

RESOLUTION 2013-8

Return to: Cathleen H. Allen
P.O. Box 790
Grand Island, NE 68802
Resolution

WHEREAS, the City of Gothenburg previously administratively referred a Deed of Conservation Easement by Douglas K. Block and Stephanie S. Block in favor of the Central Platte Natural Resources District for the following described real estate, to the Planning and Zoning Commission of the City of Gothenburg, which was approved and confirmed as a referral by the governing body to the Planning and Zoning Commission pursuant to section 76-2,112 R.R.S. 1996, to-wit:

TRACT A:

The North Half of the Northwest Quarter; all of Government Lot 2 lying North of the North channel of the Platte River, and all that part of Government Lot 1 lying North of Interstate 80, together with all accretion to said lots lying North of Interstate 80, all in Section 16, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska,

EXCEPT a .235 acre tract more particularly described as follows: Beginning at a point marking the intersection of the South line of Government Lot 2 with the center line of the North Channel of the Platte River, said point of intersection being 896.9 feet West and 313.2 feet South of the Northeast corner of the Southwest Quarter of said Section 16; thence North 57°45' West, a distance of 353.7 feet to a corner post marking an angle point on the North right of way line of Interstate 80; thence South 44°22' East along said North right of way line, a distance of 250.7 feet to a point marking the center line of the North Channel of the Platte River; thence South 85°35' East, a distance of 123.8 feet to the place of beginning; and

EXCEPT an undivided one-half interest in the oil, gas and other hydrocarbons and minerals underlying the surface of said land and all rights and easements in favor of the estate of said oil, gas and other hydrocarbons and minerals, and

EXCEPT a tract conveyed to City of Gothenburg, Dawson County, Nebraska, by Warranty Deed dated 6/9/98 and recorded 6/11/98 in Deed Book 159, Page 256.

TRACT B:

All of Lots 2 and 3 North of Interstate Highway 80, in Section 17, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska, **EXCEPT** a 2.58 acre tract previously conveyed to William O. Dishman and Evelyn L. Dishman by Deed recorded in Book 138, Page 14 of the Deed Records of Dawson County, Nebraska.

WHEREAS, the acquisition set forth in the Deed of Conservation Easement was determined to be in conformity with the 2006 Comprehensive Plan of the City of Gothenburg, Nebraska, and such acquisition was approved by the City of Gothenburg, Nebraska, as evidenced by Resolution 2007-18 which was also recorded with the Dawson County Register of Deeds as Instrument No 2007-4699 against the real estate described hereinabove. The Deed of Conservation was recorded with the Dawson County Register of Deeds as Instrument No. 2007-4698 against the real estate legally described hereinabove.

WHEREAS, subsequent to the approval of said Deed of Conservation Easement by the City of Gothenburg, Paragraph 2.i. was added to the terms and conditions of said Deed of Conservation Easement to allow the Sellers the right to cap one well for future use for livestock or other non-irrigation purposes.


WHEREAS, the City Council has reviewed the terms and conditions of the Deed of Conservation as revised with the addition of 2.i.

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

Section 1. The revised DEED OF CONSERVATION EASEMENT, which Deed of Conservation Easement includes Paragraph 2.i., a copy of which is attached hereto as Exhibit "A", is determined to be in conformity with the 2006 Comprehensive Plan of the City of Gothenburg, Nebraska, such acquisition appears to be in the public interest and is hereby approved and ratified effective as of December 18, 2007, with the addition of the terms of Paragraph 2.i.

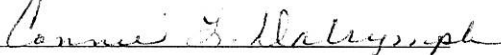
Passed and approved this 2nd day of July, 2013.

CITY OF GOTHENBURG, NEBRASKA



Joyce E. Hudson, Mayor

Attest:



Connie Dalrymple, City Clerk

Approved as to form:

Michael L. Bacon, City Attorney
435401