

## ORDINANCE NUMBER 20-033

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to, the City of Beatrice, Nebraska a parcel of land owned by Mosaic, a Nebraska nonprofit corporation, which is adjacent, contiguous, and located in or near the City of Beatrice, Gage County, Nebraska; to provide service benefits thereto; to repeal conflicting ordinances; and to provide for publication in pamphlet form and effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA;

**SECTION 1.** It is hereby found and determined by the Mayor and City Council of the City of Beatrice, Nebraska, that:

- a. The tract of land and streets and highways located in Gage County, Nebraska, as hereinafter more particularly described, are urban and suburban in character and not agricultural and rural in character, and that the subject property is contiguous and adjacent to the corporate limits of said City;
- b. Police, Fire, snow removal, City water, sanitary sewer, and electric services are available as provided by law; and
- c. There is a unity of interest in the use of such parcel of land and streets, and highways with the use of lots, lands, streets and highways in the City and the community convenience and welfare and interest of said City will be enhanced through incorporating such parcel of land and streets and highways within the corporate limits of said City.

**SECTION 2.** That the boundaries of the City of Beatrice, Nebraska, be and hereby are extended to include within the corporate limits of said City the contiguous and adjacent parcel of land and streets and highways located in Gage County, Nebraska, more completely described as follows:

That tract of land being used for trail purposes located in the Northwest Quarter of the Northeast Quarter of Section 3, Township 3, Range 6 East of the 6th P.M., Gage County, Nebraska, described as follows:

Referring to the Northwest corner of the Northeast Quarter of Section 3; thence southerly along the west line of said Quarter of Section 3 on an assumed bearing of S 3° 24' 51" E, a distance of 573.43 feet; thence easterly bearing N 88° 02' 24" E, a distance of 405.13 feet to the Point of Beginning; thence easterly bearing N 88° 3' 16" E, a distance of 484.24 feet; thence southerly bearing S 1° 40' 38" E, a distance of 59.81 feet; thence easterly bearing N 88° 8' 47" E, a distance of 430.61 feet; thence southerly bearing S 2° 58' 7" E, a distance of 30.00 feet; thence westerly bearing S 88° 10' 27" W, a distance of 550.11 thence northerly bearing N

1° 49' 33" W, a distance of 29.73 feet; thence westerly bearing S 88° 8' 47" W, a distance of 363.55 feet; thence northerly bearing N 3° 24' 51" W, a distance 59.06 feet to the point of beginning containing 45,147.87 sq. ft., more or less.

See Exhibit "A" attached hereto;

AND

That tract of land being used for trail purposes located in the Northwest Quarter of the Northeast Quarter of Section 3, Township 3, Range 6 East of the 6th P.M., Gage County, Nebraska, described as follows:

Referring to the Northwest corner of the Northeast Quarter of Section 3; thence easterly along the north line of said Section 3 on an assumed bearing of N 88° 8' 47" E, a distance of 1323.12 feet; thence southerly bearing S 2° 58' 7" E, a distance of 631.62 feet to the point of beginning; thence easterly bearing N 88° 8' 44" E, a distance of 436.73 feet; thence southerly bearing S 2° 56' 49" E, a distance of 79.21 feet; thence westerly bearing S 87° 0' 2" W, a distance of 49.67 feet; thence northerly bearing N 2° 59' 58" W, a distance of 50.00 feet; thence westerly bearing S 88° 10' 27" W, a distance of 387.00 feet; thence northerly bearing N 2° 58' 7" W, a distance of 30.00 feet to the Point of Beginning, containing 15,607.22 sq. ft., more or less.

See Exhibit "B" attached hereto.

**SECTION 3.** That said parcel of land and streets and highways is hereby annexed to the City of Beatrice, Gage County, Nebraska.

**SECTION 4.** That upon the taking effect of this ordinance, the police, fire, and snow removal service of such City shall be furnished to the parcels of land and streets and highways herein annexed; and water service, sanitary sewer, and electric services are available as provided by law.

**SECTION 5.** That a certified copy of this ordinance together with a plat of such parcels of land be filed of record in the office of the Register of Deeds and County Assessor of Gage County, Nebraska.

**SECTION 6.** That if any subsection, sentence, clause or phrase of this Ordinance or the annexation of any tract of land, street, or highway by this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance since it is the express intent of the Mayor and City Council to enact each section, subsection, phrase, or clause separately.

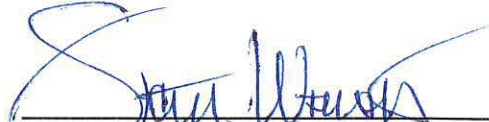
**SECTION 7.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8.** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 2<sup>nd</sup> day of November, 2020.

Attest:

  
Erin Saathoff, CMC, City Clerk

  
Stan Wirth, Mayor







[illegible]

Sec: 3  
Town: 3  
Rng: 6E