

City of Scottsbluff, Nebraska

Monday, May 15, 2017

Regular Meeting

Item Resolut.2

Council to consider an Ordinance annexing two tracts of land knows as Block 1 Alf Addition and the No. Half of the SE Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff Co., which is located West of Ave. I, No. of 27th St, and So. of Highway 26 (third reading).

Staff Contact: Nathan Johnson, City Manager

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, ANNEXING TRACTS OF LAND KNOWN AS BLOCK 1, ALF ADDITION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF AND THE NORTH HALF OF THE SOUTHEAST QUARTER (N½SE¼) OF SECTION FIFTEEN, TOWNSHIP TWENTY-TWO (22) NORTH, RANGE FIFTY-FIVE (55) WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Frank Enterprises, Inc. has requested the following described real estate (the "Real Estate") be included within the corporate limits of the City of Scottsbluff:

Block 1, ALF ADDITION, an addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, according to the recorded plat thereof.

And

North Half of the Southeast Quarter (N½SE¼) of Section Fifteen, Township Twenty two (22) North, Range Fifty five (55) West of the 6th P.M., Scotts Bluff County, Nebraska, EXCEPT those parts thereof conveyed to the State of Nebraska by condemnation recorded in Miscellaneous Book 25 on Page 610, by Warranty Deeds recorded in Deed Book 106 on Page 44, recorded in Deed Book 208 on Page 126, and recorded in Deed Book 183 on Page 736, all of the records of Scotts Bluff County, Nebraska; AND EXCEPT that part thereof platted as Block 1, FRIEDLAN SUBDIVISION, a subdivision of part of the N½SE¼ of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, and recorded in Deed Book 207 on Page 267 on June 28, 1995.

Section 2. The Real Estate is contiguous or adjacent to the existing corporate limits of the City of Scottsbluff, is urban or suburban in character, and does not constitute agricultural land which is rural in character.

Section 3. The Real Estate is annexed to and included within the corporate limits of the City of Scottsbluff, as of the effective date of this Ordinance.

Section 4. Any map describing the corporate limits of the City of Scottsbluff is amended to provide for the addition of the Real Estate to the corporate limits of the City of Scottsbluff.

Section 5. Frank Enterprises, Inc. has waived the requirements of §16-120 of the Nebraska Statutes, which would otherwise require the City of Scottsbluff to provide to the Real Estate substantially the same services as are provided to other inhabitants of the City.

Section 6. All ordinances, parts of ordinances, resolutions and policies of the City of Scottsbluff in conflict with this Ordinance are repealed.

Section 7. This Ordinance shall become effective upon its passage, approval and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2017.

Mayor

ATTEST:

City Clerk (Seal)

1. The City of Scottsbluff, Nebraska, hereby certifies that the following is a true and correct copy of the resolution of the City Council, as recorded in the minutes of the meeting held on the 15th day of May, 2017.

2. The City of Scottsbluff, Nebraska, hereby certifies that the following is a true and correct copy of the resolution of the City Council, as recorded in the minutes of the meeting held on the 15th day of May, 2017.

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14. The City of Scottsbluff, Nebraska, hereby certifies that the following is a true and correct copy of the resolution of the City Council, as recorded in the minutes of the meeting held on the 15th day of May, 2017.

15. The City of Scottsbluff, Nebraska, hereby certifies that the following is a true and correct copy of the resolution of the City Council, as recorded in the minutes of the meeting held on the 15th day of May, 2017.

Deputy City Attorney

Approved as to form:

4/17/17
meeting

FRANK ENTERPRISES, INC.

1721 Broadway
P.O. Box 2396
Scottsbluff, NE 36363-2396
Cell: (308) 631-8347

March 24, 2017

City of Scottsbluff
Cindy Dickinson, City Clerk
2525 Circle Drive
Scottsbluff, NE 69361

Re: Annexation Request

Dear Ms. Dickinson:

Please consider this letter as a request by Petition that the City of Scottsbluff include property owned by us within the corporate limits of the City. This request is made pursuant to §16-117 of the Nebraska Statutes.

The two properties for which annexation is requested are described in the attached Warranty Deeds.

In making this request, we irrevocably waive the requirements of §16-120 of the Nebraska Statutes, which would otherwise require the City of Scottsbluff to provide to the property for which we are requesting annexation substantially the same services as provided to other inhabitants of the City.

The individual signing this request represents that he or she either is owner of the above-described property or has the authority to act on behalf of the owner of the property, and to bind the owner in all matters concerning the requested annexation.

Sincerely,



Connie Frank
President



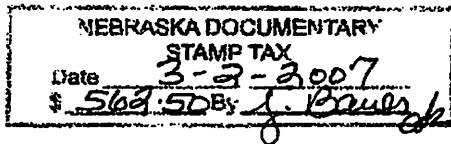
2007-1235

NUM. INDEX MJ
COMPUTER E
PICTURED J
IMAGED _____

NUM PAGES 2
DOC TAX 562.50 PD ☒ CHG _____ RET _____
FEES 10.50 PD ☒ CHG _____ RET _____
TOTAL 573.00 CR
REC'D _____
RET ☒

Inst. 2007 - 1235

RECORDED
SCOTTS BLUFF COUNTY, NE

Date 3-2-07 Time 3:10pm

Jean A. Bauer

REGISTER OF DEEDS

✓ Return recorded instrument to: Roy Hahn, Attorney, PO Box 286, Scottsbluff, NE 69361; regardless who might bring this instrument into the recorder's office for recording.

030107

WARRANTY DEED

ALYSSA L. FRANK, a married person, GRANTOR, in consideration of "One Dollar and Other Valuable Consideration" received from **GRANTEE, FRANK ENTERPRISES, INC., a Corporation**, conveys to **GRANTEE** the following described real estate (as described in Neb. Rev. Stat. 76-102):

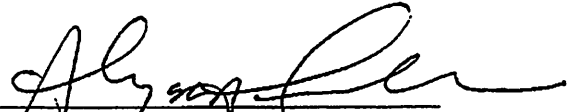
Block 1, ALF ADDITION, an addition to the City of
Scottsbluff, Scotts Bluff County, Nebraska; according
to the recorded plat, thereof.

SUBJECT TO all easements, restrictions, and reservations
rights-of-way, whether apparent of record.

GRANTOR covenants (jointly and severally, if more than one) with **GRANTEE**
that **GRANTOR**:

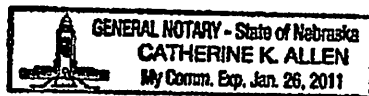
1. is lawfully seized of such real estate and that it is free from encumbrances; except those which are referred to above ("subject to all easements, restrictions, and reservations of record");
2. has legal power and lawful authority to convey the same;
3. warrants and will defend title to the real estate against the lawful claims of all persons.

DATED: 3-2-07, 2007


 ALYSSA L. FRANK, a married
 person, GRANTOR

STATE OF Nebraska)
 COUNTY OF Scotts Bluff) ss.

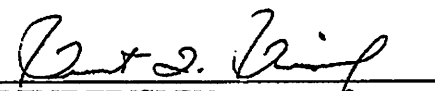
The foregoing instrument was acknowledged before me on the day set forth above, by ALYSSA L. FRANK, a married person, Grantor, acknowledging the same to be her free and voluntary act and deed.




 Notary Public

(My commission expires)

DATED: 3/2/07, 2007


 TRENT TINSLEY, spouse of
 Seller, GRANTOR

STATE OF Nebraska)
 COUNTY OF Scotts Bluff) ss.

The foregoing instrument was acknowledged before me on the day set forth above, by TRENT TINSLEY, spouse of Seller, Grantor, acknowledging the same to be his free and voluntary act and deed.




 Notary Public

(My commission expires)

RH/cka
 030107WDfrankfrankent(2)

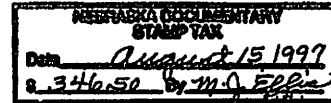
5401

STATE OF NEBRASKA, COUNTY OF SCOTTS BLUFF ss.

Filed for record and entered in Numerical Index on this 15 day of August, 1997, at 12:20 o'clock P.m. and recorded in Deed Record 213, page 596.

Return to:
 Frank Enterprises
 P.O. Box 416
 Seb. Ne.

By: Mary J. Elin
 County or Deputy County Clerk
 Register or Deputy Register of Deeds



WARRANTY DEED

KEITH A. STRACHAN and VERA M. STRACHAN, Husband and Wife, GRANTOR herein whether one or more, in consideration of \$197,600.00 received from FRANK ENTERPRISES, INC., A Wyoming Corporation, GRANTEE herein whether one or more, does hereby grant, bargain, sell, convey, and confirm unto GRANTEE, the following described real property located in Scotts Bluff County, Nebraska:

See Attached Legal Description

Grantor reserves a 50% non-participating royalty interest in all oil, gas and minerals that Grantor now owns, for a period of 20 years from the date of the execution of this Warranty Deed, and for so long thereafter as production shall continue in commercially paying quantities.

To have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrances, excepting restrictions, reservations, and rights-of-way of record; that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated this 14 day of August, 1997.

Keith A. Strachan Vera M. Strachan
 Keith A. Strachan, Grantor Vera M. Strachan, Grantor

STATE OF NEBRASKA)
) ss.
 COUNTY OF SCOTTS BLUFF)

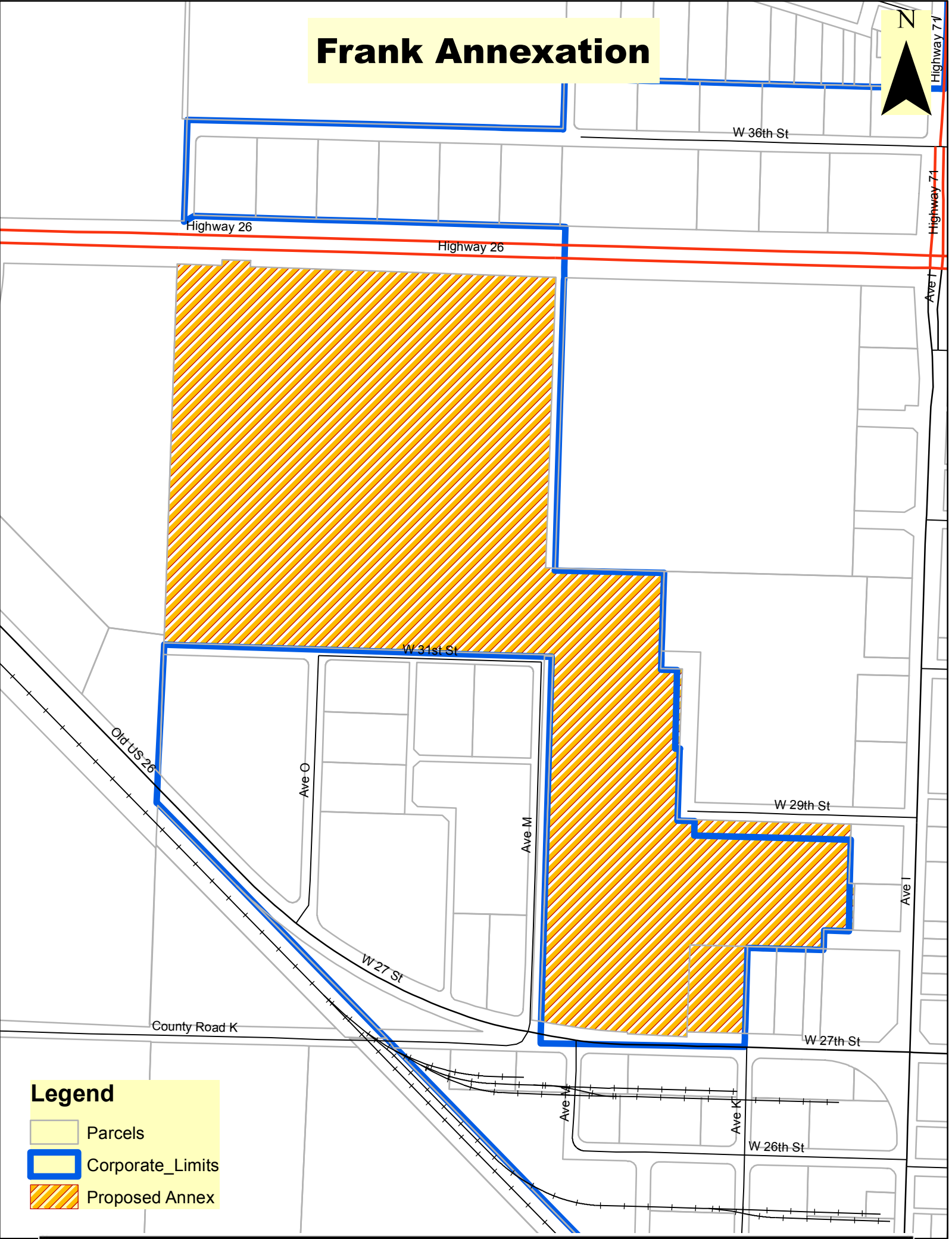
The foregoing instrument was acknowledged before me on this 14 day of August, 1997, by Keith A. Strachan and Vera M. Strachan, Grantors.



5401

North Half of the Southeast Quarter (N1/2SE1/4) of Section Fifteen Township Twenty two (22) North, Range Fifty five (55) West of the 6th P.M., Scotts Bluff County, Nebraska, EXCEPT those parts thereof conveyed to the State of Nebraska by condemnation recorded in Miscellaneous Book 25 on Page 610; by Warranty Deeds recorded in Deed Book 108 on Page 44, recorded in Deed Book 208 on Page 126, and recorded in Deed Book 183 on Page 736, all of the records of Scotts Bluff County, Nebraska; AND EXCEPT that part thereof platted as Block 1, FRIEDMAN SUBDIVISION, A subdivision of part of the N1/2SE1/4 of Section 15, Twp. 22 N., R 55 W of the 6th P.M., Scotts Bluff County Nebraska, and recorded in Deed Book 207 on Page 267 on June 28, 1995.

Frank Annexation



Legend

- Parcels
- Corporate Limits
- Proposed Annex