

## PLANNING COMMISSION

November 19, 2022

8:00 AM

Chairman Jim Masek opened the meeting at 8:00 a.m. in the meeting room of the City Office Building, 490 E Street, David City, Nebraska, and notified the public of the "Open Meetings Act" posted on the west wall of the meeting room.

Chairman Jim Masek also notified the public that if you wish to speak to the Commission to please state your name and address for the record and that due to the considerable number of agenda items that the Commission will be limiting each speaker to three minutes per agenda item.

Present: Planning Commission members Keith Marvin, Jim Vandenberg, Jim Masek, Greg Aschoff, and Pam Kabourek, City Attorney David Levy, City Clerk Tami Comte, and Deputy City Clerk Lori Matchett. Alternate Planning Commission member Brian Small was absent.

Also present were Building Inspector Gary Meister, City Council member Kevin Woita and Bruce Meysenburg, Jack Klosterman, Jesse Hough, Mark & Willow Holoubek, Greg Sabata, David Oborny, Jerry Oborny, Lane Sabata, Gordon Harms, Jennifer Divis, Donnie Steager, Ruth and Dr. Victor Thoendel, Ryan Meister, and Don McLaughlin.

Planning Commission member Pam Kabourek made a motion to accept the minutes of the October 22, 2022, meeting as presented. Keith Marvin seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Jim Masek made a motion to open the public hearing at 8:02 a.m. to consider annexing the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 13, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°26'22"W ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°27'47"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2611.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING S00°27'47"W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'33"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2608.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS. Keith Marvin seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Keith Marvin asked City Clerk Tami Comte if this was a written request or a verbal request. City Clerk Tami Comte stated that it was a verbal request for

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November 19, 2022

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the annexation and that one of the parcels was just recently transferred after notice of annexation was mailed.

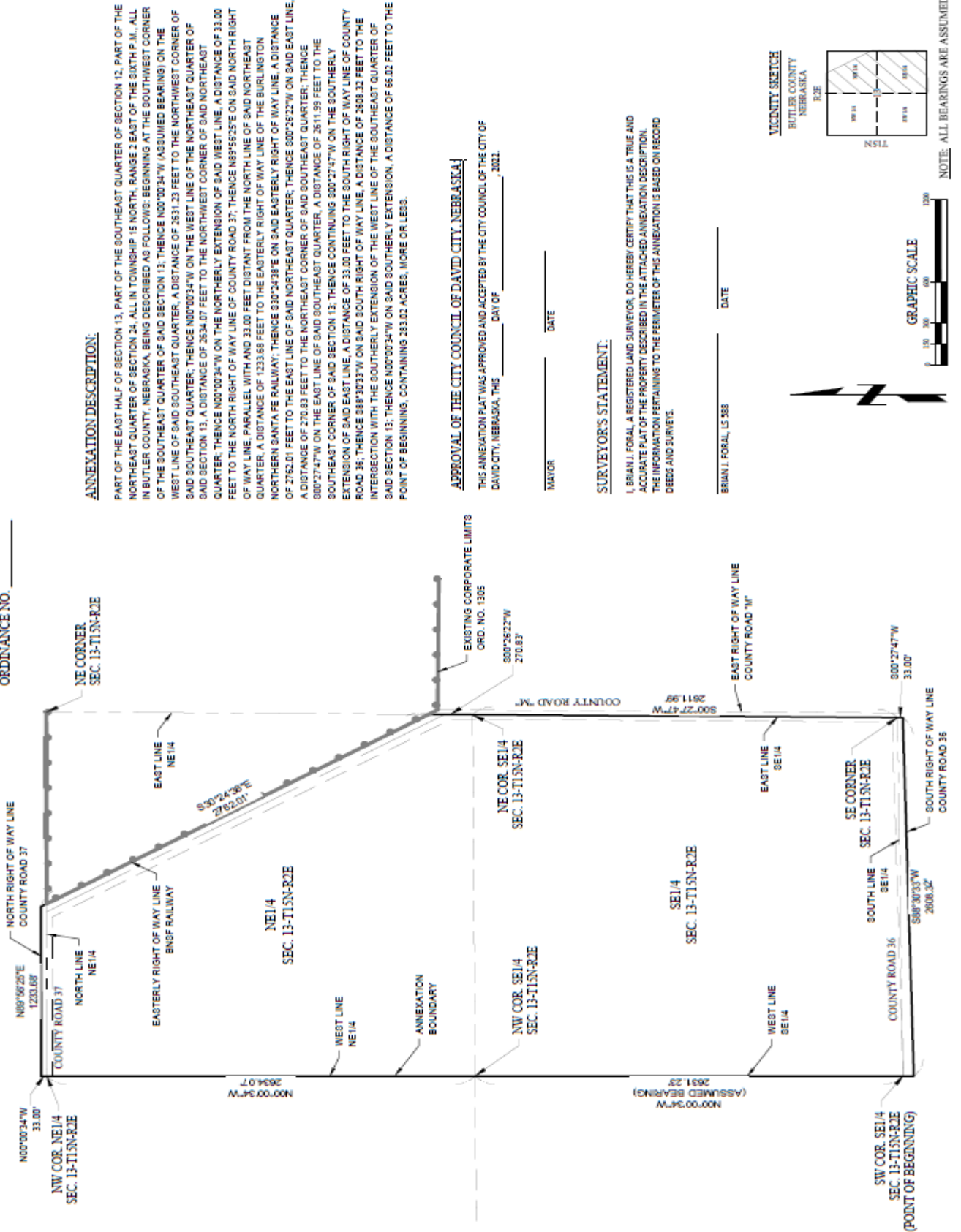
Planning Commission member Keith Marvin made a motion to close the public hearing at 8:04 a.m. to consider annexing the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 13, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Keith Marvin made a motion to recommend to the City Council, approval of Ordinance No. 1409 for the annexation of the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 14, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°26'22"W ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°27'47"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2611.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING S00°27'47"W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'33"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2608.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS.. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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ANNEXATION PLAT  
 CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_



**ANNEXATION DESCRIPTION:**

PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M. ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34" W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34" W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34" W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°52'25" E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE 030°24'38" E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE 030°24'38" E ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE 000°27'47" W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2511.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING 000°27'47" W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE 88°30'33" W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2688.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34" W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.03 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA**

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

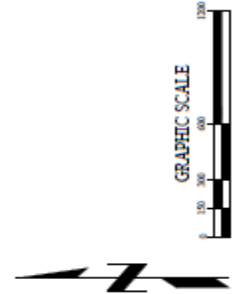
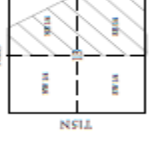
MAJOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 288 \_\_\_\_\_ DATE \_\_\_\_\_

VICINITY SKETCH  
 BUTLER COUNTY  
 NEBRASKA  
 R2E



NOTE: ALL BEARINGS ARE ASSUMED.

PART OF E1/4 SEC. 13  
 PART SEC. 14 SEC. 12, PART NE 1/4  
 SEC. 24, T15N-R2E  
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT  
 CITY OF DAVID CITY  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. R220312  
 DATE 9/21/2022  
 DRAWN BY BJF  
 FILE NAME R220312.dwg  
 FIELD BOOK BUTLER CO. 93  
 FIELD CORNER BUFAJ08  
 SURVEY FILE NO.

Planning Commission Minutes

November 19, 2022

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Planning Commission member Jim Masek made a motion to open the public hearing at 8:05 a.m. to consider annexing part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S89°56'25"W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 1396.92 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY; THENCE N30°24'47"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 765.41 FEET; THENCE N89°56'25"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1790.10 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE CONTINUING N89°56'25"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°29'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 660.50 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7, THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 24.66 ACRES, MORE OR LESS. Keith Marvin seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

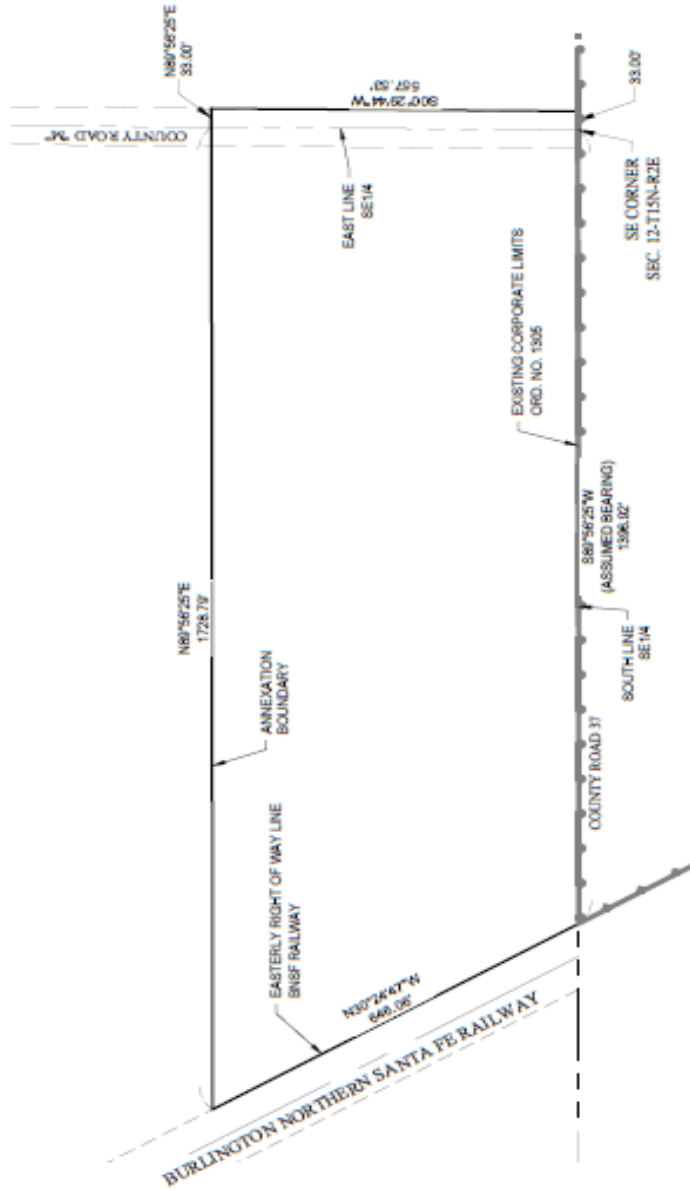
City Clerk Tami Comte informed the Planning Commission that this is also a verbal request to annex the described properties.

Planning Commission member Keith Marvin made a motion to close the public hearing at 8:06 a.m. for consideration of annexing part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Pam Kabourek made a motion to recommend to the City Council, approval of Ordinance No. 1410 for the annexation of part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S89°56'25"W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 1396.92 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY; THENCE N30°24'47"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 765.41 FEET; THENCE N89°56'25"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1790.10 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE CONTINUING N89°56'25"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°29'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 660.50 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7, THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 24.66 ACRES, MORE OR LESS. . Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

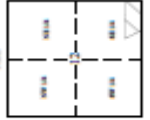
I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 538 \_\_\_\_\_ DATE \_\_\_\_\_

**ANNEXATION DESCRIPTION:**

PART OF THE SOUTH HALF OF THE SOUTH-EAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH-EAST CORNER OF SAID SECTION 12, THENCE 88°56'25\"/>

NEBRASKA  
 BUTLER COUNTY  
 BUTLER COUNTY  
 NEBRASKA



PART OF S/2 SEC 14  
 SEC. 12-T15N-R2E  
 & PART SW1/4 SW1/4 SEC. 7-T15N-R3E  
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT  
 CITY OF DAVID CITY  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221781  
 DATE 9/23/2022  
 DRAWN BY AMW  
 PLS. NAME amw@jmg  
 FIELD BOOK BUTLER CO. 93  
 FIELD SHEET 21P  
 SURVEY FILE NO.

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Planning Commission member Keith Marvin made a motion to open the public hearing at 8:08 a.m. to consider annexing the McLaughlin, Holoubek, Callaway Rolloffs, LLC, and Kobza and part of the Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska,

described as follows: PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried.

Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Don McLaughlin introduced himself. Don asked the Commission questions that he had regarding the annexation of his property. Don is against his property being annexed.

Willow Holoubek introduced herself. Willow is opposed to having her property annexed.

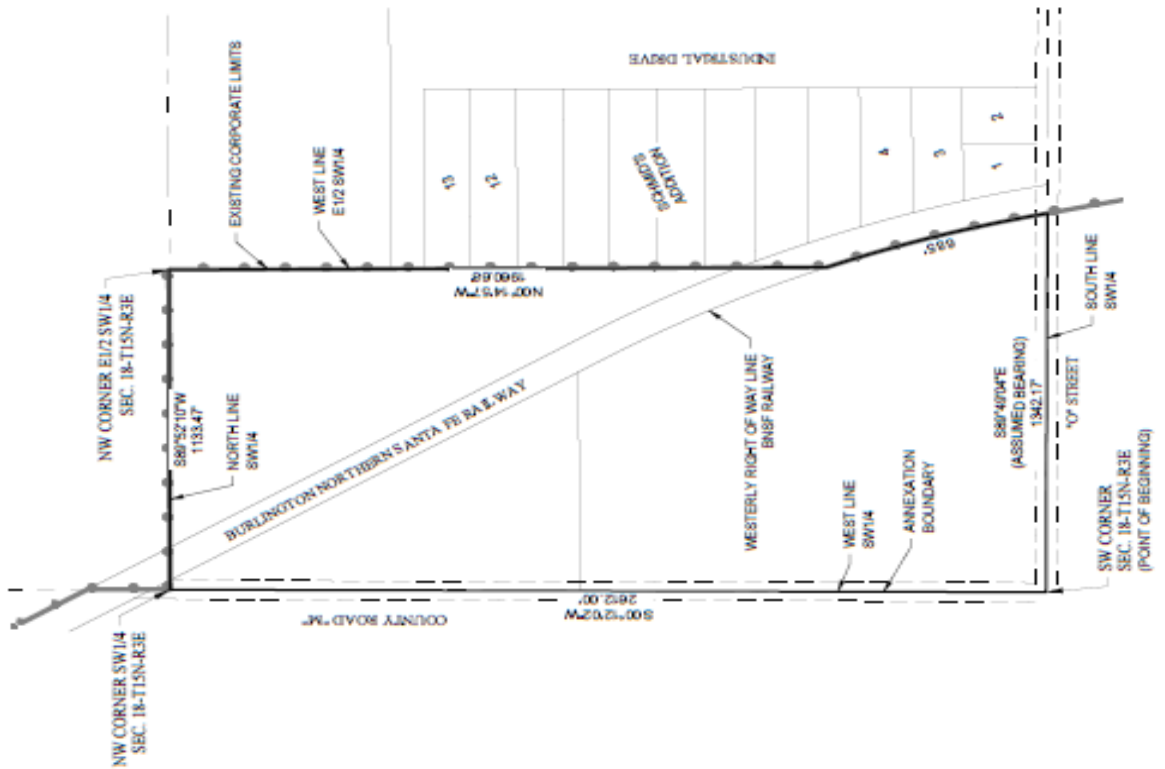
Planning Commission member Jim Masek made a motion to close the public hearing at 8:14 a.m. to consider annexing the McLaughlin, Holoubek, Callaway Rolloffs, LLC, and Kobza and part of the Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Keith Marvin made a motion to recommend to City Council, approval of Ordinance No. 1411 for the annexation of the McLaughlin, Holoubek, Callaway Rolloffs, LLC and Kobza and part of the Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



**ANNEXATION DESCRIPTION:**

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE 80TH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04\"/>

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

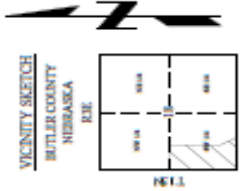
THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

TAYLOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, BRIAN L. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORDED DEEDS AND SURVEYS.

BRIAN L. FORAL, L.S. 358 \_\_\_\_\_ DATE \_\_\_\_\_



PART OF THE SW 1/4  
 SEC. 18-T15N-R3E  
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT  
 CITY OF DAVID CITY,  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221761  
 DATE 9/23/2022  
 DRAWN BY AWH  
 PLOT NAME 221761.dwg  
 PLOT BOOK BUTLER CO. 33  
 PLOT CORNER ELP  
 SURVEY FILE NO.



Planning Commission member Greg Aschoff made a motion to open the public hearing at 8:16 a.m. to consider annexing the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Donnie Steager representing the Butler County Ag Society introduced himself. Donnie wanted to know if the city annexes the Ag Society if the street that currently goes through the Ag Society would become a city street or if that would stay private since they currently close the gates to the public when they are holding events and auctions.

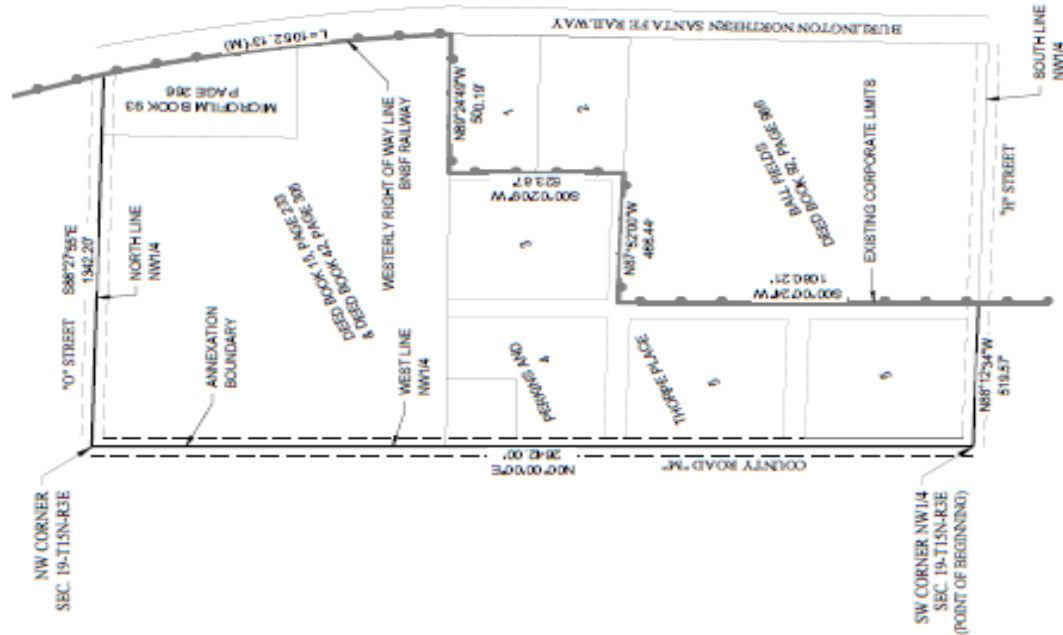
City Attorney David Levy stated, "If it is not already a city street, it will not become a city street automatically by virtue of the annexation."

Planning Commission member Keith Marvin made a motion to close the public hearing at 8:20 a.m. to consider annexing the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Keith Marvin made a motion to recommend to the City Council, approval of Ordinance No. 1412 for the annexation of the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.



**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



**ANNEXATION DESCRIPTION:**

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19, THENCE  $N00^{\circ}00'00''E$  (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE  $S88^{\circ}27'55''E$  ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE  $N87^{\circ}24'00''W$  ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 503.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE  $S00^{\circ}02'00''W$  ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 525.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE  $N87^{\circ}52'00''W$  ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 102, PAGE 086; A DISTANCE OF 498.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE  $S00^{\circ}02'34''W$  ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE  $N88^{\circ}12'24''W$  ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 88.9 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

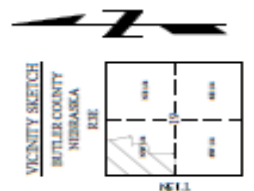
I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 538 \_\_\_\_\_ DATE \_\_\_\_\_

PART OF THE NW1/4  
 SEC. 19-T15N-R3E  
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT  
 CITY OF DAVID CITY,  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221761  
 DATE 9/23/2022  
 DRAWN BY AMH  
 PLOT NUMBER 1004-009  
 FIELD BOOK BUTLER CO. 83  
 BUTLER COUNTY, NEB.  
 FIELD CORNER ELP  
 SURVEY PLOT NO. \_\_\_\_\_



Planning Commission member Jim Masek made a motion to open the public hearing at 8:21 a.m. to consider annexing part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in part of the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as

follows: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried.

Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Russ Daro introduced himself. Russ is against the annexation of his property.

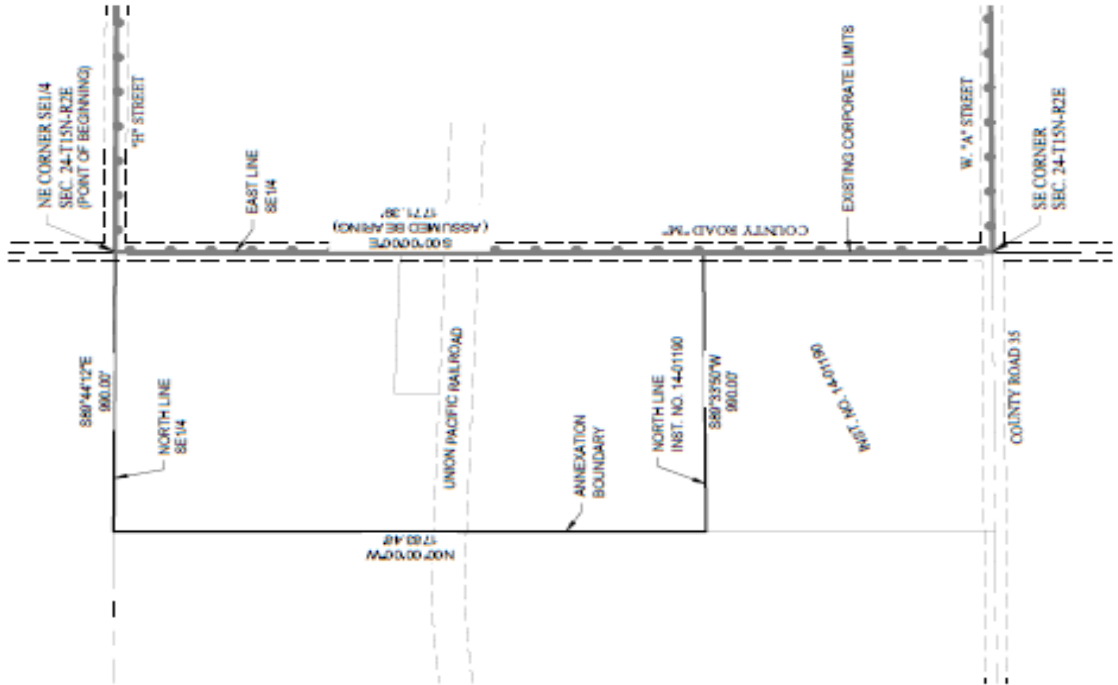
Willow Holoubek introduced herself. Willow wanted the Planning Commission to know that she is against the annexation of her property.

Planning Commission member Jim Masek made a motion to close the public hearing at 8:31 a.m. to consider annexing part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in part of the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Pam Kabourek made a motion to recommend to the City Council, approval of Ordinance No. 1413 for the annexation of part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES MORE OR LESS. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Nay. Yea: 4, Nay: 1.



**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



**ANNEXATION DESCRIPTION:**

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE 80°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01180; THENCE 88°33'52"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 900.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE N00°00'00"W PARALLEL WITH AND 900.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE 88°44'12"E ON SAID NORTH LINE, A DISTANCE OF 900.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

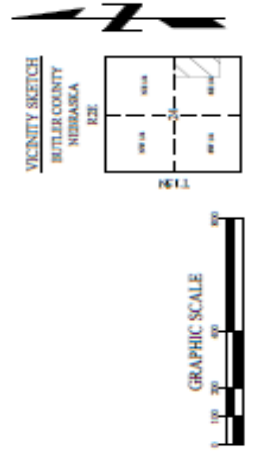
THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, BRIAN L. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN L. FORAL, LS 558 \_\_\_\_\_ DATE \_\_\_\_\_



PART OF THE SE14  
 SEC. 24-T15N-R2E  
 BUTLER COUNTY, NEBRASKA  
 ANNEXATION PLAT  
 CITY OF DAVID CITY,  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221781  
 DATE 5/25/2022  
 DRAWN BY AMH  
 FILE NAME INTRODUCTION  
 FIELD BOOK BUTLER CO. 20  
 FIELD CHECK BLF  
 SURVEY FILE NO.

Planning Commission member Keith Marvin made a motion to open the public hearing at 8:33 a.m. to consider annexing the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Keith Marvin made a motion to close the public hearing at 8:34 a.m. to consider annexing the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Pam Kabourek made a motion to recommend to the City Council, approval of Ordinance No. 1414 for the annexation of the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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Planning Commission member Keith Marvin made a motion to open the public hearing at 8:36 a.m. to consider annexing the Aquinas High School, City of David City, Greg & Lori Sabata, Wendy Reznicek (Breanne Evasic), Richard Dietrich, Joel Bongers, David & Michelle Streeter, State of Nebraska properties located in part of the south half of the SW quarter of Section 29, part of the SE quarter of the SE quarter of Section 30, part of the East half of the West half of Section 31, all of the West half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE EAST HALF OF THE WEST HALF AND ALL OF THE EAST HALF OF SECTION 31, ALL OF THE WEST HALF OF SECTION 32, ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5 AND PART OF THE NORTH HALF OF THE NORTH HALF OF SECTION 6, ALL IN TOWNSHIP 14 NORTH RAGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE WEST HALF OF SAID SECTION 32, A DISTANCE OF 5325.90 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE N00°15'38"E ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°44'22"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 2684.45 FEET; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1599.03 FEET TO THE SOUTH LINE OF THE NORTH 1000 FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 169.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING 4 COURSES: S00°52'19"E, 338.00 FEET; S09°47'51"E, 202.41 FEET; N89°07'41"E, 5.00 FEET; S01°07'39"E, 12.62 FEET TO THE SOUTHEAST CORNER OF ZEGERS 1ST ADDITION; THENCE WESTERLY AND SOUTHERLY ON THE SOUTHERLY LINE OF ZEGERS 1ST ADDITION THE FOLLOWING 3 COURSES: S89°26'54"W, 301.32 FEET; S00°18'49"W, 213.19 FEET; S89°56'26"W, 245.30 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S06°42'01"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 863.20 FEET TO THE NORTH LINE OF SAID SECTION 31; THENCE SOUTHERLY ON A CURVE TO THE RIGHT CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1698.86 FEET; THENCE S25°40'34"W CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 356.29 FEET TO THE SOUTHWEST CORNER OF LOT 1 AS SHOWN IN BOOK OF PLATS AT PAGE 122 (A/K/A PLAT #28) IN THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°32'28"E ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 957.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE S01°49'31"E ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3403.79 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°43'55"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 5369.75 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET; TO THE POINT OF BEGINNING, CONTAINING 755.56 ACRES, MORE OR LESS . Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Greg Sabata introduced himself. Greg was questioning if the full two hundred ten acres that his owns is going to be annexed.

Planning Commission member Keith Marvin answered Greg's question with, "That is what has been described at this point in time. There has been conversation that has been had, that when we started looking at the actual Airport, that it was not intended to bring in yours or the property that is on the southwest side of the runway as well. That is something that we have to consider, and the Council will have to consider through the process."

Planning Commission member Jim Vandenberg said, "I have looked over the map, and I feel that at this time, it does not need to be part of the annexation project that is going on in David City."

Kim Dietrich introduced herself, speaking on behalf of Richard Dietrich. They are opposed of their property being annexed.

Planning Commission member Keith Marvin made a motion to close the public hearing at 8:46 a.m. to consider annexing the Aquinas High School, City of David City, Greg & Lori

Planning Commission Minutes

November 19, 2022

Page # 14

Sabata, Wendy Reznicek (Breanne Evasic), Richard Dietrich, Joel Bongers, David & Michelle Streeter, State of Nebraska properties located in part of the south half of the SW quarter of Section 29, part of SE quarter of the SW quarter and the SE quarter of Section 20, part of the East half of the West half of Section 31, all of the west half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Keith Marvin made a motion to recommend to the City Council, approval of Ordinance No. 1415 for the annexation of the Aquinas High School, City of David City, Greg & Lori Sabata, Wendy Reznicek (Breanne Evasic), Richard Dietrich, Joel Bongers, David & Michelle Streeter, State of Nebraska properties but eliminate the properties of Greg & Lori Sabata and Wendy Reznicek, located in part of the south half of the SW quarter of Section 29, part of the SE quarter of the SW quarter and the SE quarter of Section 30, part of the East half of the West half of Section 31, all of the West half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



ANNEXATION PLAT  
 CITY OF DAVID CITY  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

51/2 SEC 30, S1/2 SEC 29  
 E1/2 W1/2 SEC 31, W1/2 SEC 32  
 E1/2 W1/2 SEC 30, E1/2 SEC 29  
 T15N-R3E & N1/2 SEC 32  
 T14N-R3E OF THE SIXTH P.M.  
 BUTLER COUNTY, NEBRASKA

PROJECT NO. 221761  
 DATE 10/20/22  
 DRAWN BY AMH  
 FILE NAME 221761.dwg  
 PLOTTED BY BUTLER BOOK  
 BUTLER CO. SD  
 PLOT DATE 11/17/22  
 SURVEY FILE NO.

1 OF 1



Planning Commission member Jim Masek made a motion to open the public hearing at 8:49 a.m. to consider annexing the Lane Sabata, Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 694.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°39'36"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 25.44 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S00°42'29"E ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 753.45 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE CONTINUING S00°42'29"E THE SOUTHERN EXTENSION OF SAID EAST LINE, A DISTANCE OF 100.05 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°58'07"W ON SAID SOUTH RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 1275.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE N00°38'15"W ON SAID WEST LINE, A DISTANCE OF 100.04 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S88°58'07"E ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 310.02 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180; THENCE N00°42'36"W ON SAID EAST LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 741.80 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 44.72 ACRES, MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Lane Sabata introduced himself and opposes the annexation of his property.

Planning Commission member Jim Masek made a motion to close the public hearing at 8:50 a.m. for the consideration of annexing the Lane Sabata, Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Keith Marvin seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Pam Kabourek made a motion to recommend to the City Council, approval of Ordinance No. 1416 for the annexation of the Lane Sabata, Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 694.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°39'36"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 25.44 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S00°42'29"E ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 753.45 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE CONTINUING S00°42'29"E THE SOUTHERN EXTENSION OF SAID EAST LINE, A DISTANCE OF 100.05 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°58'07"W ON SAID

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SOUTH RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 1275.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE N00°38'15"W ON SAID WEST LINE, A DISTANCE OF 100.04 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S88°58'07"E ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 310.02 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180; THENCE N00°42'36"W ON SAID EAST LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 741.80 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 44.72 ACRES, MORE OR LESS. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_

ANNEXATION PLAT  
 CITY OF DAVID CITY,  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

ANNEXATION PLAT  
 CITY OF DAVID CITY,  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221761  
 DATE 9/26/2022  
 DRAWN BY AMH  
 FILE NAME 221761.dwg  
 PLOT BOOK BUTLER CO. 30  
 PLOT CORNER 51P  
 SURVEY FILE NO. \_\_\_\_\_

1 OF 1

**ANNEXATION DESCRIPTION:**

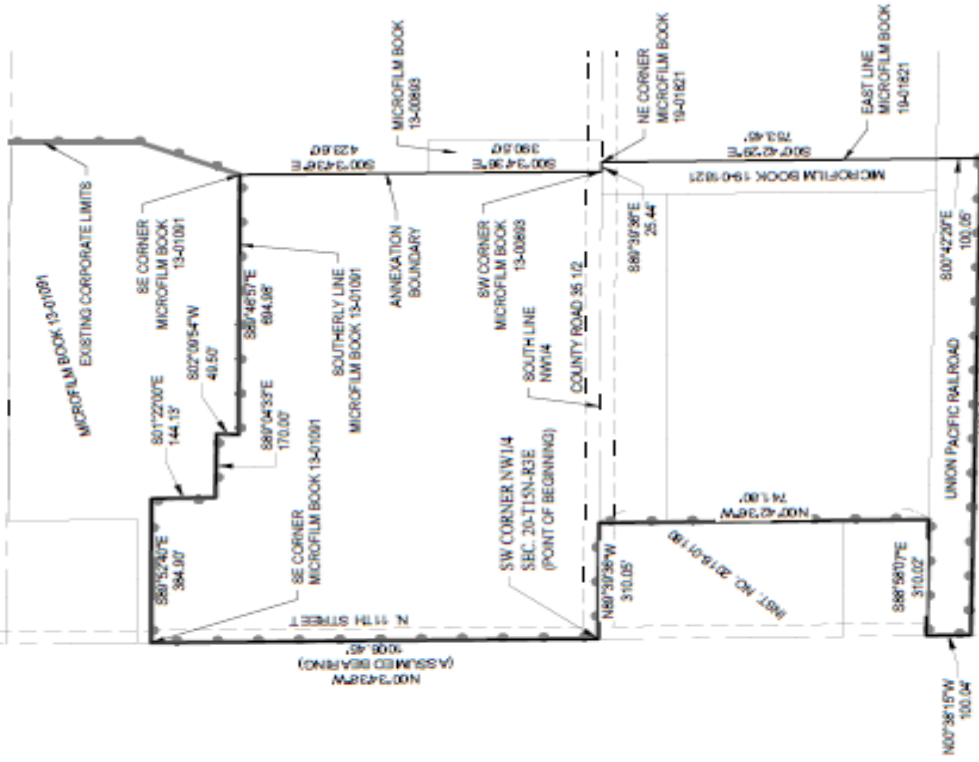
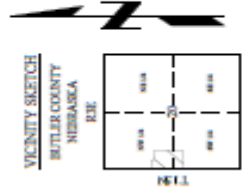
PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20, THENCE  $N07^{\circ}54'58''W$  (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1008.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091, THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES:  $88^{\circ}52'40''E$ , 384.90 FEET;  $80^{\circ}22'00''E$ , 144.13 FEET;  $88^{\circ}04'33''E$ , 170.00 FEET;  $80^{\circ}09'54''W$ , 49.50 FEET;  $88^{\circ}46'57''E$ , 684.08 FEET TO THE SOUTHEAST CORNER OF SAID TRACT, THENCE  $80^{\circ}09'54''W$ , A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00883, THENCE  $80^{\circ}09'54''W$  ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT, THENCE  $88^{\circ}52'40''E$  ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 25.44 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821, THENCE  $80^{\circ}42'20''E$  ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 753.48 FEET TO THE NORTH RIGHT OF THE UNION PACIFIC RAILROAD, THENCE CONTINUING  $80^{\circ}42'20''E$  THE SOUTHERN EXTENSION OF SAID EAST LINE, A DISTANCE OF 100.05 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD, THENCE  $N88^{\circ}58'07''W$  ON SAID SOUTH RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 1275.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, THENCE  $N07^{\circ}58'15''W$  ON SAID WEST LINE, A DISTANCE OF 100.04 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THENCE  $88^{\circ}58'07''E$  ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 310.02 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180, THENCE  $N07^{\circ}42'36''W$  ON SAID EAST LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 741.80 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER, THENCE  $N89^{\circ}39'36''E$  ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 44.72 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**  
 THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**  
 I, BRIAN L. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN L. FORAL, L.S. 538 \_\_\_\_\_ DATE \_\_\_\_\_



Planning Commission member Keith Marvin made a motion to open the public hearing at 8:52 a.m. for the consideration of annexing the St. Mary's Catholic Church and John & Maureen Coufal, and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska,

described as follows: PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S00°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S00°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1446.99 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE S89°44'04"E ON SAID NORTH LINE, A DISTANCE OF 135.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S00°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S89°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.68 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S89°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 4877.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE NORTHERLY AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N89°40'59"W, 66.00 FEET; S06°48'57"W, 165.50 FEET; S78°56'07"W, 196.73 FEET; N89°02'38"W, A DISTANCE OF 264.04 FEET; THENCE S00°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.98 ACRES, MORE OR LESS. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Jerry Oborny introduced himself. He questioned why the City wanted to annex the St. Mary's Church property.

Planning Commission member Keith Marvin responded to Jerry Oborny by letting him know that the property is in the one-mile jurisdiction and the city is trying to protect the E.T.J. (Extraterritorial Jurisdiction).

Planning Commission member Keith Marvin made a motion to close the public hearing at 8:58 a.m. for the consideration of annexing the St. Mary's Catholic Church and John & Maureen Coufal, and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0

Planning Commission member Keith Marvin made a motion to recommend to the City Council, approval of Ordinance No. 1417 for the annexation of the St. Mary's Catholic Church and John & Maureen Coufal, and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S00°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S00°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1446.99 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE S89°44'04"E ON SAID NORTH LINE, A DISTANCE OF 135.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S00°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S89°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.68 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S89°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF

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COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 4877.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE NORTHERLY AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N89°40'59"W, 66.00 FEET; S06°48'57"W, 165.50 FEET; S78°56'07"W, 196.73 FEET; N89°02'38"W, A DISTANCE OF 264.04 FEET; THENCE S00°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.98 ACRES, MORE OR LESS. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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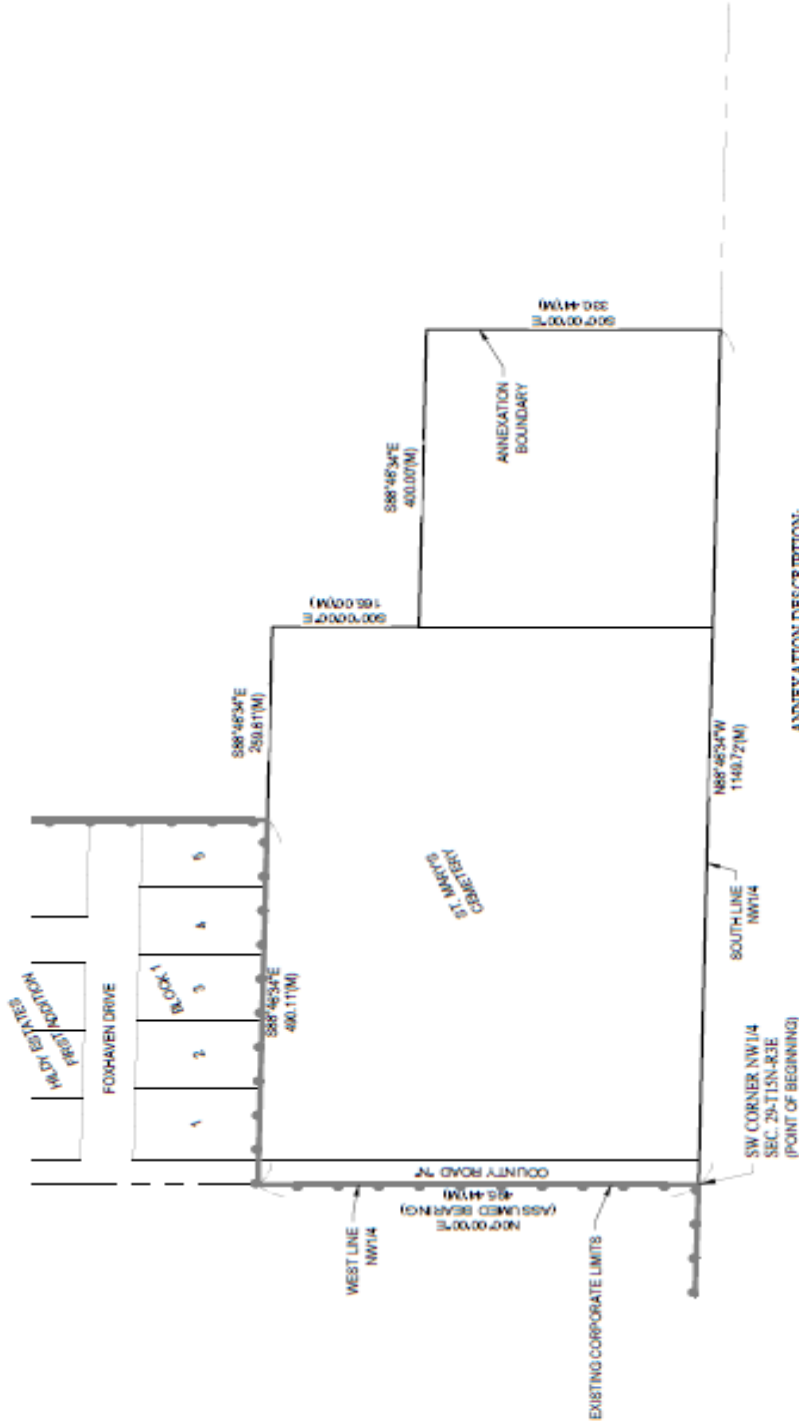


ANNEXATION PLAT  
 CITY OF DAVID CITY, NEBRASKA  
 BUTLER COUNTY, NEBRASKA  
 SEC. 20-T15N-R3E OF THE SIXTH P.M.

ANNEXATION PLAT  
 CITY OF DAVID CITY, NEBRASKA  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PROJECT NO. 221761  
 DATE 9/29/2022  
 DRAWN BY AMM  
 PLSA/MSR  
 PREPARED BY BUTLER CO. SD  
 SURVEY FILE NO. 217

ANNEXATION PLAT  
 CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_



ANNEXATION DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 496.44 FEET TO THE SOUTHWEST CORNER OF HILDY ESTATES FIRST ADDITION TO THE CITY OF DAVID CITY; THENCE S88°46'34"E ON THE SOUTH LINE OF SAID HILDY ESTATES FIRST ADDITION, A DISTANCE OF 490.11 FEET TO THE SOUTHWEST CORNER OF SAID HILDY ESTATES FIRST ADDITION; THENCE CONTINUING S88°46'34"E, A DISTANCE OF 250.61 FEET; THENCE S00°00'00"E, A DISTANCE OF 195.00 FEET; THENCE S88°46'34"E, A DISTANCE OF 400.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 330.44 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°46'34"W ON SAID SOUTH LINE, A DISTANCE OF 1140.72 FEET TO THE POINT OF BEGINNING, CONTAINING 11.56 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

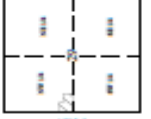
MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S STATEMENT:

I, BRIAN J. FOJAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FOJAL, LS 538 \_\_\_\_\_ DATE \_\_\_\_\_

VICINITY SKETCH  
 BUTLER COUNTY  
 NEBRASKA  
 R3E



GRAPHIC SCALE



Planning Commission Minutes

November 19, 2022

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Planning Commission member Keith Marvin made a motion to open the public hearing at 9:01 a.m. to consider annexing the Victor & Ruth Thoendel, part of H-KO Farms, LLC, David Oborny, Charles Oborny, Russell & Jodene Andel, Jason & Scott Harms (Gordon & Sheralyn Harms), Jorge Garcia & Erika Navarro Galladro, Ryan & Jean Meister, State of Nebraska and Andrew & Jennifer Divis properties located in part of the East half of Section 18, part of the West half of Section 17, part of the SW quarter of the SW quarter of Section 8, and part of the SE quarter of Section 7, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S00°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S00°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1446.99 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE S89°44'04"E ON SAID NORTH LINE, A DISTANCE OF 135.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S00°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S89°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.68 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S89°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 4877.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE NORTHERLY AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N89°40'59"W, 66.00 FEET; S06°48'57"W, 165.50 FEET; S78°56'07"W, 196.73 FEET; N89°02'38"W, A DISTANCE OF 264.04 FEET; THENCE S00°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.98 ACRES, MORE OR LESS. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Jack Klosterman of H-KO Farms introduced himself. H-KO Farms is not ready for the annexation of the property.

Jesse Hough introduced himself. Jesse said that they are currently looking at grants and funding, at this time they are not ready to have their property annexed into city limits. They want to make sure that the timing for grants and funding are at the correct times.

Gordon Harms introduced himself and asked if he could get a copy of what his tax increase would be before the annexation is finalized.

City Attorney David Levy said the best person to talk to about assessment values would be the County Assessors office. They would be the best person to give them an estimate of the increase.

Jennifer Divis introduced herself. She has concerns about her farm and animals. She is concerned about their working farm and sustaining their livelihood. Jennifer and her husband are opposed to the annexation of their property.

David Oborny introduced himself. David is not opposed to the annexation he wanted to just want clarification of what is being annexed and what will be future annexed.

Ruth Thoendel introduced herself. They are against annexation.

Ryan Meister introduced himself. Ryan is in opposition of the annexation.

Planning Commission member Jim Masek made a motion to close the public hearing at 9:23 a.m. to consider annexing the Victor & Ruth Thoendel, part of H-KO Farms, LLC, David Oborny, Charles Oborny, Russell & Jodene Andel, Jason & Scott Harms (Gordon & Sheralyn Harms), Jorge Garcia & Erika Navarro Galladro, Ryan & Jean Meister, State of Nebraska and



Planning Commission Minutes

November 19, 2022

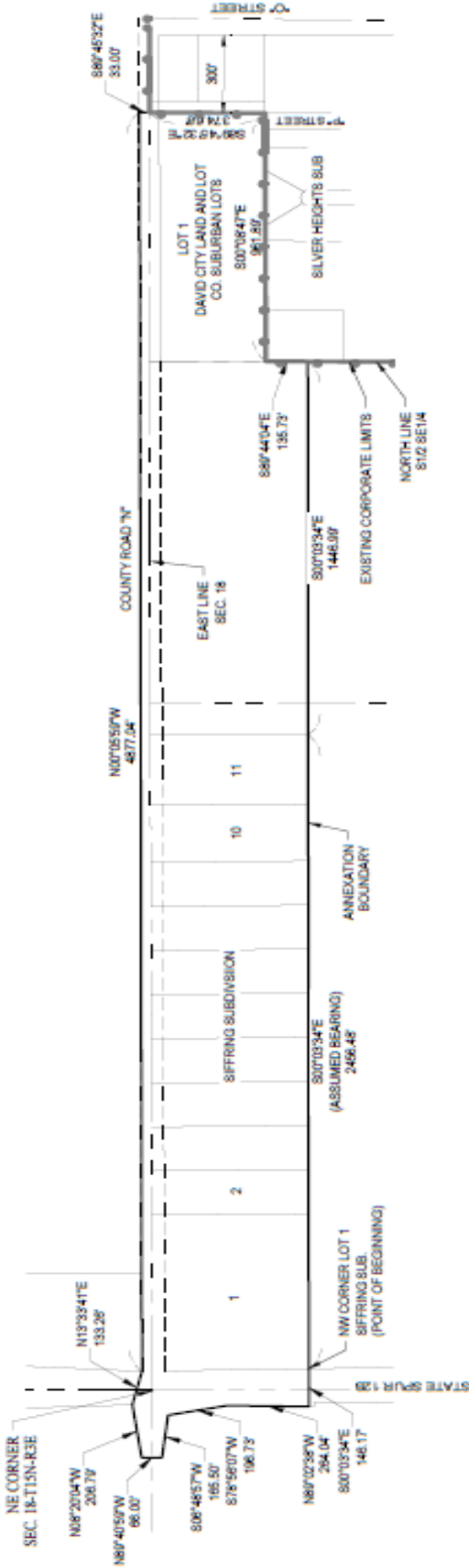
Page # 23

Andrew & Jennifer Divis properties located in part of the East half of Section 18, part of the West half of Section 17, part of the SW quarter of the SW quarter of Section 8, and part of the SE quarter of the SE quarter of Section 7, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska. Keith Marvin seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Pam Kabourek made a motion to recommend to the City Council, approval of Ordinance No. 1418 for the annexation of the Victor & Ruth Thoendel, part of H-KO Farms, LLC, David Oborny, Charles Oborny, Russell & Jodene Andel, Jason & Scott Harms (Gordon & Sheralyn Harms), Jorge Garcia & Erika Navarro Galladro, Ryan & Jean Meister, State of Nebraska and Andrew & Jennifer Divis properties located in part of the East half of Section 18, part of the West half of Section 17, part of the SW quarter of the SW quarter of Section 8, and part of the SE quarter of the SE quarter of Section 7, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S00°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S00°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1446.99 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE S89°44'04"E ON SAID NORTH LINE, A DISTANCE OF 135.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S00°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S89°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.68 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S89°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 4877.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE NORTHERLY AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N89°40'59"W, 66.00 FEET; S06°48'57"W, 165.50 FEET; S78°56'07"W, 196.73 FEET; N89°02'38"W, A DISTANCE OF 264.04 FEET; THENCE S00°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.98 ACRES, MORE OR LESS. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



ANNEXATION PLAT  
 CITY OF DAVID CITY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_  
 PART OF THE E1/2 SEC. 18  
 PART OF SW1/4 SEC. 8 & PART  
 SE1/4 SEC. 7, ALL IN T-15N-R3E  
 BUTLER COUNTY, NEBRASKA

**ANNEXATION DESCRIPTION:**

PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S07°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S07°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1448.00 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE S89°41'04"E ON SAID NORTH LINE, A DISTANCE OF 195.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S07°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S80°48'32"E ON SAID NORTH LINE, A DISTANCE OF 374.88 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S80°48'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 487.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 128; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 128; THENCE N08°20'04"W AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N87°40'59"W, 66.00 FEET; S07°50'07"W, 166.50 FEET; S78°50'07"W, 106.73 FEET; N89°02'38"W, A DISTANCE OF 284.04 FEET; THENCE S07°03'34"E, A DISTANCE OF 148.17 FEET TO THE POINT OF BEGINNING, CONTAINING 50.98 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

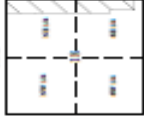
MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, L.S. 538 \_\_\_\_\_ DATE \_\_\_\_\_

VICINITY SKETCH  
 BUTLER COUNTY  
 NEBRASKA



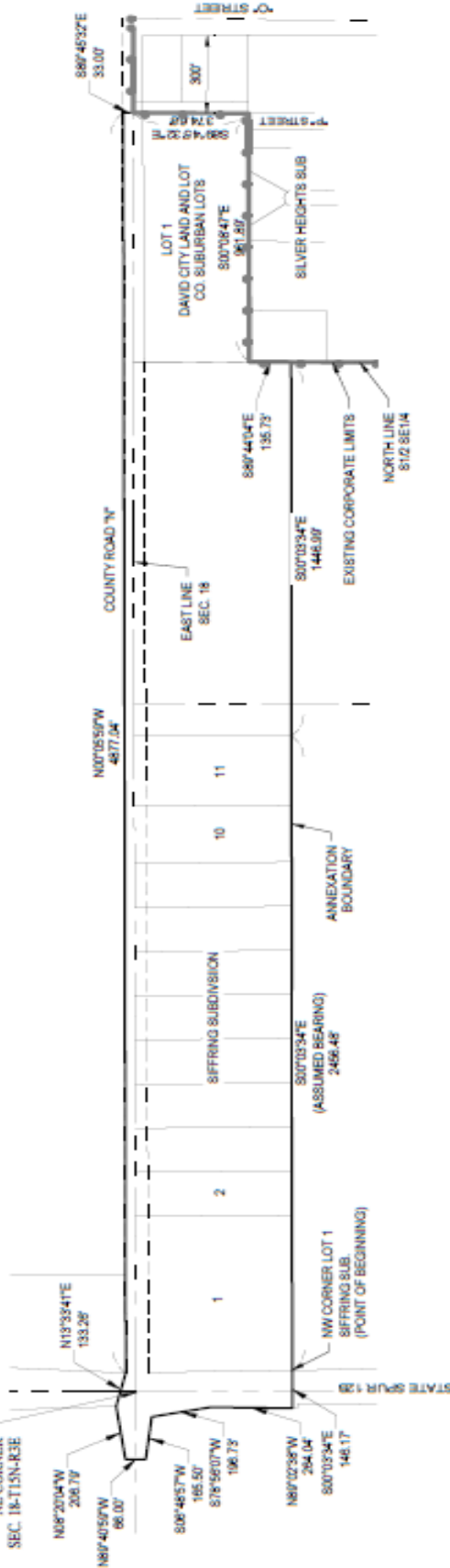
PROJECT NO. 221761  
 DATE 9/29/2022  
 DRAWN BY AWH  
 PLOT NAME 221761.dwg  
 PLOT BOOK BUTLER CO. 33  
 PLOT SHEET 11P  
 SURVEY FILE NO.

Planning Commission member Keith Marvin made a motion to open the public hearing at 9:24 a.m. to consider annexing the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Keith Marvin made a motion to close the public hearing at 9:26 a.m. to consider annexing the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS. Jim Masek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

Planning Commission member Jim Masek made a motion to recommend to the City Council, approval of Ordinance No. 1419 for the annexation of the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

**ANNEXATION PLAT**  
**CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**  
 ORDINANCE NO. \_\_\_\_\_



**ANNEXATION DESCRIPTION:**

PART OF THE EAST HALF OF SECTION 18; PART OF THE WEST HALF OF SECTION 17; PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8; AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 8 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S07°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2466.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION, THENCE CONTINUING S07°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 446.09 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE S88°44'04"E ON SAID NORTH LINE, A DISTANCE OF 15.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S07°03'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S88°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.88 FEET TO THE EAST LINE OF SAID SECTION 18; THENCE CONTINUING S88°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°55'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 487.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.28 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N08°40'59"W, 66.00 FEET; S08°48'57"W, 95.50 FEET; S78°56'07"W, 106.73 FEET; N87°02'28"W, A DISTANCE OF 264.04 FEET; THENCE S07°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.88 ACRES, MORE OR LESS.

**APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:**

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

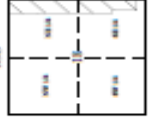
MANOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, L.S. 538 \_\_\_\_\_ DATE \_\_\_\_\_

VICINITY SKETCH  
 BUTLER COUNTY  
 NEBRASKA



ANNEXATION PLAT  
 CITY OF DAVID CITY, NEBRASKA  
 BUTLER COUNTY, NEBRASKA  
 ORDINANCE NO. \_\_\_\_\_

PART OF THE E1/2 SEC. 18  
 PART OF SW1/4 SEC. 17  
 PART OF SW1/4 SEC. 8 & PART  
 SE1/4 SEC. 7, ALL IN T-15N-R8E  
 BUTLER COUNTY, NEBRASKA

PROJECT NO. 221761  
 DATE 9/26/2022  
 DRAWN BY AMH  
 PLOT NAME 221761-01  
 FIELD BOOK BUTLER CO. 30  
 FIELD CORNER 51P  
 SURVEY FILE NO.

Planning Commission Minutes

November 19, 2022

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Willow Holoubek introduced herself. Willow said, "We have submitted an application with the Upper Big Blue Natural Resources District for a cost-share assistance program, which the Upper Big Blue Natural Resources approve and then they decommission the well and redrill the new well upon your permit. The application has not been approved yet by the NRD."

Planning Commission member Keith Marvin made a motion to approve the wellhead permit application submitted by Mark Holoubek for a redrill of a failed irrigation well at 24-15N-2E of the SE1/4 & SW1/4 contingent of NRD Approval and the decommission of the failed well. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Pam Kabourek: Yea, Keith Marvin: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0.

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<b>2022 WATER USE REPORT - IRRIGATION WELLS</b> RETURN BY DECEMBER 1ST TO: UPPER BIG BLUE NRD 319 EAST 25TH ST      PHONE: 402-362-6601 YORK NE 68467      Email: wateruse@upperbigblue.org	OPERATOR	MARK R & WILLOW A HOLOUBEK
	3057	3531 M RD, DAVID CITY NE 68632
	Phone:	Cell: 402-367-2367
	Email:	

Well Number: *G-029996 - LOCATED IN NWSW OF SECTION 24-15N-02E IN BUTLER COUNTY* 3084

WELL NOTES, IF ANY:

YOUR COMMENTS:

*For example: your personal name for this well, someone else will report the water use (if known, who will report), we no longer plan to drill this well, etc.*

WATER METER READINGS	650 GPM	170655 BEGINNING METER	<i>218740</i> ENDING METER	14-10495 SERIAL NUMBER	Acre Inches MEASURED	0.01 GALLONS PER	McCrometer TYPE
UNMETERED IRR HOURS	650 GPM	DO NOT ENTER HOURS UNLESS THE METER DID NOT CAPTURE THE TOTAL USE FROM THE WELL. EXPLAIN WHY.					

Parcel #	Primary Operator (May be abbreviated)	Owner (May be abbreviated)	Legal Description (May be abbreviated)
120033733	MARK R & WILLOW A HOLOUBEK	MARK R & WILLOW A HOLOUBEK	24-15N-02E BUTLER - PT SE1/4 & SW1/4

*1968*

RECEIVED  
OCT - 5 2022  
UPPER BIG BLUE NRD



CITY OF DAVID CITY, NEBRASKA



### WELLHEAD STRUCTURE OR ACTIVITY PERMIT APPLICATION

**IMPORTANT NOTICE:** Applicants and property owners are solely responsible for the information submitted on the application. Information which is incorrect or inaccurate may be cause for rejection of the application. Officials of the City of David City are not authorized to practice engineering, surveying or architecture. Review of applications by the City of David City is not to be construed as a substitute for architectural, engineering, surveying or contractors services. Applicants are encouraged to consult with a professional architect, engineer, surveyor or contractor when in doubt. Applicants are solely responsible for all applicable state building, electrical and plumbing codes. Applicants are solely responsible to comply with all zoning codes of the General Plan and all ordinances of the City of David City and are cautioned to consult with an attorney when in doubt. No construction shall be started without an approved Wellhead Permit. Applicants are encouraged to obtain certification from a Nebraska licensed surveyor to document compliance with zoning regulations. The City of David City may seek recommendations of the Natural Resources District, the Nebraska Department of Environmental Quality or any other party or agency in evaluating the impact of the proposed structure or activity on the municipal water supply or ground water.

The City of David City shall not be liable for any and all liability that may arise as a result of the proposed construction.

Date of Application 11-11-22 Zone \_\_\_\_\_

Type of Construction or Activity

(describe the activity or operation, etc.): RE DRILL FAILED IRRIGATION WELL

Estimated Cost \$120,000 Intended Use irrigation

Property Owner:

Name MARK HOLoubek

Address 3531 M ROAD

Phone 402-367-2367

Location of Work:

Owner Willow Holoubek

Address David City NE 68632

Zone \_\_\_\_\_

Legal Description of Work Site: 24-15N-2E

Description of Work- Describe the project or activity and why approval would not adversely impact municipal water supply and groundwater (use a separate sheet if necessary):

RE DRILL irrigation WELL G-029996  
Upper Big Blue NRD permit number

General Contractor:

Name SARGENT IRRIGATION  
Address GENEVA NE Phone: 402 759-3902

Electrician:

Name N/A  
Address \_\_\_\_\_ Phone: \_\_\_\_\_

Plumber:

Name N/A  
Address \_\_\_\_\_ Phone: \_\_\_\_\_

=====

**This section to be completed by the city**

Permit Fee \$26.00 Date Paid 11/14/22 Rec'd by JM  
Date Plans Submitted \_\_\_\_\_ Date Survey Submitted \_\_\_\_\_

**ACTION:**

- SUBMITTED TO PLANNING COMMISSION Date 11-14-2022
- DENIED Reason \_\_\_\_\_ Date \_\_\_\_\_
- APPROVED Date 11/19/2022

PLANNING COMMISSION FINDINGS approved the wellhead permit application  
submitted by Mark Holoubek for a redrill of a failed irrigation well  
at 24-15N-2E of the SE $\frac{1}{4}$  & SW $\frac{1}{4}$  contingent of NRD approval and the  
decommission of the failed irrigation well.

PERMIT ISSUED Date \_\_\_\_\_ Number \_\_\_\_\_





**UPPER BIG BLUE  
Natural Resources District**

319 E. 25th Street  
York, Nebraska 68467

402-362-6601  
Fax: 402-362-1849  
[www.upperbigblue.org](http://www.upperbigblue.org)

October 27, 2022

Mark Holoubek  
3531 M Rd  
David City NE 68632

Dear Landowner:

The Upper Big Blue Natural Resources District approved your application(s) for AQWACAP funds for plugging the abandoned well(s).

The plugging of your well(s) must be completed by June 30, 2023. Enclosed is your copy of your approved application(s). After the water well contractor has completed the work you, or the water well contractor, must send a copy of driller's **itemized invoice** to the NRD. Upon receipt of a copy of the invoice your claim will be processed for payment.

If you have any questions please contact me at 402-362-6601.

Sincerely,

A handwritten signature in black ink, appearing to read "Rita".

Rita Hoblyn  
Upper Big Blue NRD

Enclosure(s): Copy of application

Copy: Sargent

Revised 01/2020

**AQWACAP**  
**AQUIFER QUALITY WELL ABANDONMENT**  
**COST-SHARE ASSISTANCE PROGRAM**  
**APPLICATION**  
 Please use a separate application for each well

<b>NRD USE ONLY</b>	
APPLICATION NO.	2577
DATE RECEIVED:	10-25-22
COOPERATOR NO:	5134
W-9 FORM REC'D:	10-25-22
CITIZENSHIP FORM REC'D:	10-25-22
EXPIRATION DATE:	
CHECK NO:	
DATE MAILED:	

***Cost-Share payments will only be made to 1 individual or entity. If there are multiple landowners PLEASE complete information for only 1 individual or entity. Completed Taxpayer Identification Form (W-9) MUST match the name of the individual or entity applying for cost-share. BOLDDED ITEMS ARE REQUIRED.***

**NAME AND ADDRESS OF WELL OWNER:**

Name Mark Holoubek  
 Address1 3531 M Road  
 Address2 David City, NE  
 Address3 68632  
 Phone (402) 367-2367  
 E-mail mark.holoubek@gmail.com  
 SSN/FID 506702026

**LICENSED CONTRACTOR PERFORMING WORK:**

Name Sargent Irrigation  
 Address1 846 S 13th St,  
 Address2 Geneva, NE  
 Address3 68361  
 Phone (402) 759-3902  
 E-mail Sargent Drilling Geneva <WaterWells@sargentdrilling

**LEGAL DESCRIPTION** NE ¼ NE ¼, SECTION 24 T 15 N, R 2 East Butler COUNTY  
**OF WELL LOCATION:** East/West

**USE OF WELL TO BE ABANDONED:**  IRRIGATION  DOMESTIC  HAND DUG  
 OTHER: (SPECIFY) \_\_\_\_\_

**INSIDE DIAMETER OF CASING:** 16 INCHES.

**WELL ID NO.:** 12876 **STATE REGISTRATION NO.:** G008373 (IF WELL IS REGISTERED)

I HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE DESCRIBED LAND OR HAVE BEEN AUTHORIZED BY SAID OWNER AND DO HEREBY REQUEST COST-SHARE ASSISTANCE FROM THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT FOR THE PROPER PLUGGING OF AN ABANDONED WELL. I FURTHER AGREE TO THE CONDITIONS OF THE PROGRAM AS FOLLOWS:

1. If any cost-share eligible work is completed prior to District authorization, the District may deny payment.
2. The well must be decommissioned according to Nebraska Health and Human Services regulations.
3. If the work is not completed and the Contractor's itemized statement is not received by the expiration date, your application is subject to cancellation by the District.
4. The landowner will accept a cost-share amount not to exceed **60 percent** of the actual cost.
5. The maximum cost-share rate is \$750 for all wells.
6. Removal of above ground structure and below ground pumping equipment ARE NOT eligible for cost-share.
7. The landowner assumes all liability related to the actual decommissioning of the well.
8. Applicant must be in compliance with all Upper Big Blue District Rules and Regulations to receive payment.
9. Upon completion of decommissioning, a copy of the water well contractor's itemized statement must be provided to the District to verify the cost of labor and materials.
10. ALL decommissioned wells must be submitted to the Nebraska Department of Natural Resources, a copy of the submitted decommissioning form must be forwarded to the District before final payment will be made.

**SIGNATURE OF OWNER:** \_\_\_\_\_ **DATE:** 10/24/22  
 Return completed application to: **UPPER BIG BLUE NRD, 319 E 25<sup>th</sup> STREET, YORK NE 68467**

**NRD USE ONLY** **APPROVED FOR FUNDS**  
 On Oct 27, 2022 the Upper Big Blue Natural Resources District approved this application for funds. The water well contractor is authorized to proceed with the proper decommissioning of the abandoned well described in this application.

**NRD SIGNATURE:** \_\_\_\_\_ **DATE:** 10/27/22

**CLAIM RECEIVED DATE** \_\_\_\_\_

	ACTUAL COST
WELL OWNER'S SHARE:	\$ _____
NRD'S COST-SHARE:	\$ _____
INVOICE TOTAL:	\$ _____

File: 2703...

There being no further business to come before the Planning Commission, Planning Commission member Keith Marvin made a motion to adjourn. Chairman Jim Masek declared the meeting adjourned at 9:33 a.m.