

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 849**

Introduced by Sullivan, 41.

Read first time January 06, 2012

Committee:

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend  
2 section 37-354, Revised Statutes Supplement, 2011; to  
3 authorize the commission to convey certain real estate;  
4 to prescribe conditions relating to the conveyance,  
5 operation, and maintenance of the real estate; to provide  
6 duties for the commission; to harmonize provisions; to  
7 repeal the original section; and to declare an emergency.  
8 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 Lower Loup Natural Resources District for public  
3 purposes the following described real estate, now known as Pibel Lake  
4 State Recreation Area, situated in the county of Wheeler, in the  
5 State of Nebraska, to-wit: A tract of land in the southeast quarter  
6 of section 25, township 21 north, range 11 west of the 6th principal  
7 meridian, Wheeler County, Nebraska, more fully described as follows:  
8 Commencing at the southeast corner of section 25, township 21 north,  
9 range 11 west of the 6th principal meridian, (the east side of said  
10 section having an assumed bearing of north 0 degrees, 00 minutes east  
11 and the south side of said section an assumed bearing of south 89  
12 degrees, 25 minutes west); thence south 89 degrees, 25 minutes west a  
13 distance of 440 feet to the point of beginning; thence south 89  
14 degrees, 25 minutes west a distance of 1409.85 feet; thence north 0  
15 degrees, 53 minutes east a distance of 890.25 feet; thence north 89  
16 degrees, 25 minutes east a distance of 396 feet; thence north 0  
17 degrees, 00 minutes east a distance of 160 feet; thence north 89  
18 degrees, 25 minutes east a distance of 160 feet; thence north 0  
19 degrees, 00 minutes east a distance of 930 feet; thence south 89  
20 degrees, 25 minutes west a distance of 480 feet; thence north 9  
21 degrees, 18 minutes west a distance of 367.51 feet; thence south 79  
22 degrees, 13 minutes east a distance of 1017.65 feet; thence south 42  
23 degrees, 54 minutes east a distance of 220 feet; thence south 17  
24 degrees, 13 minutes east a distance of 580.15 feet; thence south 0  
25 degrees, 58 minutes west a distance of 586.0 feet; thence south 37

1 degrees, 44 minutes east a distance of 111.0 feet; thence south 0  
2 degrees, 00 minutes west a distance of 750 feet to the point of  
3 beginning; excepting lots 49, 50, 77 and 78 in the plat of Pibel  
4 Lake, a total of 53.4 acres.

5           Sec. 2. Section 37-354, Revised Statutes Supplement,  
6 2011, is amended to read:

7           37-354 Property conveyed by the commission pursuant to  
8 sections 90-272 to 90-275 and section 1 of this act shall be operated  
9 and maintained as follows:

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

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

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

17           (4) Buildings, roads, trails, and other structures and  
18 improvements shall be kept in reasonable repair throughout their  
19 estimated lifetime to prevent undue deterioration and to encourage  
20 public use, including the maintenance of the area's federally funded  
21 public boating access facilities existing on the property, which is  
22 specially assigned and required through 2024; and

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

1           The commission shall be responsible for compliance and  
2 enforcement of the requirements set forth in this section, except  
3 that, as to the property conveyed pursuant to section 1 of this act,  
4 the commission shall be responsible only for enforcement of the Game  
5 Law.

6           Sec. 3. Original section 37-354, Revised Statutes  
7 Supplement, 2011, is repealed.

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