

ORDINANCE RECORD

No. 728-REFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1390

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 1383 MAKING FINDINGS AND DETERMINATIONS AND DECLARING A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, (BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR) AS SURPLUS PROPERTY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

SECTION 1. Repeal and Replacement of Ordinance No. 1383. Ordinance No. 1383 is hereby repealed and replaced in its entirety by this Ordinance.

SECTION 2. Findings and Determinations. The Mayor and City Council hereby make and approve the following findings and determinations as necessary, proper, expedient, and in the best interests and general welfare of the City and its residents:

1. The City of La Vista ("City") owns the following property ("Property"):

"Parcel 1" (Portion of Tax Lot 12 14-14-12)

A PORTION OF TAX LOT 12 14-14-12, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE EAST LINE OF SAID LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) ON AN ASSUMED BEARING OF N02°37'08"E, 115.96 FEET; (2) N02°22'52"W, 11.17 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON SAID NORTH LINE OF THE SOUTHWEST QUARTER, S87°27'28"W, 179.76 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE ON THE LINE OF LOT 3 FOR THE FOLLOWING TWENTY-FOUR (24) DESCRIBED COURSES: (1) N32°51'32"W, 41.46 FEET; (2) N39°33'31"W, 21.75 FEET; (3) N53°34'53"W, 82.42 FEET; (4) N33°37'10"E, 55.92 FEET; (5) N56°22'50"W, 15.21 FEET; (6) N33°37'10"E, 24.00 FEET; (7) S56°22'50"E, 6.31 FEET; (8) N49°10'45"E, 51.76 FEET; (9) N56°32'55"E, 66.27 FEET; (10) N61°02'30"E, 12.09 FEET; (11) N68°31'09"E, 11.30 FEET; (12) N77°58'40"E, 43.66 FEET; (13) S87°06'38"E, 29.01 FEET; (14) S79°32'17"E, 11.88 FEET; (15) S71°56'29"E, 86.35 FEET; (16) N18°03'31"E, 1.69 FEET; (17) S71°56'29"E, 10.91 FEET TO A POINT OF CURVATURE; (18) ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 36.85 FEET (LONG CHORD BEARS S19°09'41"E, 31.85 FEET); (19) S33°37'06"W, 41.61 FEET; (20) S18°13'25"W, 26.66 FEET; (21) S61°22'02"E, 50.32 FEET; (22) S31°23'44"E, 41.87 FEET; (23) S58°36'05"W, 108.01 FEET; (24) S02°22'52"E, 15.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 67,418.16 SQUARE FEET OR 1.548 ACRES, MORE OR LESS; and

"Parcel 2" (Portion of Outlot A, La Vista City Centre)

A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE SOUTH LINE OF SAID LOT 3 ON AN ASSUMED BEARING OF S87°37'07"W, 35.08 FEET; THENCE N02°22'53"W, 56.05 FEET; THENCE S87°37'07"W, 80.00 FEET; THENCE S02°22'53"E, 56.05 FEET TO A POINT ON SAID SOUTH LINE

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OF LOT 3; THENCE ON SAID SOUTH LINE OF LOT 3 S87°37'07"W, 35.76 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ON THE WEST LINE OF SAID LOT 3 FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: (1) N07°22'52"W, 123.61 FEET; (2) S87°37'08"W, 6.25 FEET; (3) N32°51'32"W, 3.53 FEET; THENCE N87°27'28"E, 179.76 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE ON SAID EAST LINE OF LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) S02°22'52"E, 11.17 FEET; (2) S02°37'08"W, 115.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 16,003.10 SQUARE FEET OR 0.367 ACRES, MORE OR LESS.

The foregoing descriptions shall be subject to any additions, subtractions, or modifications as the City Engineer or his designee determines necessary or appropriate pursuant to an accurate survey. Attached as Exhibit A and incorporated herein by this reference is a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 1, and a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 2. La Vista City Centre Replat Four, as approved, is on file with the La Vista City Clerk.

2. The Property has ceased being used and no longer is needed for recreational, park, or any other municipal purpose or use of the City.
3. The City desires to declare and designate the Property as surplus property to be held, transferred, and/or conveyed in whole or in part in such manner, on such terms, and for such purposes, uses, and consideration as the Mayor and City Council determine necessary or appropriate.

SECTION 3. Declaration Surplus Property. The Property is hereby declared and designated surplus property and shall be held, transferred, and/or conveyed in whole or in part in such manner, on such terms, and for such purposes, uses, and consideration as the Mayor and City Council determine necessary or appropriate in their sole discretion.

SECTION 4. Repeal of Conflicting Ordinances. Ordinance No. 1383, and any ordinances or parts of ordinances as previously enacted that are in conflict with this Ordinance or parts of this Ordinance, are hereby repealed.

SECTION 5. Authorization of Further Actions. The Mayor, City Administrator, City Engineer, City Clerk, and any designee of any of the foregoing, each shall be authorized to take such further actions, including without limitation preparing, executing, and filing such documents and instruments, as he or she determines necessary or appropriate to carry out the actions approved in this Ordinance.

SECTION 6. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 7. Effective Date. This ordinance shall be in full force and effective as of March 3, 2020, subject to passage, approval and publication in accordance with applicable law.

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Parcel 1

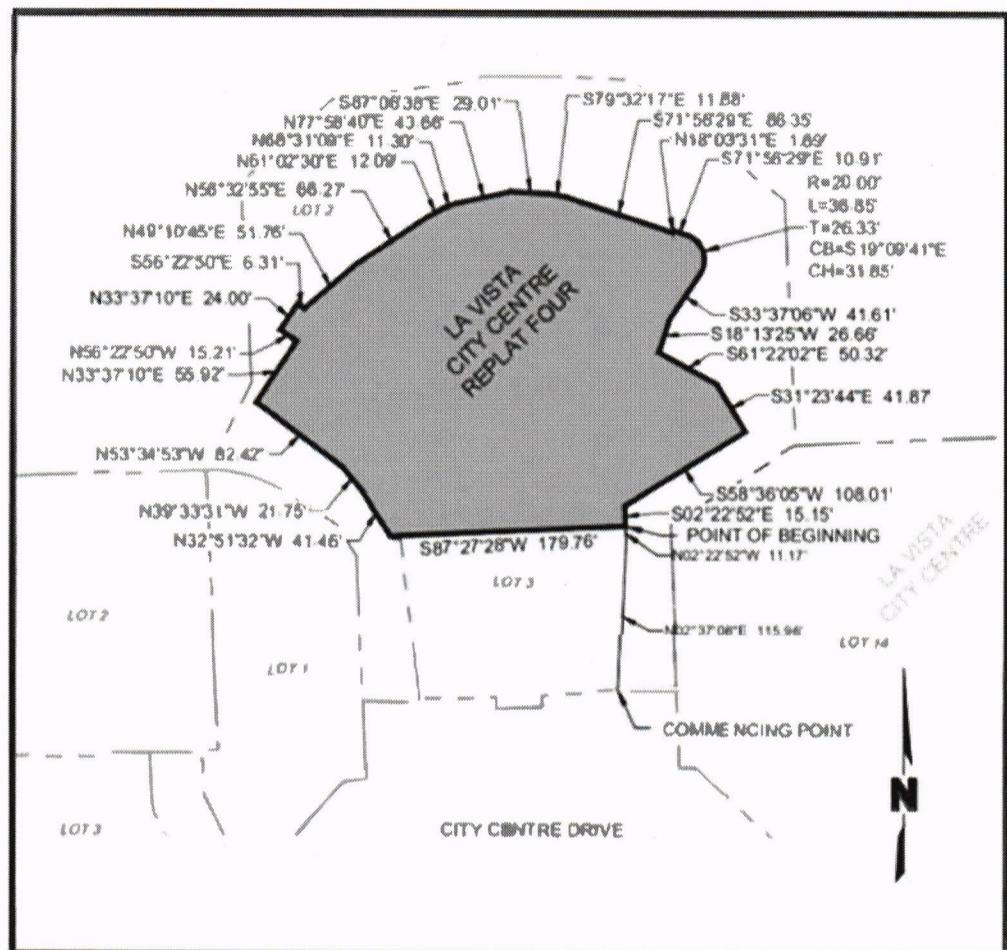


EXHIBIT
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PARCEL 2

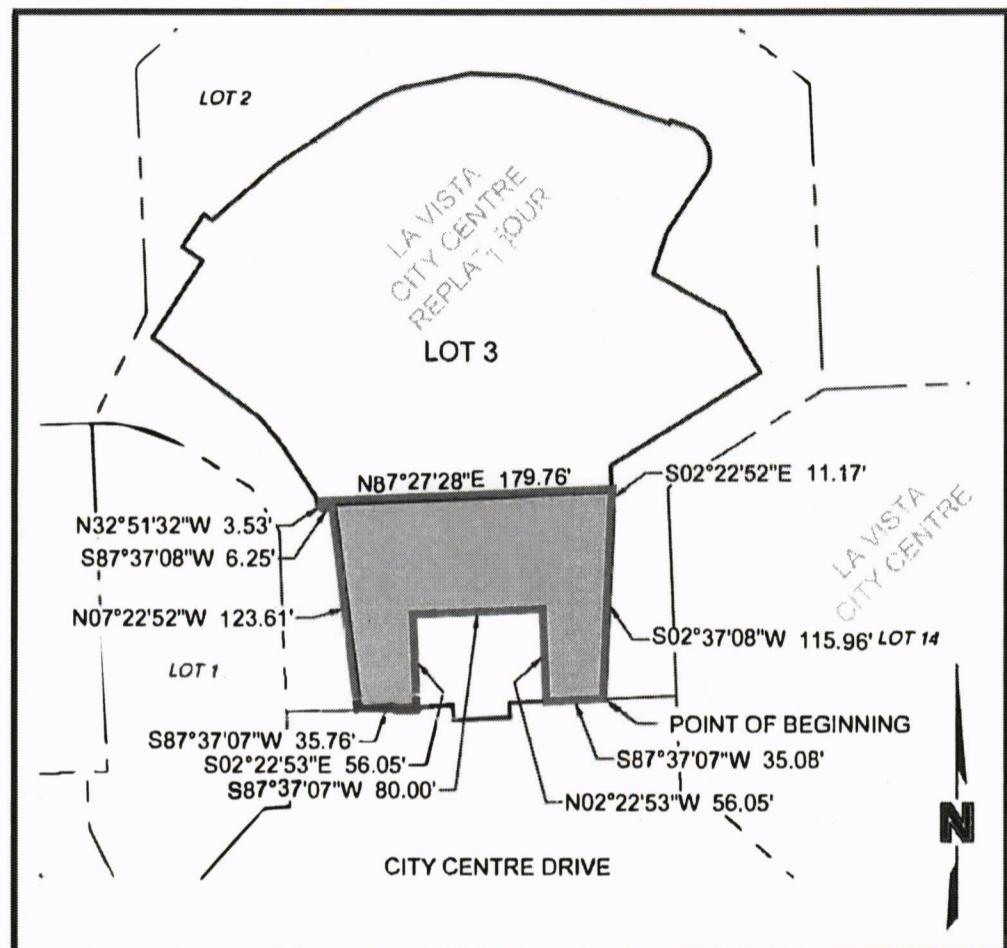


EXHIBIT
A

ORDINANCE RECORD

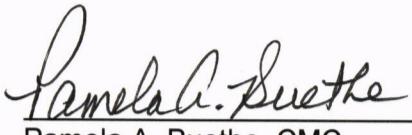
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PASSED AND APPROVED THIS 17TH DAY OF MARCH, 2020.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk