

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 20, 2010 AGENDA**

Subject:	Type:	Submitted By:
DECLARATION AS TO USE OF PROPERTY KEYSTONE TRAIL-LA VISTA LINK LA VISTA SPORTS COMPLEX AND SOCCER COMPLEX	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

Resolutions have been prepared which will ensure that the proposed Keystone Trail-La Vista Link, being a transportation facility involving Federal Funds, has a right to exist on the land owned by the City of La Vista and that the Federal Funds involved in the project are not at risk since such property was not specifically acquired for this use.

FISCAL IMPACT

None

RECOMMENDATION

Approval

BACKGROUND

The City was notified on December 13, 2006 that the La Vista Link – Keystone Trail Project was approved by the Transportation Enhancement Selection Committee and the Nebraska Department of Roads for federal funding.. On July 8, 2009 the City received formal Notice to Proceed with right-of-way acquisition and final design. Since then, efforts to design the project, obtain plan approvals, obtain environmental approvals, and follow the necessary right-of-way acquisition procedures have been ongoing.

Since the proposed Keystone Trail-La Vista Link is a transportation facility involving Federal Funds and since part of the trail will cross publicly owned property such as the La Vista Sports Complex and La Vista Soccer Complex these resolutions are necessary.

These resolutions have been requested by the Nebraska Department of Roads in relation to approving the right of way acquisition for the project.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE USE OF A PORTION OF LAND OWNED BY THE CITY OF LA VISTA AT THE LA VISTA SPORTS COMPLEX FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A BICYCLE/PEDESTRIAN TRAIL IDENTIFIED AS KEYSTONE TRAIL – LA VISTA LINK.

WHEREAS: the City of La Vista is the owner of Tax Lot L in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 North, Range 12 East of the Sixth Principal Meridian, Sarpy County, Nebraska, and

WHEREAS: said Tax Lot L in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 North, Range 12 East of the Sixth Principal Meridian, Sarpy County, Nebraska, is now being occupied by the La Vista Sports Complex, and

WHEREAS: the City of La Vista hereby wishes to construct, operate, and maintain a bicycle/pedestrian trail across a portion of said property, and

WHEREAS: the bicycle/pedestrian trail is to be constructed as part of Nebraska Department of Roads project ENH-77(50), Control Number 22251, and identified as “Keystone Trail – La Vista Link”, and

WHEREAS: to comply with Federal Highway Administration 23 CFR 1.23(a) – “Interest to be acquired – The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation, and maintenance of a project”; It is necessary for the City of La Vista to declare that a portion of said property shall be used for the construction, operation, and maintenance of a bicycle/pedestrian trail for a period of no less than twenty five years from the completion of its construction, and

NOW THEREFORE BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves the use of a portion of land owned by the City of La Vista for the construction, operation, and maintenance of a bicycle/pedestrian trail as shown on attached Exhibit “A”, and as aligned in project plans and specifications for Nebraska Department of Roads project ENH-77(50), Control Number 22251, and identified as “Keystone Trail – La Vista Link”, for a period of no less than twenty five years from the completion of its construction.

PASSED AND APPROVED THIS 20TH DAY OF JULY, 2010.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE USE OF A PORTION OF LAND OWNED BY THE CITY OF LA VISTA AT THE LA VISTA SOCCER COMPLEX FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A BICYCLE/PEDESTRIAN TRAIL IDENTIFIED AS KEYSTONE TRAIL – LA VISTA LINK.

WHEREAS: the City of La Vista is the owner of a portion of the Southwest Quarter of the Northeast Quarter of Section 13, Township 14 North, Range 12 East of the Sixth Principal Meridian, Sarpy County, Nebraska, and

WHEREAS: said portion of the Southwest Quarter of the Northeast Quarter of Section 13, Township 14 North, Range 12 East of the Sixth Principal Meridian, Sarpy County, Nebraska, is now being occupied by the La Vista Soccer Complex, and

WHEREAS: the City of La Vista hereby wishes to construct, operate, and maintain a bicycle/pedestrian trail across a portion of said property, and

WHEREAS: the bicycle/pedestrian trail is to be constructed as part of Nebraska Department of Roads project ENH-77(50), Control Number 22251, and identified as “Keystone Trail – La Vista Link”, and

WHEREAS: to comply with Federal Highway Administration 23 CFR 1.23(a) – “Interest to be acquired – The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation, and maintenance of a project”; It is necessary for the City of La Vista to declare that a portion of said property shall be used for the construction, operation, and maintenance of a bicycle/pedestrian trail for a period of no less than twenty five years from the completion of its construction, and

NOW THEREFORE BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves the use of a portion of land owned by the City of La Vista for the construction, operation, and maintenance of a bicycle/pedestrian trail as shown on attached Exhibit “A”, and as aligned in project plans and specifications for Nebraska Department of Roads project ENH-77(50), Control Number 22251, and identified as “Keystone Trail – La Vista Link”, for a period of no less than twenty five years from the completion of its construction.

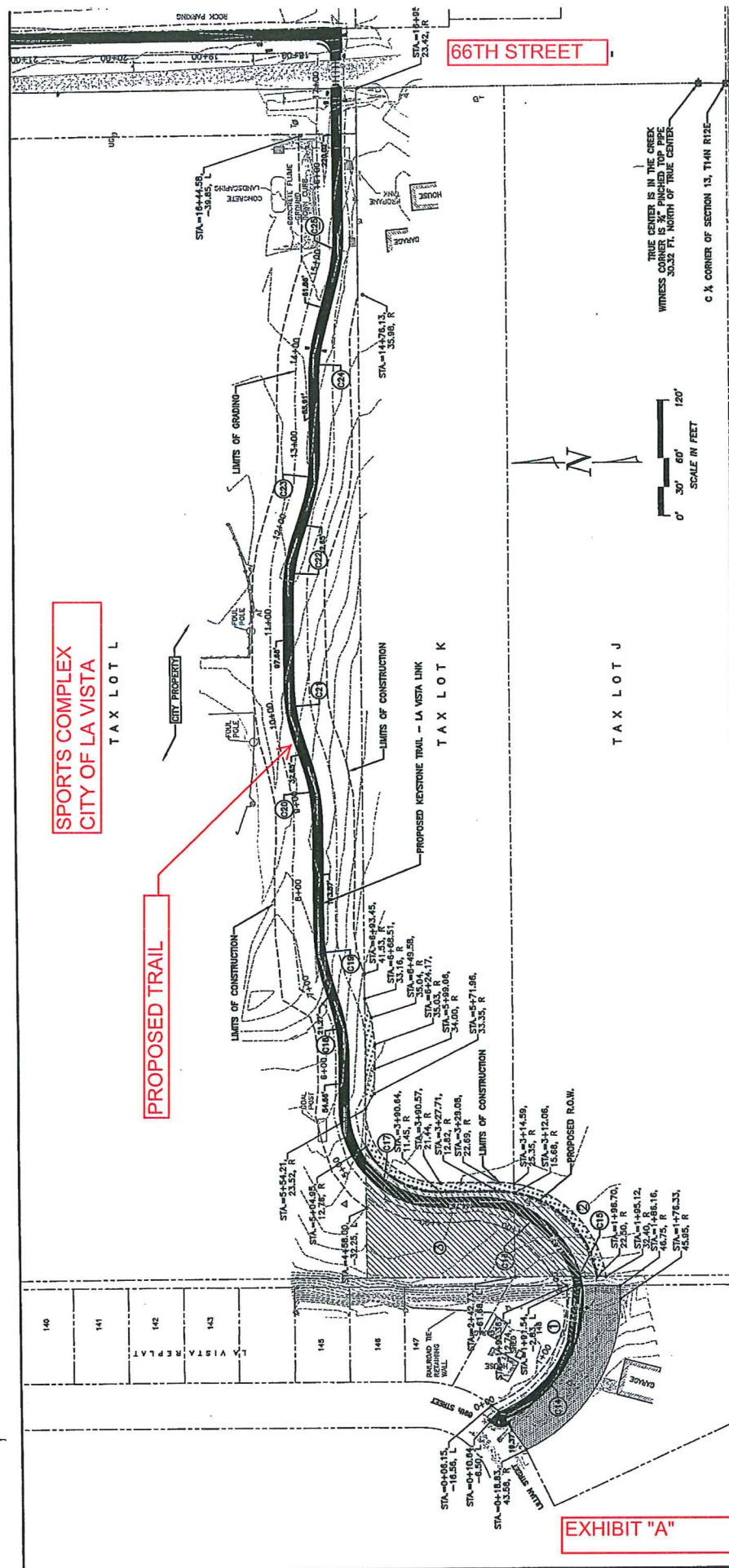
PASSED AND APPROVED THIS 20TH DAY OF JULY, 2010.

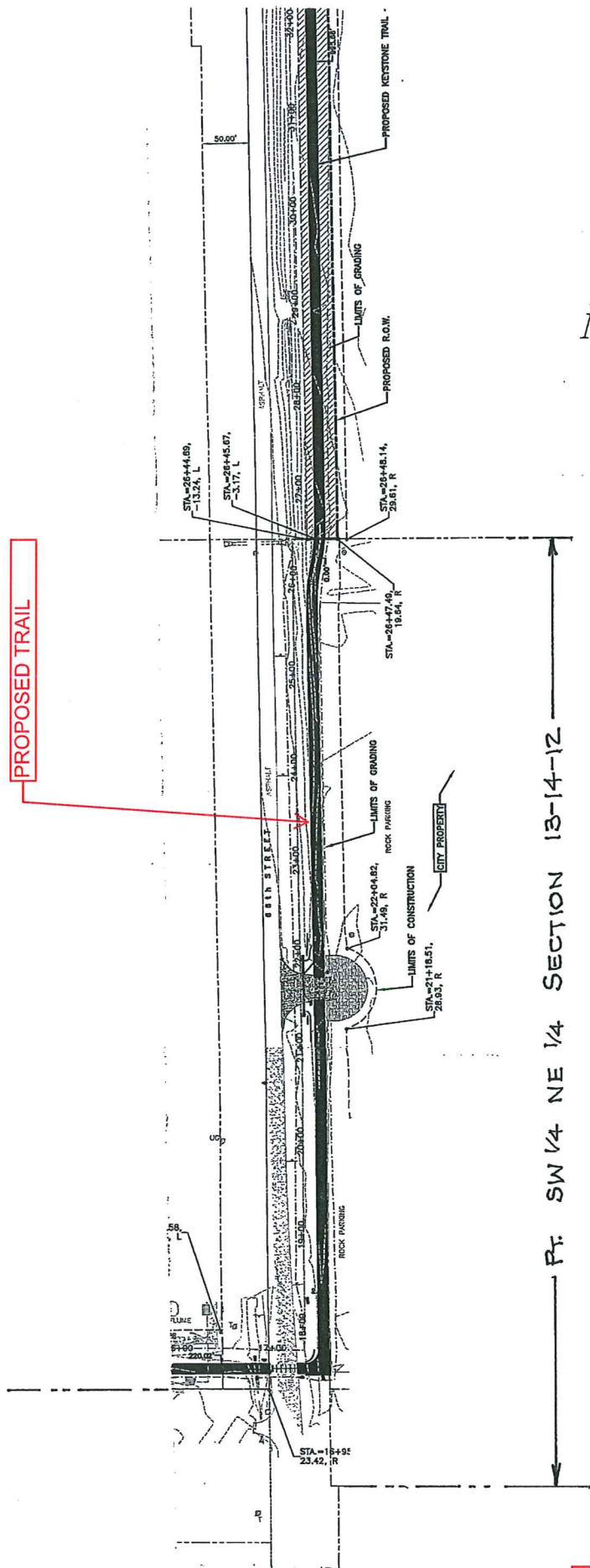
CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk





Section 13-14-12

SOCCER COMPLEX
CITY OF LA VISTA

EXHIBIT "A"