½) of said Section Thirty (30), a distance of 3039.15 feet; thence N 89°49'30" E, and 110 feet South of the North line of the Northeast Quarter of said Section Thirty (30), and along the South Right-of-Way Line of State Highway No. 283, a distance of 2636.95 feet to the place of beginning, LESS AND EXCEPT that tract of land conveyed to Dawson County Public Power District by Trustee's Deed dated 12/9/05 and recorded 12/13/05 at Inst. No. 2005-5272.

and

WHEREAS, the Central Platte Natural Resources District is desirous of obtaining a conservation easement from CHARLES B. RUZICKA, TRUSTEE OF THE CHARLES B. RUZICKA LIVING TRUST, U/T/A dated November 23, 1993, on the real estate legally described hereinabove and CHARLES B. RUZICKA, TRUSTEE OF THE CHARLES B. RUZICKA LIVING TRUST, U/T/A dated November 23, 1993 is desirous of selling a conservation easement to the Central Platte Natural Resources District on the real estate legally described hereinabove; and

WHEREAS, Central Platte Natural Resources District and CHARLES B. RUZICKA, TRUSTEE OF THE CHARLES B. RUZICKA LIVING TRUST, U/T/A dated November 23, 1993, have submitted a request to The City of Lexington, Nebraska for the approval of a conservation easement on the real estate legally described hereinabove; and

WHEREAS, pursuant to NEB. REV. STAT. §76-2,112 (2003), on October 9, 2007, the City of Lexington forwarded the easement request to the City of Lexington Planning and Zoning Commission for their review and recommendations regarding the conformity of the proposed acquisition to comprehensive planning for the area; and

WHEREAS, also pursuant to NEB. REV. STAT. §76-2,112 (2003) on November 7, 2007, the City of Lexington Planning and Zoning Commission recommended approval of the easement at their regularly scheduled meeting; and

NOW, BE IT RESOLVED by the City of Lexington that the designated conservation easement on the real estate legally described hereinabove and more specifically set forth in the Deed of Conservation Easement attached hereto as Exhibit "A" and incorporated herein by this reference, should be, and hereby is, approved.

Resolution moved by Council Member Steve Tomasek

Seconded by Council Member John Salem

Vote:

Mayor Fagot:	For <u>X</u> ;	Against _____;	Abstained _____;	Not Present _____
Council Member Tomasek:	For <u>X</u> ;	Against _____;	Abstained _____;	Not Present _____
Council Member Bennett:	For <u>X</u> ;	Against _____;	Abstained _____;	Not Present _____
Council Member Miller:	For <u>X</u> ;	Against _____;	Abstained _____;	Not Present _____
Council Member Salem:	For <u>X</u> ;	Against _____;	Abstained _____;	Not Present _____

PASSED AND ADOPTED this 13th day of November, 2007.



Pam Berke, Deputy City Clerk

CITY OF LEXINGTON

John Fagot, Mayor