

RESOLUTION 2011-10

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

WHEREAS, LOGAN C. KINNISON and ANNE STUART KINNISON, husband and wife, and MARY C. STUART, a single person, are the owners of the following described real estate, to-wit:

A tract of land in the East One-Half of Section Four (4), 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 North One-Quarter Corner of Section Four (4), Township Nine (9) North, Range Twenty-One (21) West of the 6th P.M., Dawson County, Nebraska; Thence S 0°45'11" W (an assumed bearing), and along the West Line of the Northeast Quarter of said Section Four (4), a distance of 50.00 feet, to the Point of Beginning; Thence continuing S 0°45'11" W, and along the West Line of the Northeast Quarter of said Section Four (4), a distance of 2598.37 feet, to the Center One-Quarter Corner of said Section Four (4); Thence S 89°31'46" E, and along the South Line of the Northeast Quarter of said Section Four (4), a distance of 791.20 feet; Thence N 05°28'14" E, a distance of 328.00 feet; Thence S 55°54'31" E, a distance of 590.13 feet; Thence S 89°31'46" E, and along the South Line of the Northeast Quarter of said Section Four (4), a distance of 94.20 feet; Thence S 18°47'51" E, a distance of 123.07 feet; Thence N 45°12'11" E, a distance of 163.53 feet; Thence S 89°31'46" E, and along the South Line of the Northeast Quarter of said Section Four (4), a distance of 106.00 feet; Thence S 55°12'36" E, a distance of 588.80 feet; Thence S 89°31'46" E, and parallel to the South Line of the Northeast Quarter of said Section Four (4), a distance of 27.00 feet; Thence N 01°16'59" E, and parallel to the East Line of the Southeast Quarter of said Section Four (4), a distance of 332.00 feet; Thence S 89°31'46" E, and along the South Line of the Northeast Quarter of said Section Four (4), a distance of 427.00 feet; Thence N 00°14'32" W, and parallel to the East Line of the Northeast Quarter of said Section Four (4), a distance of 2441.90 feet; Thence N 89°42'58" W, and along the South Line of part of Lots 4-26 of Bacon's Subdivision, and also parallel to the North Line of the Northeast Quarter of said

Section Four (4), a distance of 2211.02 feet; Thence S 00°17'02" W, a distance of 42.00 feet; Thence N 89°42'58" W, and parallel to the North Line of the Northeast Quarter of said Section Four (4), a distance of 310.00 feet; Thence N 00°17'02" E, and along the West Line of Lot 1 of Bacon's 1st Subdivision, a distance of 207.00 feet, to the Northwest Corner of Lot 1, Bacon's 1st Subdivision; Thence N 89°42'58" W, and parallel to the North Line of the Northeast Quarter of said Section Four (4), a distance of 47.90 feet, to the place of beginning and containing 145.23 acres, more or less, EXCEPT a tract of land in the Northeast Quarter (NE¼) of Section Four (4), Township Nine (9) North, Range Twenty-One (21) West of the Sixth Principal Meridian, Dawson County, Nebraska, more particularly described as follows: Referring to the Southwest corner of said quarter section thence S89°31'46"E (an assumed bearing and all bearings shown herein are relative thereto) on the south line of said Northeast Quarter a distance of 33.00 feet to the point of beginning said point is on the Easterly right of way of Spring Creek; thence continuing S89°31'46"E on said south line a distance of 505.48 feet; thence N01°19'38"E a distance of 517.30 feet to the Southerly right-of-way line of Nebraska Public Power District's irrigation lateral; thence N51°50'38"W on said south line a distance of 77.60 feet; thence N38°52'23"W continuing on said south line a distance of 131.80 feet; thence N31°52'22"W continuing on said south line a distance of 704.00 feet to the easterly right-of-way line of Spring Creek; thence S00°45'03"W on said line a distance of 1238.58 feet to the place of beginning. Said tract contains 10.11 acres, more or less.

WHEREAS, the Central Platte Natural Resources District is desirous of obtaining a conservation easement from LOGAN C. KINNISON and ANNE STUART KINNISON, husband and wife, and MARY C. STUART, a single person, on the real estate legally described hereinabove and LOGAN C. KINNISON and ANNE STUART KINNISON, husband and wife, and MARY C. STUART, a single person, 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 LOGAN C. KINNISON and ANNE STUART KINNISON, husband and wife, and MARY C. STUART, a single person, 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 July 27, 2010, 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 August 4, 2010, 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 Linda Miller

Seconded by Council Member Steve Tomasek

Vote:

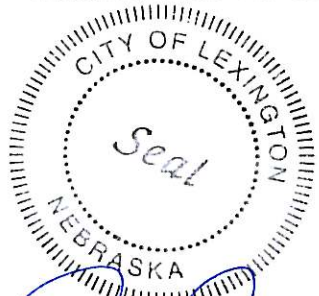
Mayor Fagot:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Council Member Tomasek:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Council Member Bennett:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Council Member Miller:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Council Member Salem:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>

PASSED AND ADOPTED this 8th day of March, 2011.

CITY OF LEXINGTON

John B. Fagot

John Fagot, Mayor



Pam Berke

Pam Berke, City Clerk