

09R-42

MOTION TO AMEND NO. 2

I hereby move to amend Bill No. 09R-42 by accepting the attached Substitute Resolution for Bill No. 09R-42.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Requested by: Law Department

Reason for Request: To correct a typographical error in citing to the statutory reference, to incorporate the statute language of *Neb. Rev. Stat. § 31-736* into the resolution, and to incorporate language and the attachments that were approved by the Lancaster County Board.

**SUBSTITUTE**  
RESOLUTION NO. A \_\_\_\_\_

1           WHEREAS, Emerald Sanitary and Improvement District #6 desires to acquire by  
2 purchase, condemnation or otherwise, 1.58 acres of land legally described as a portion of  
3 Lot 61 I.T. in the Northeast Quarter of Section 28, Township 10 North, Range 5 East of the  
4 6th P.M., Lancaster County, Nebraska, generally located at S.W. 98th Street and West O  
5 Street for a water well site together with necessary permanent and temporary easements;  
6 and

7           WHEREAS, the water well site and necessary permanent and temporary easements  
8 needed to be acquired are more particularly described, shown and diagramed in Exhibit A,  
9 attached hereto and hereby incorporated by this reference; and

10           WHEREAS, *Neb. Rev. Stat. § 31-736* (Reissue of 2008) provides that such acquisition  
11 by the district may be effected only after approval by the municipality and/or county having  
12 zoning jurisdiction over the property to be acquired; and

13           WHEREAS, a portion of the 1.58 acres is located within the zoning jurisdictions of the  
14 City of Lincoln and Lancaster County; and

15           WHEREAS, the Lincoln-Lancaster County Planning Department has recommended  
16 that the acquisition be approved by the City of Lincoln as the new well is intended to  
17 resolve current issues with the water supplied to the Village of Emerald by the Emerald  
18 Sanitary Improvement District #6 by replacing the existing water well with a safe and  
19 acceptable water source and for the reason that the City of Lincoln does not intend to

1 annex the Village of Emerald in the next 25 years and will not extend City water service to  
2 the Village of Emerald; and

3 WHEREAS, the Board of Commissioners of Lancaster County, Nebraska have  
4 approved the requested acquisition.

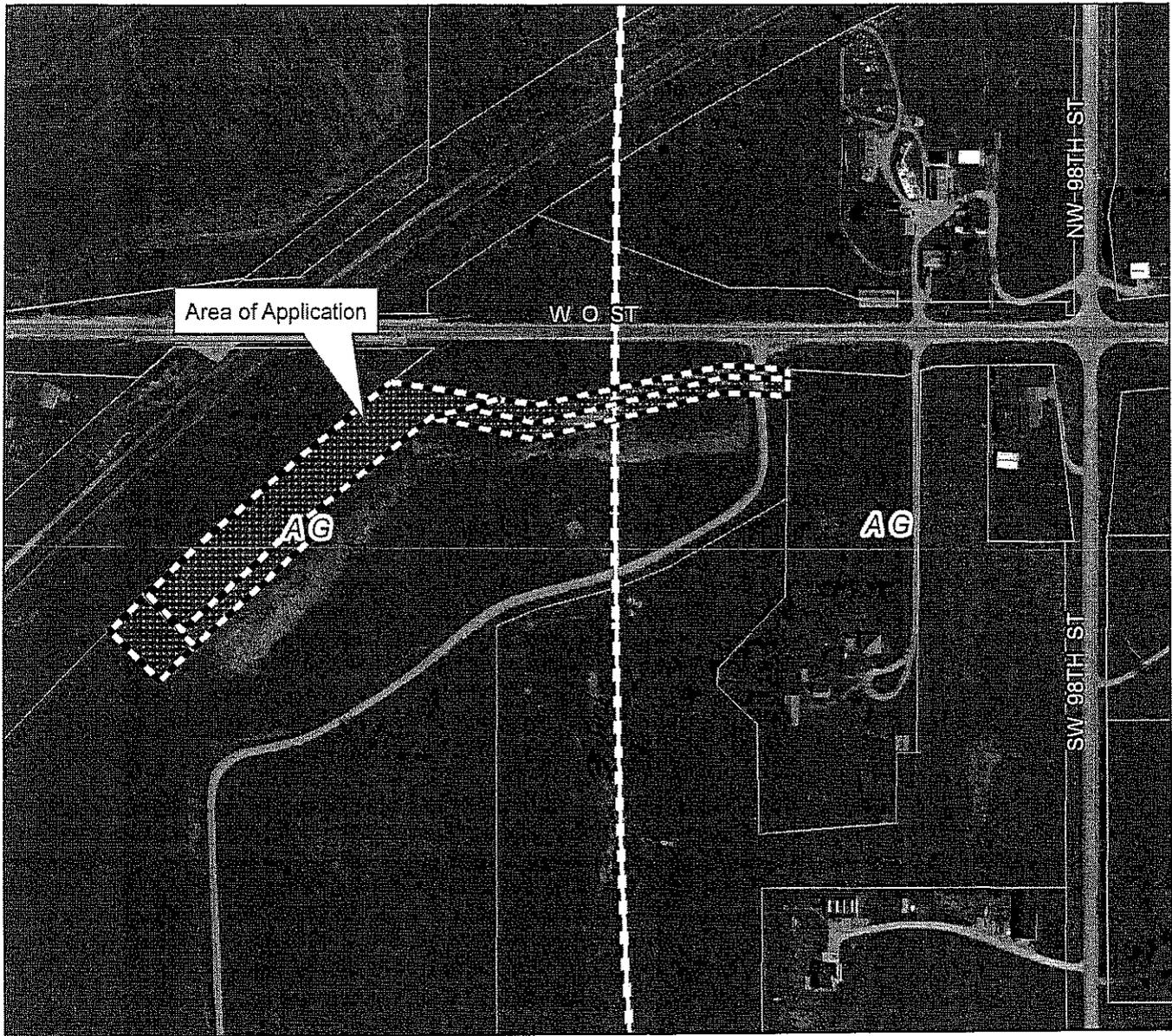
5 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
6 Nebraska, that the request of Emerald Sanitary and Improvement District #6 to acquire, by  
7 purchase, condemnation, or otherwise, a portion of Lot 61 I.T., located in the Northeast  
8 Quarter of Section 28, Township 10 North, Range 5 East of the 6th P.M., Lancaster  
9 County, Nebraska for a water well site, together with necessary permanent and temporary  
10 easements as more particularly described, shown and diagramed in Exhibit A, is hereby  
11 approved.

12 The City Clerk is directed to send a copy of this Resolution to William F. Austin,  
13 Erickson & Sederstrom, 301 S. 13th Street, Suite 400, Lincoln, NE 68508 for transmittal to  
14 Emerald Sanitary and Improvement District #6.

Introduced by:  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this ____ day of _____, 2009:  _____ Mayor
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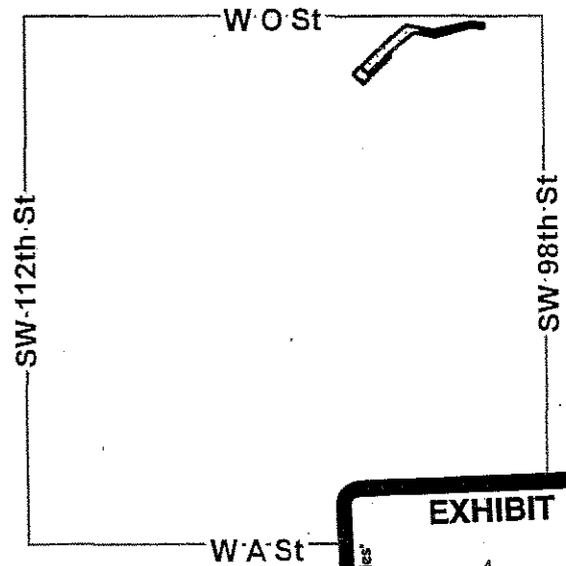
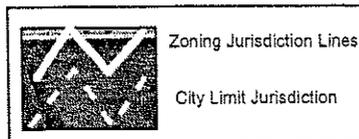
2007 aerial

**Miscellaneous #09002  
SW 98th & W O St**

**Zoning:**

One Square Mile  
Sec. 28 T10N R05E

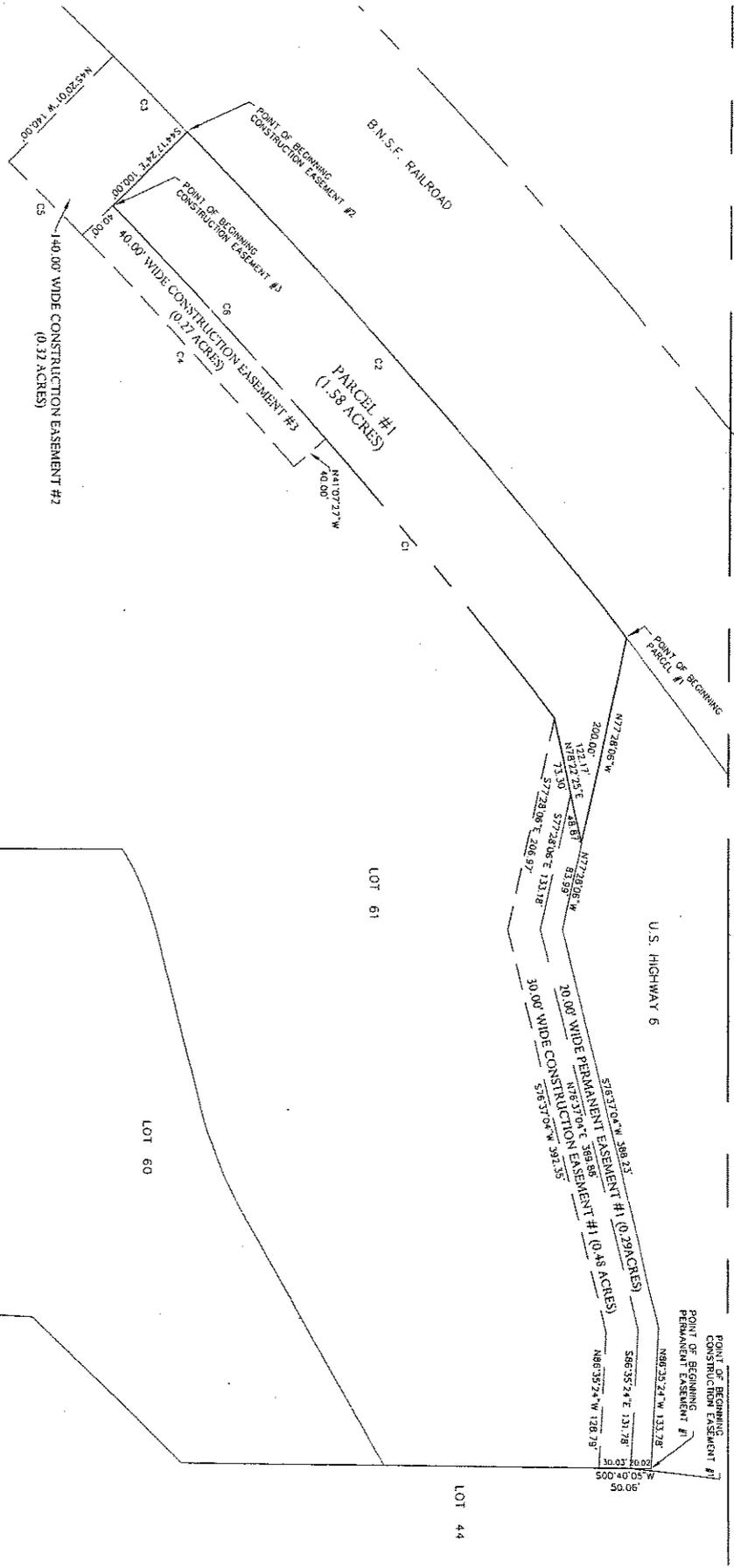
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



**EXHIBIT**

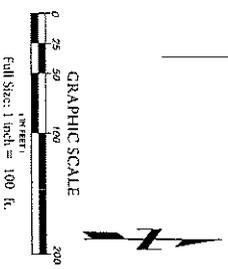
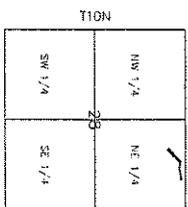
A





CURVE TABLE

CURVE NUMBER	DELTA	RADIUS	TANGENT	LENGTH	CHD BRG	CHD LGH
C1	6°36'51"	5442.58'	321.66'	642.58'	N49°38'02"E	642.28'
C2	8°33'26"	5242.58'	316.72'	633.89'	S43°00'15"W	633.53'
C3	10°30'01"	5042.58'	311.78'	625.00'	S46°17'35"E	624.72'
C4	12°26'36"	4842.58'	306.84'	616.11'	S49°35'01"W	615.84'
C5	14°23'11"	4642.58'	301.90'	607.22'	S52°52'27"W	606.95'
C6	16°19'46"	4442.58'	296.96'	598.33'	S56°10'03"W	598.06'



<p>PROJECT NAME</p> <p>2008 WELL &amp; WATER SYSTEM IMPROVEMENTS LANCASTER COUNTY SID #6 EMERALD, NEBRASKA</p>	<p>SHEET TITLE</p> <p>PARCEL DESCRIPTION &amp; EASEMENT PLAT</p>	<p style="font-size: small;">200-463-2233 FAX 200-463-2244 418 "D" Street, Suite 212 Lincoln, Nebraska 68502</p>
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DATE	BY	REVISION

1 OF 2

