

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 743

FINAL READING

Introduced by Fischer, 43.

Read first time January 06, 2010

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend
2 section 37-201, Revised Statutes Supplement, 2009; to
3 authorize the commission to convey certain real estate
4 for park purposes; to prescribe conditions relating
5 to the conveyance, operation, and maintenance of the
6 real estate; to provide duties for the commission; to
7 eliminate conveyance provisions; to harmonize provisions;
8 to repeal the original section; to outright repeal
9 section 90-215, Reissue Revised Statutes of Nebraska;
10 and to declare an emergency.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Game and Parks Commission is authorized
2 to convey to the village of Arnold for public park purposes
3 the following described real estate now known as Arnold State
4 Recreation Area, situated in the county of Custer, in the State
5 of Nebraska, to-wit: A tract of land in the northwest quarter of
6 the southeast quarter of section 28, township 17 north, range 25
7 west of the 6th principal meridian, described as follows: Beginning
8 at the northeast corner of said northwest quarter of the southeast
9 quarter, running thence west 660.0 feet, thence south 330.0 feet,
10 thence south 45 degrees east to a point 330.0 feet north of
11 the southeast corner of said northwest quarter of the southeast
12 quarter, thence north 990.0 feet to the place of beginning, and
13 containing 10 acres more or less; and a tract of land in the
14 northeast quarter of the southeast quarter of section 28, township
15 17 north, range 25 west of the 6th principal meridian, described
16 as follows: Beginning at the northwest corner of said northeast
17 quarter of the southeast quarter, running thence east 660.0 feet,
18 more or less, to the center of the channel of the South Loup River,
19 thence in a southerly and easterly direction along the center of
20 the channel of said river to its intersection with the east line
21 of said northeast quarter of the southeast quarter, said point of
22 intersection being 528.0 feet, more or less, south of the northeast
23 corner of said northeast quarter of the southeast quarter, thence
24 south along said east line 630.0 feet, thence west 1,320.0 feet,
25 more or less, to the west line of said northeast quarter of the

1 southeast quarter, thence north along said west line 1,158.0 feet
2 to the place of beginning, and containing 30 acres, more or less,
3 except that if the village of Arnold ceases to operate the lands
4 conveyed as a public park and recreation area, title to such lands
5 shall revert to the Game and Parks Commission.

6 Sec. 2. The Game and Parks Commission is authorized
7 to convey to the city of Atkinson for public park purposes
8 the following described real estate now known as Atkinson State
9 Recreation Area, situated in the county of Holt, in the State
10 of Nebraska, to-wit: A tract of land in Blocks 53, 54, 55,
11 56, 57, 58, 59, and 60, all in Mathew's Addition to Atkinson,
12 Holt County, Nebraska; and the southeast quarter of the southwest
13 quarter of section 30, township 30 north, range 14 west of the
14 6th principal meridian, excepting therefrom a parcel described
15 as follows: Commencing at the southwest corner of the southeast
16 quarter of the southwest quarter, section 30, township 30 north,
17 range 14 west of the 6th principal meridian, thence running due
18 north 42.42 rods; thence running due east 36.36 rods; thence
19 running due south 24.24 rods; thence running due east 18.18 rods;
20 thence running due south 18.18 rods; thence running due west 54.54
21 rods to the place of beginning, containing 49.51 acres, more or
22 less, Holt County, Nebraska; the southwest quarter of section 30,
23 township 30 north, range 14 west, Holt County, Nebraska; and that
24 part of the southwest quarter of the southeast quarter of section
25 30, township 30 north, range 14 west of the 6th principal meridian,

1 Holt County, Nebraska, described as follows: Commencing at the
2 northwest corner of the southwest quarter of the southeast quarter
3 of said section 30, thence running on a line south 57 degrees,
4 35 minutes, east a distance of 347.56 feet, thence due south a
5 distance of 433.75 feet, thence due west a distance of 293.38 feet,
6 thence due north a distance of 620.1 feet to the point of beginning
7 containing 3.55 acres, more or less, except that if the city of
8 Atkinson ceases to operate the lands conveyed as a public park and
9 recreation area, title to such lands shall revert to the Game and
10 Parks Commission.

11 Sec. 3. Section 37-201, Revised Statutes Supplement,
12 2009, is amended to read:

13 37-201 Sections 37-201 to 37-811 and section 4 of this
14 act shall be known and may be cited as the Game Law.

15 Sec. 4. Property conveyed by the commission pursuant to
16 sections 1 and 2 of this act shall be operated and maintained as
17 follows:

18 (1) The property shall be maintained so as to appear
19 attractive and inviting to the public;

20 (2) Sanitation and sanitary facilities shall be
21 maintained in accordance with applicable health standards;

22 (3) Properties shall be kept reasonably open, accessible,
23 and safe for public use. Fire prevention and similar activities
24 shall be maintained for proper public safety;

25 (4) Buildings, roads, trails, and other structures and

1 improvements shall be kept in reasonable repair throughout their
2 estimated lifetime to prevent undue deterioration and to encourage
3 public use; and

4 (5) The facility shall be kept open for public use at
5 reasonable hours and times of the year, according to the type of
6 area or facility.

7 The commission shall be responsible for compliance and
8 enforcement of the requirements set forth in this section.

9 Sec. 5. Original section 37-201, Revised Statutes
10 Supplement, 2009, is repealed.

11 Sec. 6. The following section is outright repealed:
12 Section 90-215, Reissue Revised Statutes of Nebraska.

13 Sec. 7. Since an emergency exists, this act takes effect
14 when passed and approved according to law.