

LEGISLATIVE BILL 743

Approved by the Governor March 3, 2010

Introduced by Fischer, 43.

FOR AN ACT relating to the Game and Parks Commission; to amend section 37-201, Revised Statutes Supplement, 2009; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to eliminate conveyance provisions; to harmonize provisions; to repeal the original section; to outright repeal section 90-215, Reissue Revised Statutes of Nebraska; 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 village of Arnold for public park purposes the following described real estate now known as Arnold State Recreation Area, situated in the county of Custer, in the State of Nebraska, to-wit: A tract of land in the northwest quarter of the southeast quarter of section 28, township 17 north, range 25 west of the 6th principal meridian, described as follows: Beginning at the northeast corner of said northwest quarter of the southeast quarter, running thence west 660.0 feet, thence south 330.0 feet, thence south 45 degrees east to a point 330.0 feet north of the southeast corner of said northwest quarter of the southeast quarter, thence north 990.0 feet to the place of beginning, and containing 10 acres more or less; and a tract of land in the northeast quarter of the southeast quarter of section 28, township 17 north, range 25 west of the 6th principal meridian, described as follows: Beginning at the northwest corner of said northeast quarter of the southeast quarter, running thence east 660.0 feet, more or less, to the center of the channel of the South Loup River, thence in a southerly and easterly direction along the center of the channel of said river to its intersection with the east line of said northeast quarter of the southeast quarter, said point of intersection being 528.0 feet, more or less, south of the northeast corner of said northeast quarter of the southeast quarter, thence south along said east line 630.0 feet, thence west 1,320.0 feet, more or less, to the west line of said northeast quarter of the southeast quarter, thence north along said west line 1,158.0 feet to the place of beginning, and containing 30 acres, more or less, except that if the village of Arnold ceases to operate the lands conveyed as a public park and recreation area, title to such lands shall revert to the Game and Parks Commission.

Sec. 2. The Game and Parks Commission is authorized to convey to the city of Atkinson for public park purposes the following described real estate now known as Atkinson State Recreation Area, situated in the county of Holt, in the State of Nebraska, to-wit: A tract of land in Blocks 53, 54, 55, 56, 57, 58, 59, and 60, all in Mathew's Addition to Atkinson, Holt County, Nebraska; and the southeast quarter of the southwest quarter of section 30, township 30 north, range 14 west of the 6th principal meridian, excepting therefrom a parcel described as follows: Commencing at the southwest corner of the southeast quarter of the southwest quarter, section 30, township 30 north, range 14 west of the 6th principal meridian, thence running due north 42.42 rods; thence running due east 36.36 rods; thence running due south 24.24 rods; thence running due east 18.18 rods; thence running due south 18.18 rods; thence running due west 54.54 rods to the place of beginning, containing 49.51 acres, more or less, Holt County, Nebraska; the southwest quarter of section 30, township 30 north, range 14 west, Holt County, Nebraska; and that part of the southwest quarter of the southeast quarter of section 30, township 30 north, range 14 west of the 6th principal meridian, Holt County, Nebraska, described as follows: Commencing at the northwest corner of the southwest quarter of the southeast quarter of said section 30, thence running on a line south 57 degrees, 35 minutes, east a distance of 347.56 feet, thence due south a distance of 433.75 feet, thence due west a distance of 293.38 feet, thence due north a distance of 620.1 feet to the point of beginning containing 3.55 acres, more or less, except that if the city of Atkinson ceases to operate the lands conveyed as a public park and recreation area, title to such lands shall revert to the Game and Parks Commission.

Sec. 3. Section 37-201, Revised Statutes Supplement, 2009, is amended to read:

37-201 Sections 37-201 to 37-811 and section 4 of this act shall be known and may be cited as the Game Law.

Sec. 4. Property conveyed by the commission pursuant to sections 1

and 2 of this act shall be operated and maintained as follows:

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

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

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

(4) 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; and

(5) 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.

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

Sec. 5. Original section 37-201, Revised Statutes Supplement, 2009, is repealed.

Sec. 6. The following section is outright repealed: Section 90-215, Reissue Revised Statutes of Nebraska.

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.