

City of Scottsbluff, Nebraska

Monday, July 17, 2017

Regular Meeting

Item Resolut.3

Council to consider an Ordinance annexing a tract of land known as a part of the SE ¼ of the SE ¼ of Section 15, Township 22 North, Range 55 West of the 6TH P.M., Scotts Bluff County, Nebraska (Third Reading).

Staff Contact: Nathan Johnson, City Manager

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, ANNEXING A TRACT OF LAND KNOWN AS PART OF THE SE¼SE¼ OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 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. had requested that property it owns be annexed into the corporate limits of the City of Scottsbluff. The City Council has previously passed an Ordinance annexing two tracts of land owned by Frank Enterprises, Inc., however, there was one additional tract requested to be included into the corporate limits of the City of Scottsbluff. Frank Enterprises, Inc. has requested the following described real estate (the "Real Estate") be included within the corporate limits of the City of Scottsbluff along with the prior real estate that has been annexed:

The SE¼SE¼ of Section 15, Township 22 North, Range 55 West of the 6th P.M., in Scotts Bluff County, Nebraska, EXCEPT Lot 1, Bjorling Addition, a Plat of Vacated Lot 1, Replat of Baltes Addition and part of the SE¼SE¼ of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska; AND EXCEPT Lots A & B, a Replat of Lots 2, 3 and 4, Replat of Baltes Addition, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; AND EXCEPT Lots 1, 2, 3, 4 and 5, Block 1, Baltes Second Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; AND EXCEPT that part deeded to the City of Scottsbluff, a municipal corporation in Book 191 of Deeds at Page 56, records of Scotts Bluff County, Nebraska.

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 Revised 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.

ATTEST:

Mayor

City Clerk (Seal)

Approved as to form:

Deputy City Attorney

NUM PAGES 2
DOC TAX 358.75 PD ☒ CHG ☐ RET ☐
FEES 10.50 PD ☒ CHG ☐ RET ☐
TOTAL _____
CK NUM ck 369.25 BY _____
REC'D Roy Hahn Law Office BY _____

Inst. 2001 - 07010

RECORDED
SCOTTS BLUFF COUNTY, NE

'01 OCT 23 PM 3 56

Roy Hahn
P.O. Box 286
Scottsbluff, NE 69363-0286

NUM INDEX _____
COMM INTER _____
PROMISED _____
IMAGED _____

REGISTER OF DEEDS

TRUSTEES' DEED

U.S. BANK, NATIONAL ASSOCIATION, successor in interest to First Bank, National Association, successor in interest to FirstTier Bank, National Association, successor in interest to Scottsbluff National Bank and Trust Company, Trustee of the Laurence and Lydia Baltes Charitable Trust A and Trustee of the Laurence and Lydia Baltes Charitable Trust B, and THE PANHANDLE SHRINE CLUB, Trustee of the Laurence and Lydia Baltes Charitable Trust A, and THE SCOTTSBLUFF CHAPTER OF THE BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS, Trustee of the Laurence and Lydia Baltes Charitable Trust B, GRANTORS, IN CONSIDERATION OF TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, received from GRANTEE, FRANK ENTERPRISES, INC., A Wyoming Corporation, convey to GRANTEE the following described real estate (as defined in Neb. Rev. Stat. §76-201):

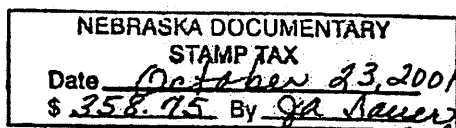
The SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 22 North, Range 55 West of the 6th P.M., in Scotts Bluff County, Nebraska, EXCEPT Lot 1, Bjorling Addition, a Plat of Vacated Lot 1, Replat of Baltes Addition and part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska; AND EXCEPT Lots A and B, a Replat of Lots 2, 3 and 4, Replat of Baltes Addition, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; AND EXCEPT Lots 1, 2, 3, 4 and 5, Block 1, Baltes Second Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; AND EXCEPT that part deeded to the City of Scottsbluff, a municipal corporation in Book 191 of Deeds at Page 56, records of Scotts Bluff County, Nebraska,

subject to easements, restrictions, reservations and rights-of-way of record.

GRANTORS covenant with GRANTEE, that GRANTORS are:

- (1) Lawfully seized of such real estate and that they are free from encumbrances;
- (2) Have legal power and lawful authority to convey the same;
- (3) Warrant and will defend title to the real estate against any acts of the GRANTORS.

Executed: October 11, 2001.



U.S. BANK, NATIONAL ASSOCIATION, Successor in interest to First Bank, National Association, successor in interest to FirstTier Bank, National Association, successor in interest to Scottsbluff National Bank and Trust Company, Trustee of the Laurence and Lydia Baltes Charitable Trust A and Trustee of the Laurence and Lydia Baltes Charitable Trust B,

By: [Signature]
Title: Asst. Vice President

THE PANHANDLE SHRINE CLUB, Trustee
of the Laurence and Lydia Baltes
Charitable Trust A,

By Norm R. Gregorby, Jr.
President

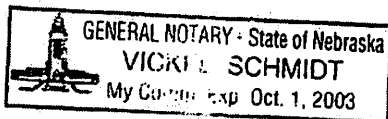
THE SCOTTSBLUFF CHAPTER OF THE
BENEVOLENT AND PROTECTIVE ORDER OF
THE ELKS, Trustee of the Laurence
and Lydia Baltes Charitable Trust B,

By Fred W. Ruff
Exalted Ruler

By David Schram
Chairman of the Board

STATE OF NEBRASKA, County of Scotts Bluff: ss.

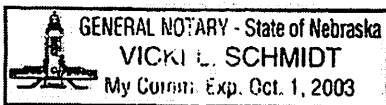
The foregoing instrument was acknowledged before me this 11
day of October, 2001 by Leland A. Judy, Assistant Vice Pres.
of U.S. Bank, National Association, successor in interest to First
Bank National Association, successor in interest to FirstTier Bank,
National Association, successor in interest to Scottsbluff National
Bank and Trust Company, Trustee of the Laurence and Lydia Baltes
Charitable Trust A and Trustee of the Laurence and Lydia Baltes
Charitable Trust B, on behalf of the Bank as Trustee.



Vicki L. Schmidt
Notary Public

STATE OF NEBRASKA, County of Scotts Bluff: ss.

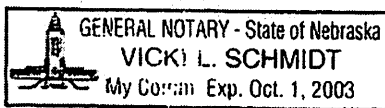
The foregoing instrument was acknowledged before me this 11
day of October, 2001 by Norm R. Gregorby, Jr., President of The
Panhandle Shrine Club, Trustee of the Laurence and Lydia Baltes
Charitable Trust A, on behalf of said Trustee.



Vicki L. Schmidt
Notary Public

STATE OF NEBRASKA, County of Scotts Bluff: ss.

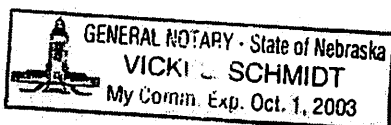
The foregoing instrument was acknowledged before me this 11
day of October, 2001 by Fred W. Ruff, Exalted Ruler of
The Scottsbluff Chapter of the Benevolent and Protective Order of
the Elks, Trustee of the Laurence and Lydia Baltes Charitable Trust
B on behalf of said Trustee.



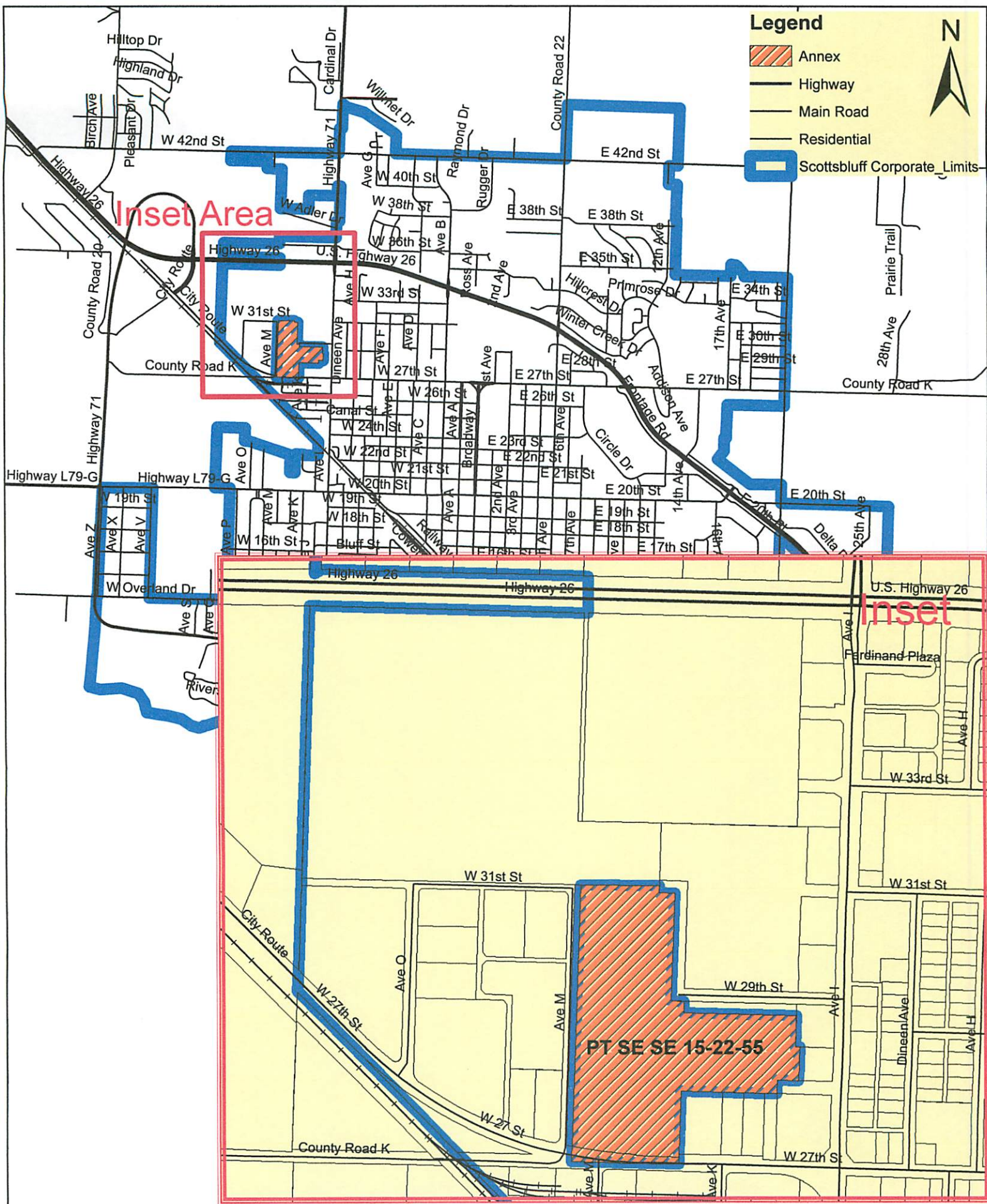
Vicki L. Schmidt
Notary Public

STATE OF NEBRASKA, County of Scotts Bluff: ss.

The foregoing instrument was acknowledged before me this 11
day of October, 2001 by David Schram, Chairman of
the Board of The Scottsbluff Chapter of the Benevolent and
Protective Order of the Elks, Trustee of the Laurence and Lydia
Baltes Charitable Trust B on behalf of said Trustee.



Vicki L. Schmidt
Notary Public



Alf Annexation SESE 15-22-55