

**ORDINANCE NO. 838**

AN ORDINANCE DESIGNATING LANDS WITHIN ONE MILE OF THE CORPORATE LIMITS OF THE CITY OF GOTHENBURG TO BE SUBJECT TO THE ZONING REGULATION OF THE CITY OF GOTHENBURG; DESCRIBING THE BOUNDARIES THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA AS FOLLOWS:

Section 1. The property described herein is contiguous to the corporate limits of the City of Gothenburg, Dawson County, Nebraska, and the County Commissioners of Dawson County have agreed, pursuant to Section 17-401.02(2), RRS, 1997, to approve the exercise of such jurisdiction, to wit:

Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska

Section 34: NW1/4; EXCEPT a tract of land containing approximately 1.74 acres described in a deed recorded at Book 129, Page 428 and Further Excepting a tract of land containing approximately 3.64 acres described in a deed recorded at Book 102, Page 576.

Section 2. The City of Gothenburg hereby designates the lands described in Section 1, hereof to be subject to the zoning jurisdiction of the City of Gothenburg.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective from and after its passage, approval and publication as required by law.

Passed and approved this 1<sup>st</sup> day of July, 2008.

CITY OF GOTHENBURG, DAWSON  
COUNTY, NEBRASKA

BY Joyce E. Hudson  
Joyce Hudson, Mayor

ATTEST:

Connie G. Dalrymple  
Connie Dalrymple, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon  
Michael L. Bacon  
City Attorney

Post-it® Fax Note		7671	Date	7-2-08	# of pages	2
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Phone #			Phone #	3677		
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RESOLUTION 2008-\_\_\_\_\_

RESOLUTION OF THE DAWSON COUNTY COMMISSIONERS AGREEING TO THE  
EXTENTION OF PLANNING AND ZONING JURISDICTION OF THE CITY OF  
GOTHENBURG PURSUANT TO SECTION 17-405.01, RRS, 1997

WHEREAS, the City of Gothenburg, Nebraska a municipal corporation and city of the second class, has annexed certain lands in the SW ¼ of SECTION 27, TOWNSHIP 11 NORTH, RANGE 25 WEST OF THE 6<sup>TH</sup> P.M., DAWSON COUNTY, NEBRASKA, pursuant to Section 17-405.01 (2); and

WHEREAS, the City of Gothenburg has recruited an expansion of the Monsanto Company Learning Center on property contiguous to the above described property, described as NW1/4, Section 34, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska, EXCEPT a tract of land containing approximately 1.74 acres described in a deed recorded at Book 129, Page 428 and Further Excepting a tract of land containing approximately 3.64 acres described in a deed recorded at Book 102, Page 576 and desires to have the same within its planning and zoning jurisdiction, pursuant to Section 17-1002, RRS, 1997;

NOW, THEREFORE, be it resolved by the County Commissioners of Dawson County, Nebraska:

1. The Commissioners of Dawson County find as follows:

- (a) The county has formally adopted a comprehensive development plan and zoning resolution pursuant to section 23-114 not less than two years immediately preceding the date of the city's request;
- (b) The city of Gothenburg, on the date of the request for extra territorial jurisdiction, is exercising extraterritorial jurisdiction over territory within the boundaries of the county;
- (c) The requested territory is within the projected growth pattern of the city and would be within the city's extraterritorial jurisdiction by reason of annexation within a reasonable period of years;
- (d) Not more than a total of twenty-five percent of the territory of the county located outside the corporate boundaries of any city within the county shall be ceded to the jurisdiction of one city within ten years after the date upon which the initial request for the cession of territory to the city was approved by the governing body of the city; and
- (e) No portion of the territory ceded to the city's jurisdiction by the county lies within an area extending one-half mile from the extraterritorial jurisdiction of any other city of the first or second class or village on the date the request is approved by the governing body of the city.

2. The Commissioners of Dawson County agree, pursuant to Section 17-405.01(2), RRS, 1997, to allow the City of Gothenburg to exercise planning and zoning jurisdiction over the following described lands, to wit:

NW1/4, Section 34, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska, EXCEPT a tract of land containing approximately 1.74 acres described in a deed recorded at Book 129, Page 428 and Further Excepting a tract of land containing approximately 3.64 acres described in a deed recorded at Book 102, Page 576

Passed and approved this 1st day of July, 2008.

DAWSON COUNTY, NEBRASKA  
BY ITS DULY ELECTED COMMISSIONERS

E. Dean Hughes

Bill Stunt

Orin R. Benjamin

Lois Lauer

Everett Hagg



ATTEST:

Karla Latkowsky  
COUNTY CLERK