**ORDINANCE NO. 3-2023-1**

**AN ORDINANCE OF THE VILLAGE OF FARNAM, DAWSON COUNTY, NEBRASKA, ANNEXING CERTAIN CONTIGUOUS OR ADJACENT LANDS URBAN OR SUBURBAN IN CHARACTER INTO THE CORPORATE LIMITS OF THE VILLAGE, TO WIT: THOSE PARCELS IDENTIFIED BY THE FRONTIER COUNTY, NEBRASKA ASSESSOR AS PARCEL ID NOS: 0320005860 AND 0320000007; EXTENDING THE CORPORATE LIMITS OF THE VILLAGE; FURNISHING VILLAGE BENEFITS TO THE LANDS SO ANNEXED; APPLYING VILLAGE ORDINANCES AND REGULATIONS TO THE LANDS SO ANNEXED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS Nebraska law provides the Village Chairperson and members of the Board of Trustees “may by ordinance … at any time, include within the corporate limits of such … village any contiguous or adjacent lands, lots, tracts, streets, or highways as are urban or suburban in character, and in such direction as may be deemed proper.” Neb. Rev. Stat. § 17-405.01;

WHEREAS the Village Chairperson and members of the Board of Trustees find the following lands are contiguous or adjacent to the existing corporate limits of the Village, are urban or suburban in character, and should be annexed into the corporate limits of the Village, to wit:

A tract of land being part of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section One (1), Township Eight (8) North, Range Twenty-six (26) West of the 6th Principal Meridian, Frontier County, Nebraska, and more particularly described as follows:

Commencing at a 5/8” rebar at the Northeast Corner of the Northeast Quarter of Section 1; thence N 89°59’01” W on the North line of said Northeast Quarter, and all bearings contained herein are relative thereto, a distance of 555.64 feet to a mag nail at the POINT OF BEGINNING; thence continuing N 89°59’01” W a distance of 587.74 feet to a mag nail; thence S 00°25’33” E a distance of 295.00 feet to a ½” rebar; thence S 00°27’04” E a distance of 237.29 feet to a 5/8” rebar w/ cap; thence S 89°58’55” E a distance of 1102.48 feet to a 5/8” rebar w/cap; thence Northwesterly on a non-tangent curve to the Left having a central angle of 88°36’33”, a radius of 515.52 feet, an arc length of 797.26 feet, and a chord bearing of N 46°05’20” W a distance of 720.15 feet to a 5/8” rebar w/cap; thence N 00°00’59” E a distance of 33.00 feet to the Point of Beginning.

WHEREAS the Village previously provided by U.S. mail written notice of the proposed annexation to the owners of the above-described lands in accordance with the procedures set forth in Neb. Rev. Stat. § 19-5001 and other pertinent Nebraska law; and

WHEREAS the Village Chairperson and Board of Trustees held a public hearing on the proposed annexation of the above-described lands on January 10, 2023 at the hour of 8:32 p.m. after duly publishing advanced notice thereof;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FARNAM, DAWSON COUNTY, NEBRASKA:**

**SECTION 1. ANNEXATION OF LANDS.** The following described contiguous or adjacent lands shall be and hereby are annexed into the corporate limits of the Village of Farnam, Nebraska:

A tract of land being part of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section One (1), Township Eight (8) North, Range Twenty-six (26) West of the 6th Principal Meridian, Frontier County, Nebraska, and more particularly described as follows:

Commencing at a 5/8” rebar at the Northeast Corner of the Northeast Quarter of Section 1; thence N 89°59’01” W on the North line of said Northeast Quarter, and all bearings contained herein are relative thereto, a distance of 555.64 feet to a mag nail at the POINT OF BEGINNING; thence continuing N 89°59’01” W a distance of 587.74 feet to a mag nail; thence S 00°25’33” E a distance of 295.00 feet to a ½” rebar; thence S 00°27’04” E a distance of 237.29 feet to a 5/8” rebar w/ cap; thence S 89°58’55” E a distance of 1102.48 feet to a 5/8” rebar w/cap; thence Northwesterly on a non-tangent curve to the Left having a central angle of 88°36’33”, a radius of 515.52 feet, an arc length of 797.26 feet, and a chord bearing of N 46°05’20” W a distance of 720.15 feet to a 5/8” rebar w/cap; thence N 00°00’59” E a distance of 33.00 feet to the Point of Beginning. PARCEL ID NOS: 0320005860 AND 0320000007

**SECTION 2. EXTENSION OF VILLAGE CORPORATE LIMITS.** The corporate limits and boundaries of the Village of Farnam, Dawson County, Nebraska, shall be and hereby are extended to include the above-described lands.

**SECTION 3. FURNISHING OF VILLAGE BENEFITS.** The lands and inhabitants thereof annexed herein shall be furnished and receive substantially the benefits of other inhabitants of the Village such as police, fire, snow removal and water service, if not already so furnished, as soon as is practicable, and pursuant to law.

**SECTION 4. APPLICABILITY OF VILLAGE ORDNINANCES AND REGULATIONS.** The lands and inhabitants thereof annexed herein shall be subject to the ordinances and regulations of the Village upon the effective date of this Ordinance.

**SECTION 5. FILING OF ORDINANCE.** The Village Clerk shall cause a certified copy of this Ordinance to be filed under the office of the Register of Deeds of Frontier County, Nebraska, for indexing against each land annexed herein.

**SECTION 6. REPEAL OF CONFLICING ORDINANCES.** Any and all conflicting ordinances or parts thereof in conflict herewith shall be and hereby are repealed.

**SECTION 7. SEVERABILITY.** If any part of subsection of this Ordinance is declared invalid by any court of competent jurisdiction, then it is expressly provided and it is the intention of the Village Chairperson and Board of Trustees in passing this Ordinance that its parts shall be severable, and all other parts of this Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, approval, and publication, which may be in pamphlet form.

1st Reading: January 10, 2023

2nd Reading: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3rd Reading: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PASSED AND APPROVED this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

Mike Russman, Chairperson

Darcy Gurule, Village Clerk

[SEAL]