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SEP 01 2011

LANCASTER COUNTY
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE VACATION OF A)
PORTION OF LOT 2, LOCATED AT A POINT)
IN THE SOUTHWEST QUARTER OF SECTION)
4, TOWNSHIP 7 NORTH, RANGE 6 EAST OF)
THE SIXTH PRINCIPAL MERIDIAN,)
LANCASTER COUNTY, NEBRASKA)

RESOLUTION NO. R-11-0065

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722 (Reissue 2008), the Board of Commissioners of Lancaster County, Nebraska (“the Board”), directed the Lancaster County Engineering Department to conduct a study and submit a report regarding the use being made of Lot 2, Irregular Tract located at a point in the Southwest Quarter of Section 4, Township 7 North, Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska, more particularly described in the diagram depicted in Exhibit “A”, which is attached hereto and incorporated by this reference; 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 (Reissue 2008), the County Board conducted a public hearing on August 30, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the vacation of the above-described road is hereby approved and the land is to revert to the adjacent property owners subject to any restrictions and easements, including utility easement, and subject to the following conditions:

1. That portion of Lot 2 lying south of a line 50 feet north of the south line of the

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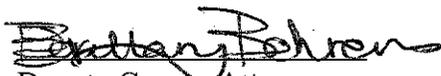
SW 1/4 of Section 4 shall be retained by Lancaster County.

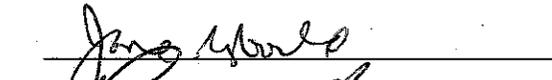
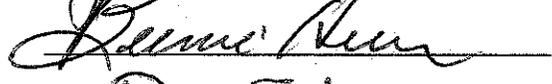
2. Ownership of the south 50 feet of Lot 15 will be deeded to Lancaster County.
3. Ownership of the south 50 feet of Lot 16 will be deeded to Lancaster County.
4. Ownership of the south 17 feet of Lot 4 will be deeded to Lancaster County.

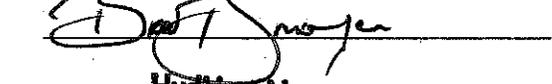
DATED this 6 day of September, 2011, at the City County Building, Lincoln,
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this 6 day of
September, 2011.


Deputy County Attorney
for JOE KELLY
Lancaster County Attorney


Hudkins Absent

FOUR

OUTLOT "B"

STONES

OUTLOT "C"

ADDITION

LOT 14
3.90 ± Ac.

4200-6450
4200-6450
4200-21425
74.00

OUTLOT "D"

NO SURVEY

LOT 15

57.81 ± Ac. Total

57.72 ± Ac. Net

42011-22213

NO SURVEY

LOT 16

19.79 ± Ac. Total

19.44 ± Ac. Net

Deed Book 4327, p. 22
81-2201
81-2202
81-2203
8201-22015

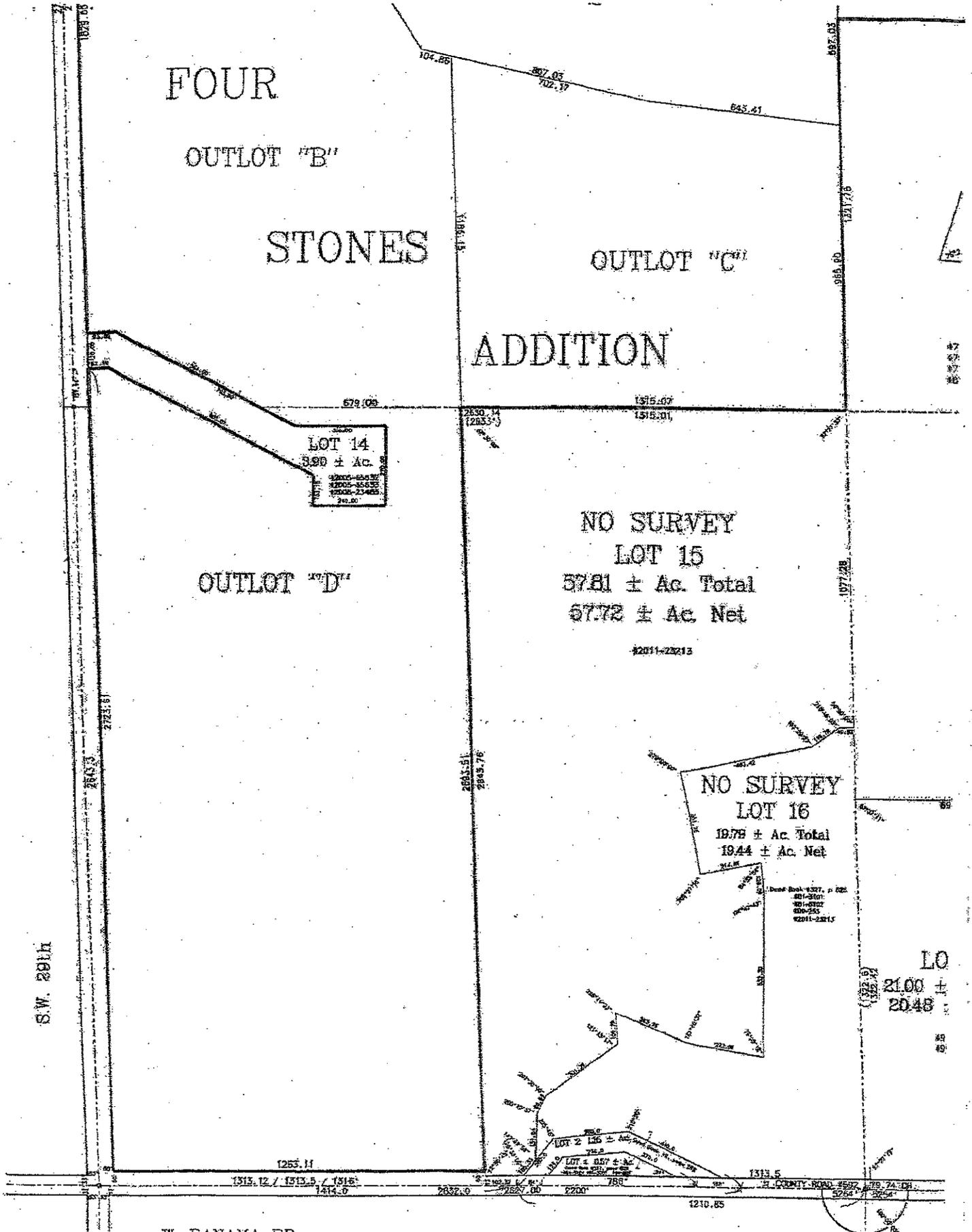
LO

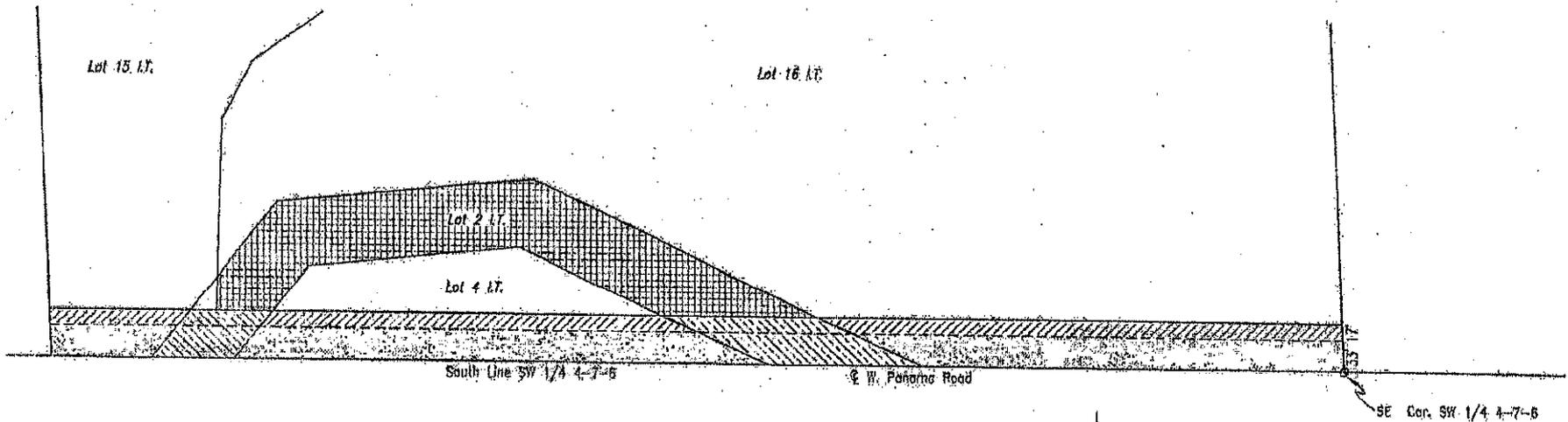
21.00 ±
20.48 ±

48
49

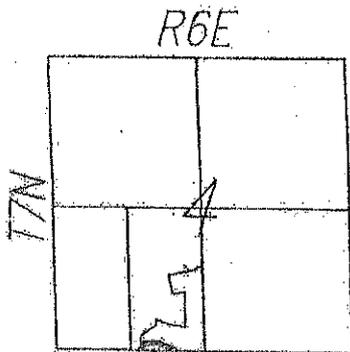
S.W. 28th

W. PANAMA RD.





SITUATION SKETCH



LEGEND

Vacated Area to Lot 15	
Vacated Area to Lot 10	
New ROW	
Statutory Eas. ROW	
County Owned ROW	

LOT 15
Gana Farms, L.L.C.

Section 4, T7N-R6E

LOT 16
Craig A. and Lori A. Gana

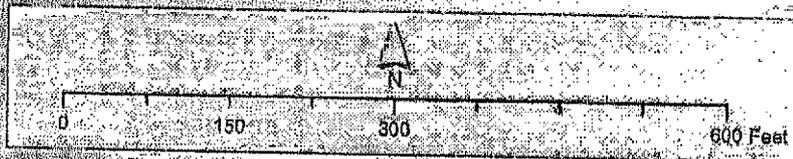
LOT 2
LOT 4
Craig A. and Lori A. Gana

W. PANAMA RD.

County Road #592

NW1/4
Wiedman, Lynn E. Trustee
Attn. United Farm and Ranch Mgmt.
P.O. Box 85506
Lincoln, NE 68501-3009

Section 9, T7N-R6E



CB/GT/KPE
LANCASTER

COUNTY
ENGINEERING

Don R. Thomas
County Engineer

Kenneth D. Schroeder - Deputy
County Surveyor

DEPARTMENT

DATE: July 19, 2011
TO: Lancaster County Board of Commissioners
FROM: Ken D. Schroeder
County Surveyor *Ken D. Schroeder*
SUBJECT: RESOLUTION R-11-0045 STUDY TO VACATE LOT 2, IRREGULAR TRACT
LOCATED IN THE SW 1/4 OF SECTION 4, T7N, R6E, OF THE 6TH P.M.,
LANCASTER COUNTY, NEBRASKA

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LANCASTER COUNTY
BOARD

Pursuant to Resolution R-11-0045, this office has reviewed the request to vacate subject Lot and would offer the following comments:

- 1) Lot 2, of irregular tracts, is approximately 1.15 acres of land deeded to Lancaster County on July 5, 1881 recorded at the Register of Deeds' Office in Deed Book 9 on Page 578.
- 2) Lot 2, of irregular tracts, was acquired to allow a short segment of Petitioned County Road #592 to go around the northerly side of an ox-bow in Spring Branch Salt Creek instead of having two additional creek crossings.
- 3) The portion of County Road #592 which occupied Lot 2, irregular tracts, is believed to have been realigned and the road straightened to follow the section line sometime between the late 1930's to the mid 1940's.
- 4) We find that the portion of Lot 2, irregular tracts, lying north of the current northerly right-of-way line of West Panama Road is no longer graded or needed for road purposes and is currently used and maintained by the adjacent property owner.
- 5) It is unknown if there are any existing utility easements of use in this area therefore, if approved a blanket utility easement may need to be considered.
- 6) This office has no immediate plans, nor any long-range plans that would include the need to retain the majority of this property.

Page Two

RESOLUTION R-11-0045 STUDY TO VACATE LOT 2, IRREGULAR TRACT
LOCATED IN THE SW¼ OF SECTION 4, T7N, R6E, OF THE 6TH P.M.,
LANCASTER COUNTY, NEBRASKA

Therefore, this office would recommend approval of the requested vacation and ownership transferred to the adjacent owners with the following conditions:

- a) That portion of Lot 2 lying south of a line 50 feet north of the south line of the SW¼ of Section 4 be retained by Lancaster County.
- b) Ownership of the south 50 feet of Lot 15 be deeded to Lancaster County.
- c) Ownership of the south 50 feet of Lot 16 be deeded to Lancaster County.
- d) Ownership of the south 17 feet of Lot 4 be deeded to Lancaster County.

Enclosures

cc: Mike Dekalb, Planning Department
Jim Shotkoski, Right-of-Way Manager

MEMORANDUM

DATE: July 25, 2011

TO: Lancaster County Board

FROM: Mike DeKalb, Planning 

RE: Request for Vacation of a portion of W. Panama Road, a.k.a. Lot 2, east of SW 29th street.

CC: Marvin Krout
Steve Henrichsen
Sara Hartzell
Ken Schroeder
Terry Kathe
DaNay Kalkowski

In accordance with County Resolution #3049, the Planning Department has reviewed the request for the vacation of a portion of W. Panama Road (a.k.a. Lot 2), in the SW Quarter of Section 4, Township 7 North, Range 6 East of the Sixth Principle Meridian, Lancaster County, NE.

This County Road is not shown in the Lincoln-Lancaster County Comprehensive Plan for future paving or as anything other than a local county road. The land adjacent to this road is shown as Agriculture.

Lot 2 appears to be a remnant portion of what was W. Panama Rd., created by deed in 1881. The road has since been straightened to follow the section line and there is no current road existent on Lot 2.

The abutting property is zoned AG Agriculture. The existing Gana trucking operating at this site is a pre-existing "grandfathered" use.

This vacation would not appear to create any lots or parcels without frontage or access to a county road.

The vacation does not appear to cause or create any issues or problems and would not be considered in conflict with the Plan.

If sold, Lots 2 and 4 should be joined with Lot 1 and an exchange be conditioned with the sale to retain an additional 17 feet of right-of-way on W. Panama Rd. to match that abutting to the west, along all of the repackaged and renumbered Lot 1.

LOT 1

37.92 | Ac. Total

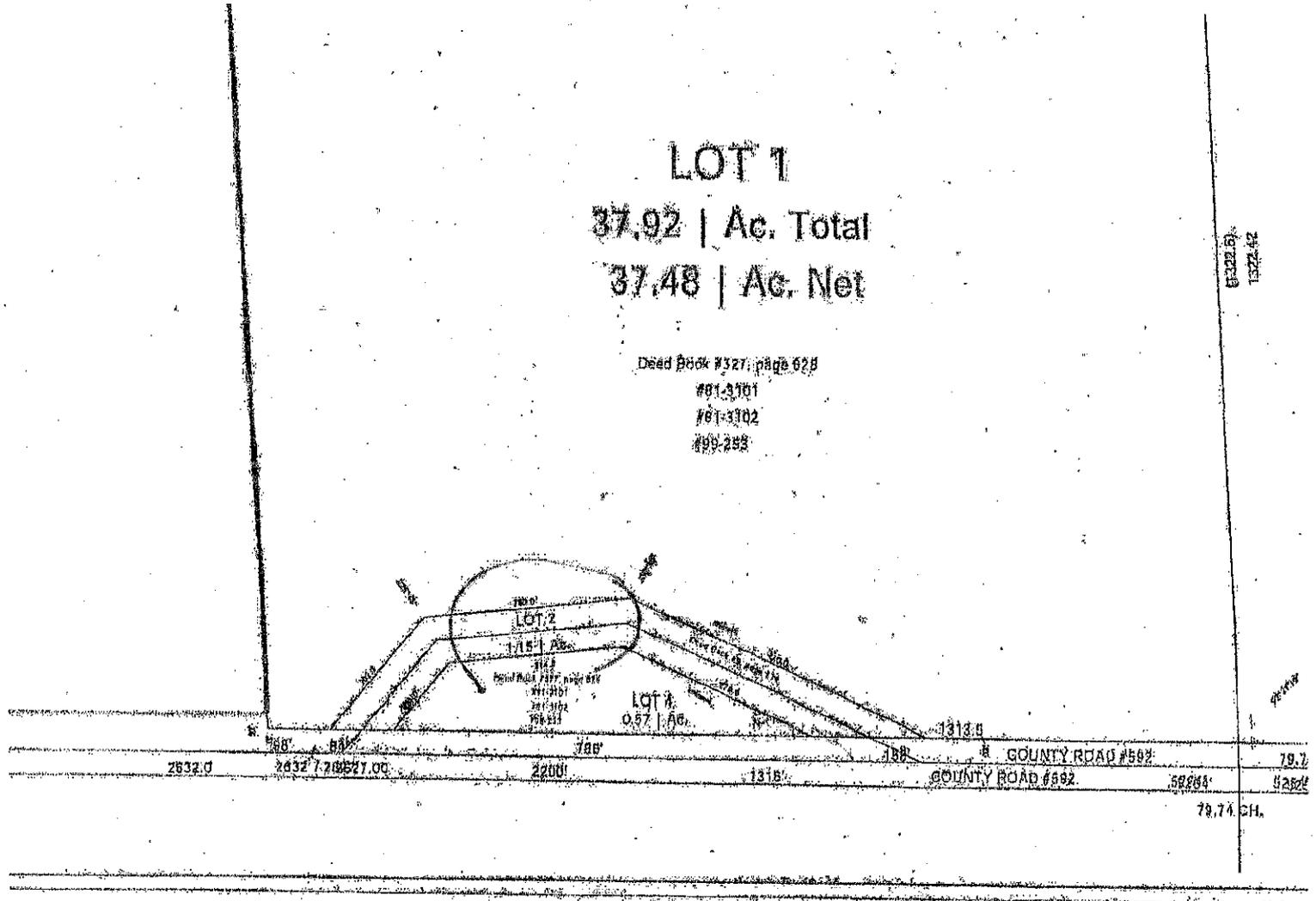
37.48 | Ac. Net

Deed Book #327, page 62B

#01-3701

#01-3702

#01-255



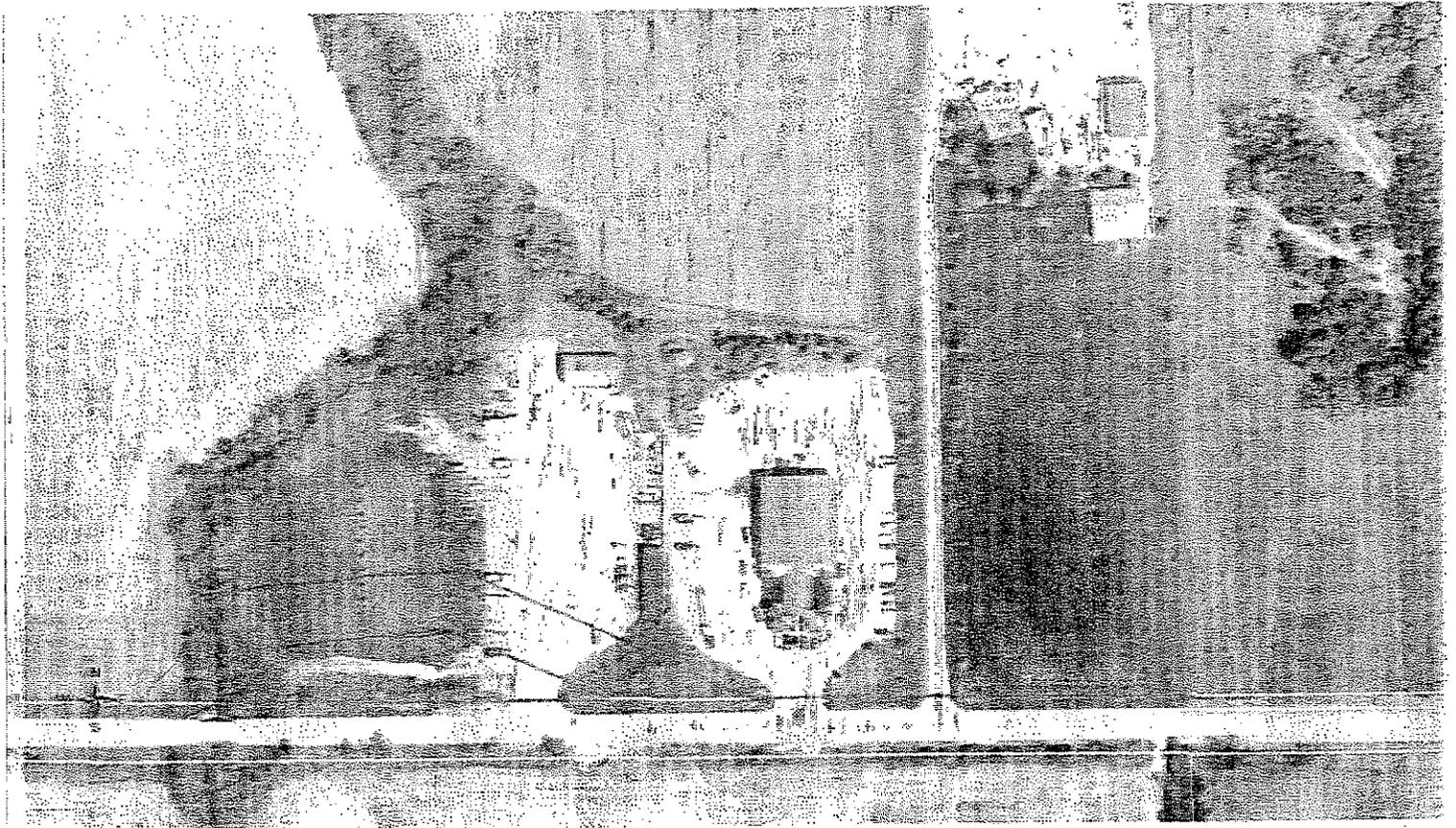
City of Lincoln/Lancaster County GIS Map



Printed on Wed Jan 22 2014 11:03:43 AM.

City of Lincoln/Lancaster County GIS Map

W. Panama Rd vacation



Printed on Tue Jul 19 2011 01:55:40 PM.