

**CITY OF PAPILLION  
MAYOR AND CITY COUNCIL REPORT  
APRIL 6, 2021 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
A request to authorize the Mayor to execute the Raven Northbrook, LLC Permanent Easement.	Resolution #R21-0060	Alan Thelen, City Attorney

**SYNOPSIS**

This is a request to authorize the acceptance of a Permanent Easement between Raven Northbrook, LLC and the City. Raven Northbrook, LLC is the grantor for the Permanent Easement that is being granted to the City. Such easement grants the City the right to operate, repair, maintain, replace or remove a storm sewer drainage ditch, a storm drainage culvert and related appurtenances within the easement area.

The easement area is located within Outlot A, Sarpy County Power Park East and contains a calculated area of roughly 7,557.66 square feet.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On December 20, 2016, City Council approved the Sarpy County Power Park East Final Plat and Subdivision Agreement. The Subdivision Agreement contemplates that Raven Northbrook, LLC would need to dedicate easements to Sarpy County for roadway improvements or for the drainage and conveyance of stormwater and other runoff.

On October 28, 2017, City Council approved Ordinance No. 1789 which authorized 2017 Annexation No. 3, bringing Sarpy County Power Park East into City Limits. As such, it is appropriate for such Permanent Easement to be dedicated to the City. This Permanent Easement is one of a series of easements being transferred along Capehart Road at the Sarpy County Power Park East and West projects. The Public Works Department has reviewed and approved the acceptance of this Permanent Easement.

**ATTACHMENTS:**

Resolution #R21-0060  
Permanent Easement

## RESOLUTION NO. R21-0060

**WHEREAS**, the Papillion City Council approved the Sarpy County Power Park East Final Plat and Subdivision Agreement on December 20, 2016;

**WHEREAS**, the Sarpy County Power Park East Subdivision Agreement contemplates that Raven Northbrook, LLC would need to dedicate easements to Sarpy County for roadway improvements or for the drainage and conveyance of stormwater and other runoff;

**WHEREAS**, the Papillion City Council approved Ordinance No. 1789 – 2017 Annexation No. 2 on October 28, 2017, which brought Sarpy County Power Park East within the corporate limits of the City of Papillion;

**WHEREAS**, if approved the requested easement shall grant the City of Papillion the right to operate and maintain storm drainage facilities within the easement area;

**THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Papillion that the Permanent Easement from Raven Northbrook, LLC Exhibit “A” is hereby accepted.

**BE IT FURTHER RESOLVED**, the Mayor and City Clerk are hereby authorized to sign and execute the necessary documents to facilitate the transfer and dedication of the Permanent Easement to the City of Papillion.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

**CITY OF PAPIILLION, NEBRASKA**

\_\_\_\_\_  
David P. Black, Mayor

Attest:

\_\_\_\_\_  
Nicole L. Brown, City Clerk  
(SEAL)







**EXHIBIT "A"**

**PERMANENT EASEMENT LEGAL DESCRIPTION**


**PERMANENT EASEMENT**

A PERMANENT EASEMENT LOCATED IN OUTLOT A, SARPY COUNTY POWER PARK EAST, A PLATTED AND RECORDED SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID OUTLOT A, SAID CORNER ALSO BEING A CORNER OF LOT 1, SAID SARPY COUNTY POWER PARK EAST, SAID CORNER ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF CAPEHART ROAD; THENCE ON SAID NORTH RIGHT-OF-WAY LINE OF CAPEHART ROAD, ON AN ASSUMED BEARING OF S87°51'23"W, 151.15 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT A; THENCE ON THE WEST LINE OF SAID OUTLOT A, N09°13'32"W, 50.38 FEET; THENCE N87°51'23"E, 151.15 FEET TO A POINT ON THE EAST LINE OF SAID OUTLOT A; THENCE ON SAID EAST LINE OF OUTLOT A, S09°13'32"E, 50.38 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINS A CALCULATED AREA OF 7,557.66 SQUARE FEET, MORE OR LESS.

**SARPY COUNTY  
PUBLIC WORKS DEPARTMENT**

<b>Owner(s):</b> RAVEN NORTHBROOK LLC	 <b>Permanent Easement:</b> _____ 7,557.66 S.F.
	<b>Address:</b> CAPEHART ROAD
	<b>Project Name:</b> CAPEHART ROAD (144th to 150th)

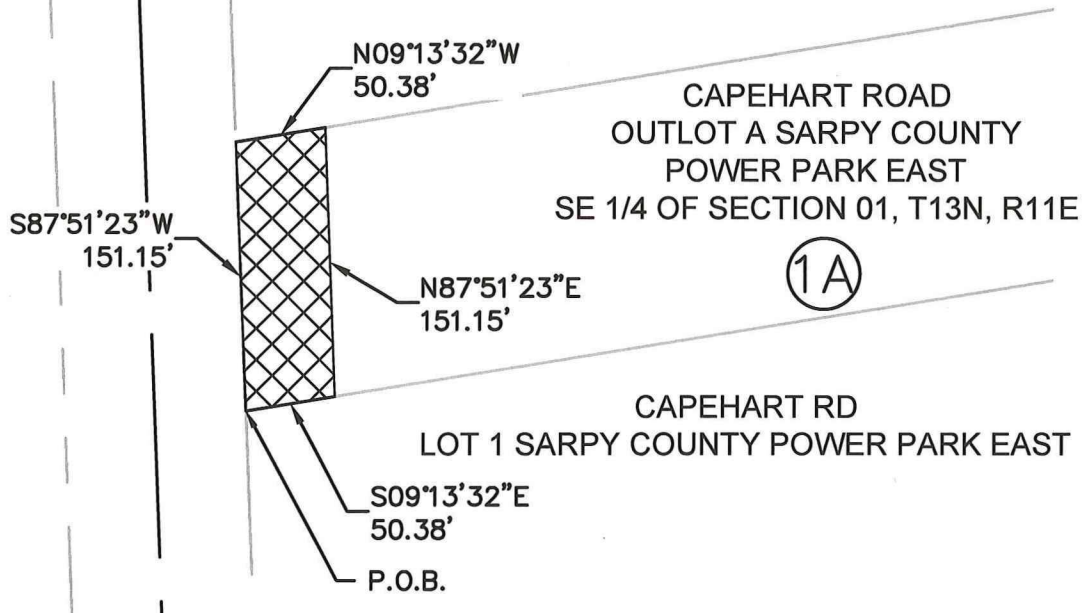
<b>Tract No.</b> 1A	<b>Date Prepared:</b> 08/29/2018	<b>Revision Date(s):</b>	Page 1 of 2
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SCALE: 1" = 100'

CAPEHART ROAD

CAPEHART RD  
LOT 1 SARPY COUNTY POWER PARK EAST





CAPEHART ROAD  
OUTLOT A SARPY COUNTY  
POWER PARK EAST  
SE 1/4 OF SECTION 01, T13N, R11E

1A

CAPEHART RD  
LOT 1 SARPY COUNTY POWER PARK EAST

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DATE: Sep 17, 2018 8:51am

**SARPY COUNTY - PUBLIC WORKS DEPARTMENT**

 PERMANENT EASEMENT <u>7,557.66</u> S.F.	TRACT 1A	OWNER(S): RAVEN NORTHBROOK LLC ADDRESS: CAPEHART ROAD OUTLOT A SARPY COUNTY POWER PARK EAST SE 1/4 OF SECTION 01, T13N, R11E	
PROJECT NO: 016-0727	DATE: 9/17/18		PAGE 2 OF 2