

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 207**

Introduced by Sullivan, 41.

Read first time January 10, 2011

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend  
2 section 37-354, Revised Statutes Cumulative Supplement,  
3 2010; to authorize the commission to convey certain real  
4 estate for park purposes; to prescribe conditions  
5 relating to the conveyance, operation, and maintenance of  
6 the real estate; to provide duties for the commission; to  
7 harmonize provisions; to repeal the original section; and  
8 to declare an emergency.  
9 Be it enacted by the people of the State of Nebraska,

1           Section 1. The Game and Parks Commission is authorized to  
2 convey to the county of Sherman for public park purposes the  
3 following described real estate, now known as Bowman State Recreation  
4 Area, situated in the county of Sherman, in the State of Nebraska,  
5 to-wit:

6           (1) A tract of land in the northwest quarter of section  
7 13, township 15 north, range 15 west of the 6th principal meridian,  
8 in Sherman County, Nebraska, more particularly described as follows:  
9 Commencing at a point on the line between sections 13 and 14,  
10 township 15 north, range 15 west of the 6th principal meridian, at a  
11 point 33 feet south of the corner of sections 11, 12, 13, and 14,  
12 township 15 north, range 15 west of the 6th principal meridian, and  
13 running thence east on a line parallel with the line between sections  
14 12 and 13, township 15 north, range 15 west of the 6th principal  
15 meridian, and 33 feet distant, 995.94 feet, thence south 14 degrees,  
16 15 minutes east 1252.35 feet, thence south 37 degrees east 488.06  
17 feet, thence south 59 degrees, 45 minutes east 132.99 feet, thence  
18 south 86 degrees west 974.16 feet to the left bank of the Middle Loup  
19 River, thence in a northwesterly direction along the left bank of the  
20 stream, 1201.86 feet to a point on the line between sections 13 and  
21 14 aforesaid 917.40 feet south of said corner of sections 11, 12, 13,  
22 and 14, thence north on the line between sections 13 and 14, 884.40  
23 feet to the point of beginning, containing 43.06 acres, more or less;  
24 and

25           (2) A tract of land in the northwest quarter of section

1 13, township 15 north, range 15 west of the 6th principal meridian,  
2 in Sherman County, Nebraska; more particularly described as follows:  
3 Commencing at the east quarter corner of said section 13, township 15  
4 north, range 15 west of the 6th principal meridian; thence southerly  
5 on said section line a distance of 910.56 feet; thence northwesterly  
6 with a deflection angle of 117 degrees, 42 minutes, a distance of  
7 3492.39 feet to the point of beginning, this point of beginning being  
8 marked by an iron stake and being the southeast corner of a tract of  
9 land conveyed to the State of Nebraska by warranty deed from John  
10 Haesler and Bertha Haesler, husband and wife, dated October 30, 1930,  
11 and recorded April 29, 1931, in Book 43 at Page 151 of Deed Records;  
12 thence southwesterly with a bearing of south 46 degrees, 10 minutes,  
13 west 699.13 feet to a point on the left bank of the Middle Loup  
14 River; thence northwesterly along the left bank of said Middle Loup  
15 River with a bearing of north 46 degrees, 0 minutes, west 602.55  
16 feet; thence easterly, on the south line of said tract, on a bearing  
17 north 86 degrees, 0 minutes, east a distance of 940 feet to the point  
18 of beginning; containing 4.83 acres, more or less.

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

21           37-354 Property conveyed by the commission pursuant to  
22 sections 90-272 and 90-273 and sections 1 and 2 of this act shall be  
23 operated and maintained as follows:

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

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

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

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

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

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

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

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