

ORDINANCE NO. 2408

AN ORDINANCE DIRECTING THE SALE/EXCHANGE OF A CERTAIN TRACT OF REAL ESTATE LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION SEVENTEEN (17), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) WEST OF THE SIXTH PRINCIPAL MERIDIAN AND WITHIN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE.

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

Section 1. That the City of Lexington, Nebraska, owns an interest in the real estate hereinafter described, and should be conveyed to S & H Holdings, L.L.C., a Nebraska Limited Liability Company, to facilitate development.

Section 2. That the real estate to be sold is described as follows, to-wit:

A tract of land being part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Seventeen (17), Township Nine (9) North, Range Twenty-one (21) West of the 6th Principal Meridian, Dawson County, Nebraska, and more particularly described as follows:

Referring to a mag nail at the Southeast Corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Seventeen (17) and assuming the East line of said Southwest Quarter (SW $\frac{1}{4}$) as bearing N 01°23'19" E and all bearings contained herein are relative thereto;

Thence N 01°23'19" E on said East line a distance of 1000.00 feet;

Thence N 89°21'45" W a distance of 85.01 feet to a survey spike on the West Right of Way line of U.S. Highway 283;

Thence N 01°23'19" E on said West Right of Way line a distance of 169.63 feet to a 5/8" rebar w/cap at the Southeast corner of a tract of land described in Warranty Deed, recorded as Instrument 2009-2740 in the Dawson County Register of Deeds Office, and the ACTUAL POINT OF BEGINNING;

Thence N 88°39'04" W on the South line of said tract a distance of 414.34 feet to a 5/8" rebar w/cap at the Southwest corner of said tract;

Thence N 01°20'58" E on the West line of said tract a distance of 25.00 feet to a 5/8" rebar w/cap;

Thence S 88°39'04" E a distance of 414.36 feet to a 5/8" rebar w/cap on said West Right of Way line;

Thence S 01°23'19" W on said West Right of Way line a distance of 25.00 feet to the Point of Beginning.

Section 3. That consideration for such sale shall be the like-kind exchange of property, to-wit:

The South Thirty (30) Feet of the Following Described Real Estate:

A Tract of Land in the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Seventeen (17), Township Nine (9) North, Range Twenty-One (21) West of the Sixth Principal Meridian and within the City of Lexington, Dawson County, Nebraska, More Particularly Described as Follows: Referring to the Center-South Sixteenth Corner of Said Section Seventeen (17): Thence N00°34'13"E (An Assumed Bearing and All Bearings Shown Herein are Relative Thereto) on the East Line of the Southwest Quarter of Said Section Seventeen A Distance of 1000.00 Feet; Thence Westerly on the South Line of a Tract of Land Previously Surveyed by Gary Donnelson L.S. NO. 292 Filed in the Office of the Dawson County Surveyor of Lexington Nebraska, A Distance of 85.01 Feet to the Point of Beginning; Thence Continuing on the Aforementioned South Line A Distance of 414.74 Feet; Thence N00°43'12"W on the West Line of Said Surveyed Tract a Distance of 174.79 Feet; Thence S89°22'16"E a Distance of 414.70 Feet; Thence S00°34'13"W on the Westerly Right-of-way Line of State Highway NO. 283 and Parallel to the East Line of Said Southwest Quarter a Distance of 169.637 Feet to the Place of Beginning. Said Tract Contains 1.64 Acres, More or Less.

Said exchange to be completed upon the adoption of this Ordinance approving such sale by the Lexington City Council and the expiration of remonstrance time relating to such Ordinance; Estimated closing date will be on or about July 12, 2018.

Section 4. That immediately upon adoption, notice of this Ordinance shall be published in a legal newspaper for three (3) consecutive weeks; that if remonstrance against such sale signed by legal electors equal in number to thirty percent (30%) of the electors of the City voting at the last regular municipal election shall be filed with the Lexington City Clerk within thirty (30) days of such publication, such property shall not then, nor within one (1) year thereafter be sold.

PASSED AND APPROVED this 22nd day of May, 2018.



CITY OF LEXINGTON, NEBRASKA,

BY:

Mayor

John H. Fyfe

ATTEST:

Pamela Baruth

City Clerk