

LEGISLATIVE BILL 794

Approved by the Governor March 13, 1974

Introduced by Whitney, 44

AN ACT to amend section 81-815.26, Reissue Revised Statutes of Nebraska, 1943, relating to the state park system; to provide legislative consent for acquisition of property; to advance the date for acquisition of property as prescribed; to eliminate obsolete material; to repeal the original section; and to declare an emergency.

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

Section 1. That section 81-815.26, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-815.26. With the consent of the Legislature, the commission is authorized and empowered to acquire, in the name of the State of Nebraska, real estate in this state of scenic, historic, or recreational, or fish and wildlife management value or unique natural areas, or access thereto, by the use of eminent domain, as provided by sections 76-704 to 76-724. Consent of the Legislature is hereby given for the acquisition by eminent domain, as provided in sections 76-704 to 76-724, of the following described tracts of land, for such purposes, until August 18, 1974 1976: ~~For Indian Cave State Park:~~

Commencing at the southwest corner of section 25, township 4 north, range 46 east of the 6th principal meridian, running thence south eighty-nine degrees fifty minutes east along the south line of said section 25, township 4 north, range 46 east of the 6th principal meridian a distance of four thousand three hundred thirty-three degrees fifty-nine minutes west a distance of five hundred sixty-six and four tenths feet to a point, thence north thirty-three degrees fifty-nine minutes west a distance of seven hundred feet to a point, thence north thirty-eight degrees twenty-three minutes west a distance of six hundred feet to a point, thence north fifty degrees ten minutes west a distance of nine hundred eighty feet to a point, thence north fifty-six degrees fifty-six minutes west a distance of four hundred sixteen feet to a point, thence north sixty-one degrees one minute west a distance of seven hundred sixty-eight feet to a point, said point being north twenty-nine degrees six minutes east a distance of ninety-two and

eight-tenths-foot-from-the-northeast-corner--of--original
lot-one-of-said-section-257--township-4--north--range-46
east; thence-north-fifty-six-degrees--twenty-six--minutes
west-a-distance-of--six--hundred--twenty-six--feet--to--a
point; thence--north--sixty-seven--degrees--forty-four
minutes west-a-distance-of-five-hundred-sixty-feet--to--a
point; thence--north--seventy-six--degrees--forty-four
minutes west-a-distance-of-four-hundred-feet-more-or-less
to-the-west-section-line-of-said-section-257--township--4
north; range-46-east; thence-south-along-said--west--line
of-said-section-257--township-4--north; range-46--east--a
distance-of--three--thousand--three--hundred--fifty--and
zero-tenths-feet-more-or-less-to-the-place-of--beginning;
in-Nemaha-County; Nebraska:

All-land-located-in-section-367--township-4--north;
range-46--east--of--the--6th--principal--meridian;--Nemaha
County; Nebraska:

All-land-located-in-section-347--township-4--north;
range-47--east-of-the--6th--principal--meridian--including
accretions;--Nemaha--County;--Nebraska;--except--that--no
condemnation-shall-be-undertaken-in-the-northwest-quarter
of-the-northwest-quarter-of-said-section;

All-land-located-in-the-north-one-half-and-in-the
north-one-half-of-the-southeast--quarter--of--section--17
township-3--north; range-46--east--of--the--6th--principal
meridian; Richardson-County; Nebraska:

All-land-located-in-sections-5-and-67--township--3
north; range-47--east--of--the--6th--principal--meridian;
Richardson-County; Nebraska:

The-north-one--half--of--section--77--township--3
north; range-47--east--of--the--6th--principal--meridian;
Richardson-County; Nebraska:

The-northwest-quarter; and-the-north-one-half--of
the-southwest-quarter-and-the-north-half-of-the-northeast
quarter; and--the--southwest--quarter--of--the--northeast
quarter-of-section-87; township-3--north; range-47--east--of
the-6th-principal-meridian; Richardson-County; Nebraska;
together-with-the-following-described--tract--located--in
the-east-one-half-of-said-section:

Commencing--at--the--southwest--corner--of--the
northeast-quarter-of-the-southeast-quarter-of-section--87
township-3--north; range-47--east--running--thence--north--zero
degrees-thirty-six--minutes--west--a--distance--of--three
hundred-forty-five-and-five-tenths-feet-to-a-point-on-the
west-side-of--the--northeast--quarter--of--the--southeast
quarter-of-section-87; township-3--north; range-47--east; to

the place of beginning; thence north nineteen degrees twenty minutes east a distance of two hundred ten and one-tenths feet to a point; thence north thirty degrees sixteen minutes east a distance of five hundred seventy six and six-tenths feet to a point; thence north eighteen degrees forty nine minutes east a distance of two hundred thirty seven and one-tenths feet to a point; thence north twenty eight degrees thirty nine minutes west a distance of two hundred seventy five and five-tenths feet to a point; thence north seventeen degrees twenty six minutes east a distance of two hundred three and one-tenths feet to a point; thence north twenty five degrees east a distance of one hundred eighty and five-tenths feet to a point; thence south sixty seven degrees forty one minutes east a distance of two hundred ninety six and nine-tenths feet to a point; thence south seventy seven degrees seventeen minutes east a distance of one hundred seventy seven and seven-tenths feet to a point; thence north thirty seven degrees twenty minutes east a distance of three hundred thirty five and three-tenths feet to a point; thence north forty nine degrees eight minutes east a distance of two hundred fifty and five-tenths feet to a point; thence north twenty six degrees thirty minutes east a distance of ten and three-tenths feet to a point on the east side of the southeast quarter of the northeast quarter of section 8, township 3 north, range 17 east; thence north along said east side of the southeast quarter of the northeast quarter of section 8, township 3 north, range 17 east; a distance of five hundred and six-tenths feet to the northeast corner of the southeast quarter of the northeast quarter of section 8, township 3 north, range 17 east; thence west along the north side of the southeast quarter of the northeast quarter of section 8, township 3 north, range 17 east to the northwest corner of the southeast quarter of section 8, township 3 north, range 17 east; thence south along the west side of the southeast quarter of the northeast quarter of section 8, township 3 north, range 17 east to the place of beginning; containing thirty four and twenty nine hundredths acres more or less; all in Richardson County, Nebraska, as presently staked.

The following described tract located in section 4, township 3 north, range 17 east of the 6th principal meridian, Richardson County, Nebraska; All of section 4, township 3 north, range 17 east, otherwise described as commencing at the southwest corner of section 4, township 3 north, range 17 east; thence east to a point on the right bank of the Missouri River; thence in a northwesterly direction along the right bank of the

Missouri River to a point one hundred ninety six and two tenths feet north of the southwest corner of section 4, township 3 north, range 17 east; thence south one hundred ninety six and two tenths feet to the place of beginning containing one and ten hundredths acres more or less, all in Richardson County, Nebraska, as presently staked.

The following described tract located in section 9, township 3 north, range 17 east of the 6th principal meridian, Richardson County, Nebraska; Commencing on the section line between section 8 and section 9, township 3 north, range 17 east at a point five hundred and six tenths feet south of the northwest corner of the southwest quarter of the northwest quarter of section 9, township 3 north, range 17 east; thence north three degrees five minutes west a distance of one hundred twenty two and seven tenths feet to a point; thence north thirty six degrees twenty three minutes east a distance of one hundred forty eight and four tenths feet to a point; thence north fifty one degrees forty three minutes east a distance of two hundred twenty eight and four tenths feet to a point; thence south sixty seven degrees fifty seven minutes east a distance of one hundred eighteen and one tenth feet to a point; thence south eighty one degrees thirty eight minutes east a distance of one hundred forty three and two tenths feet to a point; thence south sixty two degrees forty minutes east a distance of one hundred thirty three and nine tenths feet to a point; thence south forty four degrees twenty five minutes east a distance of ninety eight and five tenths feet to a point; thence south eighty degrees fifty three minutes east a distance of two hundred thirty seven and five tenths feet to a point; thence north eighty degrees seventeen minutes east a distance of one hundred thirty and zero tenths feet to a point; thence north fifty nine degrees fifty one minutes east a distance of two hundred seventy nine and two tenths feet to a point; thence north twenty five degrees ten minutes east a distance of two hundred thirty eight and two tenths feet to a point; thence north forty five degrees twenty nine minutes east a distance of two hundred eighteen and zero tenths feet to a point; thence north twenty degrees fourteen minutes west a distance of nine hundred seventy nine and one tenth feet to a point on the right bank of the Missouri River; thence in a northwesterly direction along the right bank of the Missouri River to a point directly east of the northwest corner of section 9, township 3 north, range 17 east; thence west to the northwest corner of section 9, township 3 north, range 17 east; thence south along the west side of section 9, township 3 north, range 17 east a distance of one thousand eight hundred twenty and

~~six-tenths-feet-to--the--place--of--beginning--containing
forty-six-and-sixty-four-hundredths-acres-more-or-less,
all-in-Richardson-County,-Nebraska,-as-presently-staked;~~

For Rock Creek State Fish Hatchery: Beginning at the northwest corner of the northeast quarter of the northeast quarter, section 25, township 2 north, range 40 west of the 6th principal meridian, running thence east on said section line a distance of six hundred eighty-three feet, thence south a distance of one hundred forty-eight and five-tenths feet, thence west parallel to the north section line of said section 25 a distance of one thousand three hundred forty-three feet, thence north a distance of one hundred forty-eight and five-tenths feet to point on north line of said section 25, thence east on north line of said section 25 a distance of six hundred sixty feet to place of beginning, in Dundy County, Nebraska; and

Beginning at the southeast corner of the southwest quarter of the southeast quarter of section 24, township 2 north, range 40 west of the 6th principal meridian, running thence north on east line of the southwest quarter of the southeast quarter of said section 24 a distance of eight hundred sixty feet, thence west to point on east property line of State of Nebraska, Game and Parks Commission property, a distance of one hundred eighty-three and six-tenths feet, thence south along said property line a distance of eight hundred sixty feet, thence east along south line of said section 24 a distance of one hundred eighty-three and six-tenths feet to place of beginning, in Dundy County, Nebraska.

Sec. 2. That original section 81-815.26, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.