

City of Seward, NE
Tuesday, February 16, 2016
Regular Session

Item G7

**CONSIDERATION OF AN ORDINANCE DIRECTING THE
CONVEYANCE OF REAL PROPERTY TO THE STATE OF
NEBRASKA FOR NATIONAL GUARD MUSEUM - John Hughes**

Administrative Report: Following review and discussion, approval the ordinance would be in order.

Staff Contact:

Regarding the City Park property, while in the process of being transferred to the Armory it was discovered that the property located in what was termed as the “Park Addition”, had not been previously platted. The City had been sent a document from the Armory personal titled “Exhibit A” which identified the parcel to be transferred. This parcel had a 10 ft by 35 ft panhandle at the south side of the property running to the east away from the park area to be retained.

In order to transfer the property correctly this parcel located in the Park Addition (located at the west end of the Armory), needed to be platted with Lot 1 being the property to be transferred, and Lot 2, being the property that the City would retain as park property. It was during the time of the platting that it was questioned why the City would retain the panhandle offshoot in its possession. This would only provide more maintenance for the City. After conferring with the Armory about running the property line due south and eliminating the panhandle, Lt. Shane Martin indicated that this removal of the panhandle would be a better layout for all parties involved. Therefore, the new “Exhibit A” will reflect the squaring off of the property. This procedure required new legals and therefore brought back to council for approval.

ORDINANCE NO. 2016-__
CITY OF SEWARD, NEBRASKA

AN ORDINANCE TO DIRECT THE CONVEYANCE OF REAL PROPERTY TO THE STATE OF NEBRASKA IN ORDER FOR THE NEBRASKA ARMY NATIONAL GUARD TO COMPLETE THE RECONSTRUCTION OF THE STATE OF NEBRASKA ARMORY SITE INTO THE NEBRASKA NATIONAL GUARD MUSEUM; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

SECTION 1. The City of Seward, Nebraska (“City”) owns that certain real property commonly known as 10th Street and Jackson Avenue and legally described as:

DESCRIPTION OF A PART OF "PARK" AS DESIGNATED ON THE ORIGINAL PLAT OF HARRIS, MOFFITT AND ROBERTS ADDITION TO THE CITY OF SEWARD (MORE PARTICULARLY DESCRIBED AS FOLLOWS)

BEGINNING AT A POINT 80.0' SOUTH OF THE SOUTHWEST CORNER OF BLOCK 66, HARRIS, MOFFITT AND ROBERTS ADDITION; THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTH JACKSON AVENUE, ON AN ASSUMED BEARING OF S 89°53'41" E FOR A DISTANCE OF 98.00' THENCE S 00°02'13" W FOR A DISTANCE OF 150.28' TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SOUTH JACKSON AVENUE THENCE N 89°53'41" W, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SOUTH JACKSON AVENUE, FOR A DISTANCE OF 34.95 THENCE N00°00'59"W FOR A DISTANCE OF 45.30' THENCE N89°51'48"W FOR A DISTANCE OF 62.94' TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 10TH STREET THENCE N 00°00'00" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 10TH STREET FOR A DISTANCE OF 104.95' TO THE POINT OF BEGINNING AND CONTAINING AN AREA OF 11,868 SQUARE FEET

SECTION 2. The City currently owns and maintains the Property, which is adjacent to the Nebraska Army National Guard armory site, which is currently being reconstructed into the Nebraska National Guard Museum.

SECTION 3. The Nebraska National Guard has requested the City’s conveyance of the Property in order for it to be able to obtain federal funding for completion of the last phase of construction of the Nebraska National Guard Museum. State ownership is required in order for the Nebraska National Guard to be able to invest facility funds for construction and maintenance of the Property.

SECTION 4. Neb. Rev. Stat. § 16-201, which governs the operation of Cities of the First Class, authorizes the City to convey the Property to the State of Nebraska without further auction, bidding or proceedings.

SECTION 5. Seward Municipal Code § 8-102 authorizes the City to convey the Property to the State of Nebraska without further proceedings.

SECTION 6. The City desires to convey the Property to the State of Nebraska so that the City and its residents may benefit from the use of the Nebraska National Guard Museum and so that the City may obtain the relieved burden of maintenance and liability of the Property.

SECTION 7. The City hereby approves the conveyance and transfer of the Property to the State of Nebraska in accordance with the authority under Nebraska law and the Seward Municipal Code.

SECTION 8. The Mayor of the City is hereby authorized to execute a Warranty Deed and to take all actions necessary to effectuate the transfer of the Property to the State of Nebraska.

SECTION 9. Pamphlet Form; Publication, When Operative. This ordinance shall be published in pamphlet form and shall be in full force and effective from after its passage, approval, and publication or posting as required by law and city ordinance.

Passed and approved this 16th day of February, 2016

CITY OF SEWARD, NEBRASKA

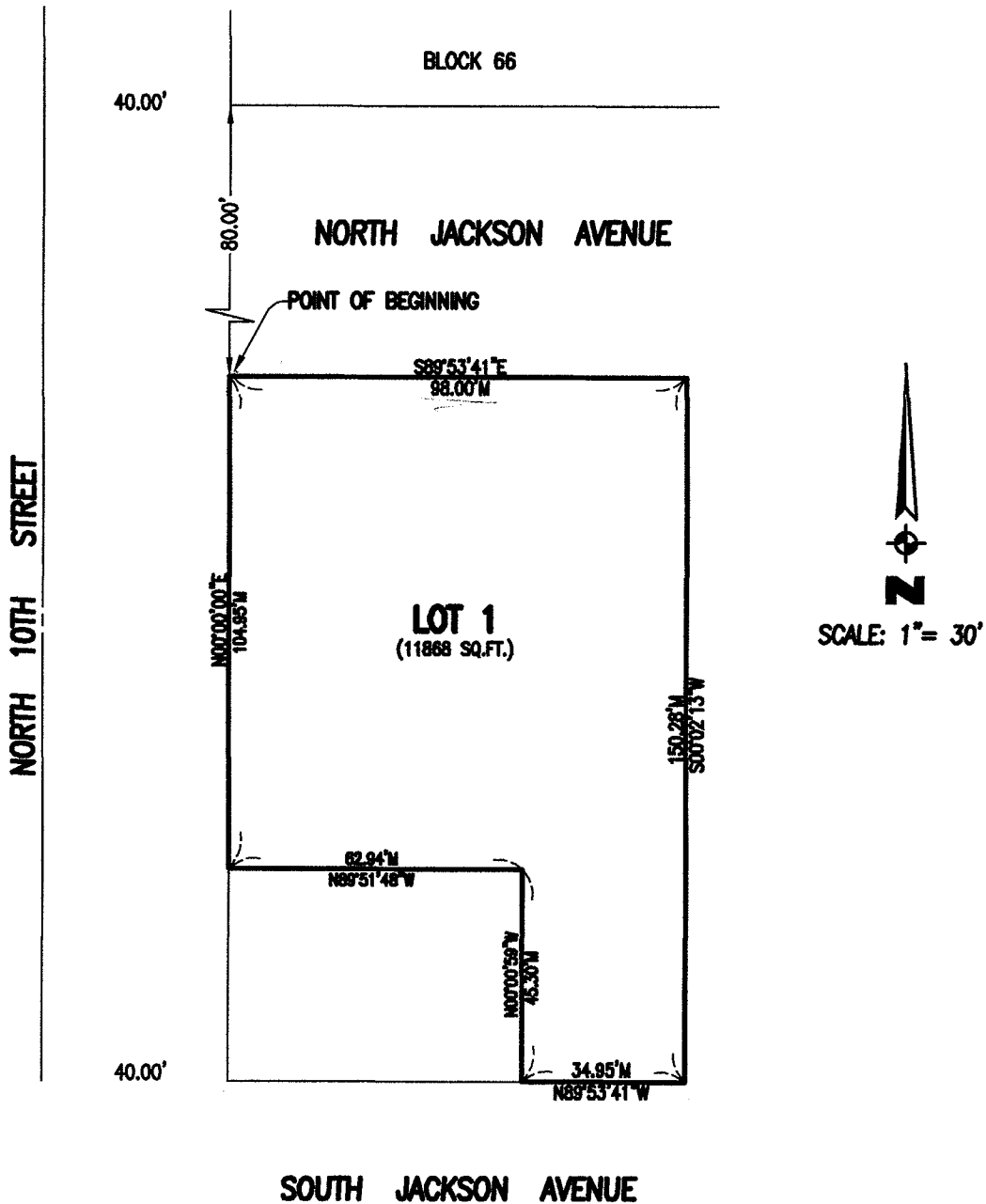
ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator/
Clerk-Treasurer/
Budget & HR Director

(SEAL)

EXHIBIT "A"



LEGAL DESCRIPTION:

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