

RESOLUTION NO. A-_____

1 WHEREAS, 0.2 acres of Mahoney Park was converted from public park use to
2 street right-of-way for the Adams Street improvement project; and

3 WHEREAS, the use of Mahoney Park was subject to the restriction under
4 Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended,
5 prohibiting the conversion of park land to non-public outdoor recreational uses except in
6 the event that other recreation properties of at least equal fair market value and
7 reasonable equivalent usefulness and location are substituted for the converted park
8 land; and

9 WHEREAS, in order to comply with the requirements of Section 6(f)(3) of the
10 Land and Water Conservation Fund Act of 1965, as amended, the City of Lincoln has
11 acquired property along Beal Slough (the Gapp Property) as more particularly described
12 in Exhibit A attached hereto and now desires to dedicate and restrict said property as a
13 public park for public outdoor recreational purposes in accordance with Section 6(f)(3)
14 of the Land and Water Conservation Fund Act of 1965, as amended; and

15 WHEREAS, the City of Lincoln has the financial capability to operate and
16 maintain the property as a park and for outdoor recreational purposes in a safe,
17 attractive and sanitary manner and such dedication and use would not jeopardize or in
18 any way harm the public interest of the City of Lincoln.

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
20 Lincoln, Nebraska:

1 The City of Lincoln does hereby dedicate the above-described real property for
2 purposes of public park and public outdoor recreation in accordance with Section 6(f)(3)
3 of the Land and Water Conservation Fund Act of 1965, as amended.

4 BE IT FURTHER RESOLVED that the City of Lincoln does hereby agree to
5 comply with all state and federal requirements and standards where they can be applied
6 in making the facilities developed on the above-described plan accessible and usable by
7 the disabled.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009:

Mayor