

LEGISLATIVE BILL 563

Approved by the Governor April 14, 2011

Introduced by Utter, 33.

FOR AN ACT relating to the Game and Parks Commission; to amend section 37-354, Revised Statutes Cumulative Supplement, 2010; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to harmonize provisions; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. The Game and Parks Commission is authorized to convey to the village of Ayr for public park purposes the following described real estate, now known as Crystal Lake State Recreation Area, situated in the county of Adams, in the State of Nebraska, to-wit:

(1) That part of the southeast quarter of section 28, township 6 north, range 10 west of the 6th principal meridian, in Adams County, Nebraska, described as follows: Begin at a stone at the northeast corner of the southeast quarter of section 28, township 6 north, range 10 west; thence south along the section line 254 feet to a point where the south right-of-way line of the Burlington-Northern Railroad intersects the said section line, said point being the point of beginning for the parcel herein conveyed; thence northwesterly along the south right-of-way line of the Burlington-Northern Railroad, 648 feet to an iron pin; thence left 95 degrees, 28 minutes, 414.7 feet to an iron pin; thence left 38 degrees, 21 minutes, 324.2 feet; thence right 57 degrees, 15 minutes, 805.8 feet to an iron pin; thence right 60 degrees, 13 minutes, 48.9 feet to an iron pin; thence left 51 degrees, 20 minutes, 1,026.7 feet to an iron pin; thence left 62 degrees, 21 minutes, 208.9 feet to an iron pin on the south side of section 28; thence left 58 degrees, 38 minutes, 186.5 feet along the section line to an iron pin; thence left 48 degrees, 22 minutes, 371.7 feet to an iron pin; thence left 21 degrees, 30 minutes, 574 feet to an iron pin; thence right 70 degrees, 20 minutes, 605.8 feet to an iron pin on the section line between sections 27 and 28; thence north along said section line 1,588 feet to the point of beginning, containing 32.79 acres more or less;

(2) That part of the southwest quarter of section 27, township 6 north, range 10 west, in Adams County, Nebraska, described as follows: Begin at a stone at the northwest corner of the southwest quarter of section 27, township 6 north, range 10 west; thence south along the section line 254 feet to a point where the south right-of-way line of the Burlington-Northern Railroad intersects the said section line, said point being the point of beginning for the parcel herein conveyed; thence southeasterly along the south right-of-way line of said railroad 265.7 feet to an iron pin; thence right 81 degrees, 14 minutes, 272 feet to an iron pin; thence left 52 degrees, 50 minutes, 151 feet to an iron pin; thence left 12 degrees, 165 feet to an iron pin; thence right 19 degrees, 06 minutes, 211.5 feet to an iron pin; thence right 6 degrees, 36 minutes, 132 feet to an iron pin; thence right 6 degrees, 34 minutes, 198.2 feet to an iron pin; thence left 6 degrees, 35 minutes, 198 feet to an iron pin; thence right 10 degrees, 22 minutes, 132.3 feet to an iron pin; thence right 13 degrees, 54 minutes, 132 feet to an iron pin; thence right 7 degrees, 15 minutes, 132 feet; thence right 13 degrees, 05 minutes, 120.5 feet; thence left 15 degrees, 28 minutes, 131.8 feet; thence right 31 degrees, 10 minutes, 66 feet; thence right 34 degrees, 14 minutes, 99 feet; thence right 23 degrees, 04 minutes, 157.8 feet; thence right 19 degrees, 19 minutes, 264 feet; thence right 9 degrees, 20 minutes, 642.6 feet to a point on the north and south dividing line between sections 27 and 28 and 812 feet north of the southwest corner of section 27; thence north along the section line, 1,588 feet to the place of beginning, containing 30.22 acres; and

(3) That part of the southwest quarter of section 27, township 6 north, range 10 west of the 6th principal meridian, in Adams County, Nebraska, more particularly described as follows: To ascertain the point of beginning, begin at the northwest corner of the southwest quarter of section 27, township 6 north, range 10 west; thence south along the section line 254 feet of the point where the south right-of-way line of the Burlington-Northern Railroad intersects the said section line; thence southeasterly along the south right-of-way line of said railroad 265.70 feet; thence deflecting right 81 degrees, 14 minutes, for a distance of 55.63 feet to the actual point of beginning; thence continuing on the same course 216.37 feet; thence deflecting

left 52 degrees, 50 minutes, for a distance of 38.57 feet; thence deflecting left 127 degrees, 01 minute for a distance of 130.48 feet; thence deflecting left 8 degrees, 40 minutes, for a distance of 59.87 feet; thence deflecting left 15 degrees, 24 minutes, for a distance of 54.80 feet to the actual point of beginning and containing 0.154 acres, a little more or a little less as surveyed by Edwin D. Benjamin.

If the village of Ayr ceases to operate the lands conveyed as a public park and recreation area, title to such lands shall revert to the Game and Parks Commission.

Sec. 2. Section 37-354, Revised Statutes Cumulative Supplement, 2010, is amended to read:

37-354 Property conveyed by the commission pursuant to sections 90-272 and 90-273 and section 1 of this act shall be operated and maintained as follows:

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

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

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

(4) Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use; and

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

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

Sec. 3. Original section 37-354, Revised Statutes Cumulative Supplement, 2010, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.