

LEGISLATIVE BILL 849

Approved by the Governor March 14, 2012

Introduced by Sullivan, 41.

FOR AN ACT relating to recreation areas; to authorize the Game and Parks Commission to convey certain real estate; to prescribe conditions relating to the operation and maintenance of the real estate; to provide duties for the Lower Loup Natural Resources District; 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 Lower Loup Natural Resources District for public purposes the following described real estate, now known as Pibel Lake State Recreation Area, situated in the county of Wheeler, in the State of Nebraska, to-wit: A tract of land in the southeast quarter of section 25, township 21 north, range 11 west of the 6th principal meridian, Wheeler County, Nebraska, more fully described as follows: Commencing at the southeast corner of section 25, township 21 north, range 11 west of the 6th principal meridian, (the east side of said section having an assumed bearing of north 0 degrees, 00 minutes east and the south side of said section an assumed bearing of south 89 degrees, 25 minutes west); thence south 89 degrees, 25 minutes west a distance of 440 feet to the point of beginning; thence south 89 degrees, 25 minutes west a distance of 1409.85 feet; thence north 0 degrees, 53 minutes east a distance of 890.25 feet; thence north 89 degrees, 25 minutes east a distance of 396 feet; thence north 0 degrees, 00 minutes east a distance of 160 feet; thence north 89 degrees, 25 minutes east a distance of 160 feet; thence north 0 degrees, 00 minutes east a distance of 930 feet; thence south 89 degrees, 25 minutes west a distance of 480 feet; thence north 9 degrees, 18 minutes west a distance of 367.51 feet; thence south 79 degrees, 13 minutes east a distance of 1017.65 feet; thence south 42 degrees, 54 minutes east a distance of 220 feet; thence south 17 degrees, 13 minutes east a distance of 580.15 feet; thence south 0 degrees, 58 minutes west a distance of 586.0 feet; thence south 37 degrees, 44 minutes east a distance of 111.0 feet; thence south 0 degrees, 00 minutes west a distance of 750 feet to the point of beginning; excepting lots 49, 50, 77 and 78 in the plat of Pibel Lake, a total of 53.4 acres.

Sec. 2. (1) Property conveyed by the Game and Parks Commission pursuant to section 1 of this act shall be operated and maintained as follows:

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

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

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

(d) 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, including the maintenance of the area's federally funded public boating access facilities existing on the property, which is specially assigned and required through 2024; and

(e) 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.

(2) The Lower Loup Natural Resources District shall be responsible for compliance and enforcement of the requirements set forth in subsection (1) of this section.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.