

ORDINANCE NO. 807

AN ORDINANCE ANNEXING AND EXTENDING THE CORPORATE LIMITS OF THE VILLAGE OF WATERLOO, NEBRASKA, TO INCLUDE CERTAIN REAL ESTATE GENERALLY DESCRIBED AS A TRACT OF LAND OF APPROXIMATELY 61.39 ACRES LYING NORTHWEST OF THE INTERSECTION OF WEST MAPLE ROAD AND HIGHWAY 275, ALSO INCLUDING ABUTTING WEST MAPLE ROAD, UNION PACIFIC RAILROAD RIGHT-OF-WAY AND A PORTION OF HIGHWAY 275; AMENDING THE ZONING MAP OF THE VILLAGE OF WATERLOO TO INCLUDE SUCH ANNEXED PROPERTY IN THE AG AGRICULTURAL DISTRICT; FINDING THAT THE PLANNING BOARD DULY RECOMMENDED THE ADOPTION OF THIS ORDINANCE; FINDING THAT NOTICE OF HEARING ON THIS ORDINANCE WAS DULY GIVEN PRIOR TO THE HEARING AS PROVIDED BY LAW AND THAT PUBLIC HEARING WAS HAD THEREON; FINDING THAT SUCH ANNEXATION IS SUBJECT TO THE PRE-DEVELOPMENT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF WATERLOO, DOUGLAS COUNTY, NEBRASKA, AS FOLLOWS:

WHEREAS, it appears desirable and for the public good and the best interests of the Village of Waterloo, that an Ordinance be passed annexing and extending the corporate limits of the Village of Waterloo to include the real estate hereinafter described; and

WHEREAS, said real estate will receive material benefits and advantages from annexation into the corporate limits of the Village of Waterloo; and

WHEREAS, a portion of said real estate is subject to that certain Pre-Development Agreement between the Village of Waterloo and Larita Properties, LLC dated June 10, 2021, a memorandum of which is on file with the Douglas County Register of Deeds; and

WHEREAS, said real estate is contiguous or adjacent to the corporate limits of the Village of Waterloo, and is urban or suburban in character and does not include any agricultural lands which are rural in character; and

WHEREAS, the Village of Waterloo Planning Board, after notice of hearing duly given, recommends passage of this Ordinance; and

WHEREAS, after notice of hearing duly given, public hearing on this Ordinance was held by the Village Board of the Village of Waterloo.

Section 1. That the real estate hereinafter described be, and the same is hereby annexed and included within the corporate limits of the Village of Waterloo, Nebraska, and said real estate and the persons thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included within the corporate limits of the Village of Waterloo, Nebraska.

Section 2. The real estate which is hereby annexed and included within the corporate limits of the Village of Waterloo, Nebraska is legally described on Exhibit A, attached hereto and

incorporated herein.

Section 3. Attached hereto and incorporated herein is Exhibit B, the Annexation Map, which depicts the aforesaid real estate which is hereby annexed and included within the corporate limits of the Village of Waterloo. No State of Nebraska highway rights-of-way abutting the aforesaid real estate is annexed, or caused to be included within the Village of Waterloo corporate limits, by adoption of this Ordinance, except those parts specifically described on Exhibits A and B hereto.

Section 4. The lands, lots, tracts, streets, or highways that are annexed by this Ordinance are inter-dependent and are not severable or redactable. If the annexation of any lands, lots, tracts, streets, or highways pursuant to this Ordinance shall be invalid, then such partial invalidity shall this invalidate the entity of this Ordinance.

Section 5. The Official Zoning Map of the Village of Waterloo is hereby amended to include the aforementioned real estate in the AG Agricultural District and to make such real estate subject to all land use regulations, including flood zones, of the Village of Waterloo.

Section 6. This Ordinance shall be in full force and take effect fifteen (15) days from and after its passage, as provided by law.

PASSED this 31 day of August, 2021.

ATTEST:

Village of Waterloo

Melissa Smith
Melissa Smith
Village Clerk



Travis Harlow
Travis Harlow
Chairperson

Exhibit A (ANNEXED REAL PROPERTY)

PROPOSED DEVELOPMENT PROPERTY LEGAL DESCRIPTION AS SURVEYED

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N3°09'05"W (ASSUMED BEARING), A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S86°50'19"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, A DISTANCE OF 1537.18 FEET; THENCE N31°36'46"W, A DISTANCE OF 1687.04 FEET; THENCE N86°51'41"E, A DISTANCE OF 1055.92 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAIL ROAD; THENCE S60°20'54"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAIL ROAD, A DISTANCE OF 2723.79 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD; THENCE S85°06'16"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, A DISTANCE OF 235.07 FEET; THENCE S86°51'30"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD A DISTANCE OF 769.24 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 2674366 SQUARE FEET OR 61.39 ACRES MORE OR LESS

UNION PACIFIC RAILROAD RIGHT-OF WAY:

THE UNION PACIFIC RAILROAD RIGHT-OF WAY EXTENDING FROM THE VILLAGE OF WATERLOO CORPORATE LIMITS TO THE NORTHERN ROW LINE OF ANNEXED WEST MAPLE ROAD.

DOUGLAS COUNTY RIGHT-OF-WAY:

THE SIXTY-SIX FOOT WIDTH OF WEST MAPLE ROAD RIGHT-OF-WAY EXTENDING FROM A POINT ABUTTING THE WESTERN BOUNDARY OF THE ABOVE-DESCRIBED DEVELOPMENT PROPERTY EASTERLY TO CONNECT TO THE ANNEXED EASTERN RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD.

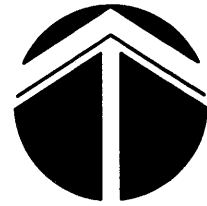
STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY:

THAT PART OF HIGHWAY 275 EXTENDING FROM THE VILLAGE OF WATERLOO CORPORATE LIMITS IN A NORTHERNLY DIRECTION TO THE EASTERN RIGHT-OF-WAY LINE OF THE ANNEXED UNION PACIFIC RAILROAD RIGHT-OF-WAY; PROVIDED THAT NO PART OF ANY ADJACENT RIGHTS-OF-WAY, EXCEPT THOSE DESCRIBED HEREIN, ARE ANNEXED OR CAUSED TO BE ANNEXED BY THIS DESCRIPTION

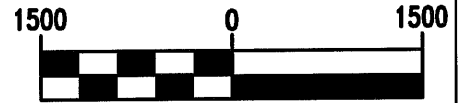
SCHEMMER

Design with Purpose. Build with Confidence.

PROJECT NAME:	LARITA PROPERTIES
JOB NUMBER:	07847.001
TITLE:	ANNEXATION EXHIBIT (RECOMMENDED)
DATE:	07/29/2021



NORTH



1 inch = 1500ft.

