

RESOLUTION 1997- 13

WHEREAS, Larry Ostergard and Joan Ostergard have executed a deed in favor of the City of Gothenburg conveying certain property in the Southeast Quarter of Section 9, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska, for street purposes, subject to a right of reverter; and

WHEREAS, the City Council deems it appropriate and necessary to accept said deed and open the property thereon as a street for public thoroughfare,

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

Section 1. The City of Gothenburg accepts the deed from Larry Ostergard and Joan Ostergard, a copy of which is attached hereto marked as Exhibit "A" and incorporated herein by this reference as though fully set forth.

Section 2. The property described on said deed shall be used for street purposes, and said street is hereby declared open.

Passed and approved this 6 day of May, 1997.

CITY OF GOTHENBURG

BY

Richard L. Blase  
Richard L. Blase

ATTEST:

Connie Stull  
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon  
Michael L. Bacon, City Attorney

WARRANTY DEED

LARRY OSTERGARD and JOAN OSTERGARD, husband and wife, GRANTOR, in consideration of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION, received from GRANTEE, receipt of which is hereby acknowledged, conveys to the CITY OF GOTHENBURG, and it's successors in interest, GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

A tract of land in the SE 1/4 of Section 9, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska and more particularly described as follows:

Referring to the SE 1/4 of Section 9, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska;

Thence Westerly along the South Line of the SE 1/4 of said Section 9, a distance of 293.04 feet;

Thence Northerly and along the West Line of Blocks 59, 49, 48, 33 and 32 of Vails Villa Addition to the City of Gothenburg and also along the West Line of the Railroad Spur Tract Right-of-Way, a distance of 1486.08 feet to a point on the North Line of 16th Street in the City of Gothenburg, Nebraska;

Thence Westerly and along the North Line of 16th Street, a distance of 518.21 feet to the Point of Beginning;

Thence deflecting 90°00'00" Right from the last described course, a distance of 250.00 feet;

Thence deflecting 90°00'00" Left from the last described course, a distance of 60.00 feet;

Thence deflecting 90°00'00" Left from the last described course, a distance of 250.00 feet;

Thence deflecting 90°00'00" Left from the last described course, a distance of 60 feet to the place of beginning, for roadway purposes; and subject the condition that should the City of Gothenburg, abandon said property or not use the same for a public street or thoroughfare, the same shall revert to the GRANTORS, their heirs and assigns.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances; EXCEPT EASEMENTS AND RESTRICTIONS OF RECORD;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

EXECUTED: May 6, 1997 .

  
Larry Ostergard

  
Joan Ostergard

# Real Estate Transfer Statement

**This Statement is Confidential — for Tax Officials Only**  
 • Read instructions on reverse side

**FORM 521**

TO BE FILED WITH REGISTER OF DEEDS

**THE DEED WILL NOT BE RECORDED UNLESS THIS STATEMENT IS SIGNED AND LINES 1-25 ARE ACCURATELY COMPLETED**

1 County Name Dawson 2 County Number 24 3 Date of Sale Mo. 05 Day 06 Yr. 97 4 Date of Deed Mo. 05 Day 06 Yr. 97

5 **Grantor's Name, Address, and Telephone (Please Print)**  
 Grantor's Name (Seller) Larry Ostergard and Joan Ostergard  
 Street or Other Mailing Address 1522 Ave. C  
 City Gothenburg State NE Zip Code 69138  
 Telephone Number (308) 537-3336

6 **Grantee's Name, Address, and Telephone (Please Print)**  
 Grantee's Name (Buyer) City of Gothenburg  
 Street or Other Mailing Address 409 9th St.  
 City Gothenburg State NE Zip Code 69138  
 Telephone Number (308) 537-3668

7 **PROPERTY CLASSIFICATION NUMBER. Check one box in categories A and B. Check C also if property is mobile home.**

(A) Status  Improved  Single Family (4)  Industrial (6)  Recreational (8)  Mineral Interests-Producing (9)  State Assessed (1)  Mobile Home

Unimproved (2)  Multi-Family (5)  Agricultural (7)  Mineral Interests-Nonproducing (10)  Exempt

JOLL (3)  Commercial

8 Type of Deed  Warranty  Sheriff  Executor  Mineral  Cemetery  Quit Claim  Conservator  Partition  Trust  Other

9 Federal Employer Identification or Social Security Number(s) of Grantee(s) (if more than two, attach list) 47-6006204

10 Type of Transfer  Sale  Auction  Gift  Exchange  Foreclosure  Satisfaction of Contract  Life Estate  Other (explain) \_\_\_\_\_

11 Ownership Transferred in Full (if No, explain division)  YES  NO \_\_\_\_\_

12 Was real estate purchased for same use? (if No, state intended use)  YES  NO street

13 Was sale between relatives? (if Yes, check appropriate box)  YES  NO  Spouse  Parents and Child  Family Corporation or Partnership  Grandparents and Grandchild  Brothers and Sisters  Aunt or Uncle to Niece or Nephew  Other \_\_\_\_\_

14 If the real estate was transferred for nominal consideration, what is the current market value? \_\_\_\_\_

15 Was mortgage assumed? If Yes, state amount and interest rate.  YES  NO \$ \_\_\_\_\_ % \_\_\_\_\_

16 Does this conveyance divide a current parcel of land?  YES  NO

17 Was sale through a real estate agent? (if Yes, name of agent) \_\_\_\_\_

18 Address of Property West Gothenburg

19 Name and Address of Person to Whom Tax Statement Should be Sent Connie Stull, Clerk  
City of Gothenburg  
409 9th St.  
Gothenburg, NE 69138

20 Legal Description See Attached

21 If agricultural, list total number of acres \_\_\_\_\_

22 Total purchase price, including any liabilities assumed <u>Exempt #2</u>	\$	<u>22</u>
23 Was nonreal property included in purchase? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (if Yes, enter amount and attach itemized list) ...	\$	<u>23</u>
24 Adjusted purchase price paid for real estate (line 22 minus line 23) .....	\$	<u>24</u>

Under penalties of law, I declare that I have examined this statement and that it is, to the best of my knowledge and belief, true and correct, and that I am duly authorized to sign this statement.

25 **sign here** Michael I. Bacon Telephone Number 308-537-716  
 Part of the Name of Grantee or Authorized Representative  
 Signature of Grantee or Authorized Representative Attorney Title Attorney  
 Telephone Number 5-6-97  
 Date \_\_\_\_\_

26 Date Deed Recorded \_\_\_\_\_ Yr. \_\_\_\_\_ \$ \_\_\_\_\_

27 Value of Stamp or Exempt Number \_\_\_\_\_

28 Deed Book \_\_\_\_\_

29 Deed Page 30

**FOR NDR USE ONLY**