

**RESOLUTION NO. 2009-5**

A RESOLUTION ACCEPTING A PLAN TO EXTEND CITY SERVICES AND SETTING A PUBLIC HEARING ON THE PROPOSED ANNEXATION AREA TO THE CITY OF WAYNE.

WHEREAS, Section 16-177 N.R.S. 1943 (R.S. Supp. 1990) grants the authority for Cities of the First Class to annex, by ordinance, any contiguous or adjacent lands, lots, tracts, streets, or highways as are urban or suburban in character and in such direction as said City may deem proper; and

WHEREAS, the owner of certain property, contiguous and adjacent to the City, has requested the annexation of the property; and

WHEREAS, the City of Wayne, Nebraska, desires to exercise said power by annexing contiguous and adjacent land as subsequently described herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Wayne, Nebraska, that the City of Wayne is considering the annexation of land and a plan for extending City services to said land, as the same has been requested by the property owner; that a public hearing be held on the 3<sup>rd</sup> day of February, 2009, at or about 5:30 P.M. in the Council Chambers of Wayne, Nebraska, located in the Municipal Building at 306 Pearl Street, Wayne, Nebraska, for the purpose of receiving testimony from interested persons; and that the legal description of the land proposed for annexation is as follows:

A tract of land located in the SW 1/4 of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska, described as follows:

Commencing from the southwest corner of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska; thence N02°29'51"W on the west line of said Section 8, a distance of 523.31 feet; thence N59°08'27"E, a distance of 672.04 feet to the NE corner of Gerhold Subdivision and the point of beginning; thence N59°10'15"E on the northwesterly Right-of-Way of the abandoned Chicago & Northwestern Railway Company, a distance of 484.17 feet; thence N30°49'31"W along the westerly line of Lot 3 of the Replat of Administrative Lot Split of Tompkins Industrial Tract #1 Subdivision, a distance of 239.82 feet; thence N30°52'07"W along the westerly line of Lot 1 of said Subdivision, a distance of 304.56 feet; thence S42°31'48"W along the easterly line of Lot 3 of Kardell Industrial Park Subdivision a distance of 89.72 feet; thence S87°30'50"W along the south line of said Lot 3, a distance of 415.39 feet; thence S87°30'50"W along the south line of Lot 1 of Kardell Industrial Park Subdivision, a distance of 246.68 feet to a point on the easterly Right-of-Way of Centennial Road; thence N02°29'51"W along said Right-of-Way, a distance of 229.81 feet; thence S87°32'38"W a distance of 66.00 feet to a point on the westerly Right-of-Way of Centennial Road; thence N02°29'51"W along said Right-of-Way, a distance of 280.00 feet; thence N87°32'38"E a distance of 66.00 feet to SW corner of Lot 2 of Kardell Industrial Park Subdivision and the north Right-of-Way of Summerfield Drive; thence N87°32'38"E along the said north Right-of-Way, a distance 1054.46 feet to the NW corner of Lot 4 of Kardell Industrial Park Subdivision; thence N87°32'38"E along the north line of said Lot 4, a distance of 929.52 feet to the NE corner of said Lot 4; thence N33°54'27"E along the westerly line of Lot 5 of said subdivision, a distance of 300.01 feet; thence N05°02'06"E along said line, a distance of 367.92 feet to a point on the south Right-of-Way of West 14<sup>th</sup> Street; thence N02°14'53"W to a point on the E-W 1/4 line of Section 8, a distance of 33.00 feet; thence N87°45'07"E along said line, a distance of 141.87 feet to a point on the centerline of Logan Creek; thence

S09°44'49"E along said line a distance of 33.28 feet; thence S09°44'49"E along said line, a distance of 216.72 feet; thence S18°11'11"W along said line, a distance of 50.00 feet, thence S33°08'49"E along said line, a distance of 75.00 feet; thence S11°20'49"E along said line, a distance of 100.00 feet; thence S04°17'11"W along said line, a distance of 90.00 feet; thence S11°13'30"E along said line, a distance of 92.55 feet; thence S47°37'11"W along said line, a distance of 60.00 feet; thence S11°56'39"E along said line, a distance of 61.00 feet; thence S39°25'46"E along said line, a distance of 60.70 feet to the northerly Right-of-Way of the abandoned Chicago & Northwestern Railway Company; thence S48°10'59"E along the centerline of Logan Creek, a distance of 104.50 feet to a point on the southerly Right-of-Way of the abandoned Chicago & Northwestern Railway Company; thence S59°08'05"W on the southeasterly line of the abandoned Chicago & Northwestern Railway Company Right-of-Way, a distance of 153.13 feet; thence S59°08'05"W on said line, a distance of 1002.65 feet; thence S59°09'54"W on said line, a distance of 80.00 feet; thence S59°09'54"W on said line, a distance of 915.03 feet; thence N30°49'45"W on the easterly line of Gerhold Subdivision, a distance of 99.98 feet to the point of beginning, containing 39.02 acres, more or less.

BE IT FURTHER RESOLVED, that the plan of the City of Wayne, Nebraska, for the extension of City services to the aforescribed land proposed for annexation is available for public inspection during regular business hours in the office of the City Clerk at 306 Pearl Street, Wayne, Nebraska.

PASSED AND APPROVED this 20<sup>th</sup> day of January, 2009.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_

City Attorney