

## **ORDINANCE NO. 1215**

AN ORDINANCE TO THE CITY OF BROKEN BOW, NEBRASKA TO ADD SECTION 51.10: WELLHEAD PROTECTION AREA, OF THE BROKEN BOW MUNICIPAL CODE DESIGNATING A WELLHEAD PROTECTION AREA, AS DRAWN BY THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY, WELLHEAD PROTECTION PROGRAM, DATED SEPTEMBER 2019, TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HERewith; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

Section 1. Definitions. Wellhead Protection Area means the surface and subsurface area surrounding a public water supply well or wellfield, supplying a public water supply system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

Section 2. The City Council designates a Wellhead Protection Area for the purpose of protecting the public water supply system. The boundaries of the Wellhead Protection Area are based upon the delineation map published by the Nebraska Department of Environment and Energy on September 2019. The boundaries of the Wellhead Protection Area are:

A PARCEL OF LAND LOCATED IN SECTIONS 4, 5 AND 6, TOWNSHIP 16 NORTH, RANGE 20 WEST, SECTION 1, TOWNSHIP 16 NORTH. RANGE 21 WEST, SECTIONS 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33 AND 34, TOWNSHIP 17 NORTH RANGE 20 WEST, SECTIONS 12, 13, 24, 25, AND 36, TOWNSHIP 17 NORTH, RANGE 21 WEST OF THE SIXTH P.M., CUSTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 20 WEST; THENCE EAST ON THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SECTION 7; THENCE EAST ON THE NORTH LINE OF SECTION 8, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SECTION 8; THENCE EAST ON THE NORTH LINE OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH ON THE EAST LINE OF SAID SECTION 9, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH ON THE EAST LINE OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH ON THE EAST LINE OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SECTION 21; THENCE SOUTH ON THE EAST LINE OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE EAST ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 17 NORTH, RANGE 20 WEST, A DISTANCE OF 370 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST LINE OF A TRACT

OF LAND DESCRIBED IN DEED RECORD 10, PAGE 7218; THENCE SOUTH ON SAID EAST LINE AND ITS NORTHERLY EXTENSION, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE WEST ON THE NORTH LINE OF FRACTIONAL SECTION 4, TOWNSHIP 16 NORTH, RANGE 20 WEST, A DISTANCE OF 1280 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 4; THENCE SOUTH ON THE EAST LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 1624 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4; THENCE WEST ON THE SOUTH LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4; THENCE SOUTH ON THE WEST LINE OF SAID FRACTIONAL SECTION 4, A DISTANCE OF 3960 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID FRACTIONAL SECTION 4; THENCE WEST ON THE SOUTH LINE OF SECTION 5, TOWNSHIP 16 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE WEST ON THE SOUTH LINE OF SECTION 6, TOWNSHIP 16 NORTH, RANGE 20 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE WEST ON THE SOUTH LINE OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 21 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE NORTH ON THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE WEST ON THE SOUTH LINE OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 21 WEST, A DISTANCE OF 3200 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE NORTH ON THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 36; THENCE NORTH ON THE WEST LINE OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 21 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 25; THENCE NORTH ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 21 WEST, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE EAST ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH ON THE WEST LINE OF THE EAST HALF OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 21 WEST, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE NORTH ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 21 WEST, A DISTANCE 2640 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE WEST ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH ON THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 12; THENCE EAST ON THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Section 3. That a copy of the map of the Wellhead Protection Area for the City of Broken Bow, Nebraska is on file and shall be kept in the office of the City Clerk for the City of Broken Bow, Nebraska.

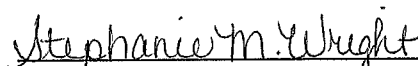
Section 4. That all Ordinances previously adopted by the City of Broken Bow, Nebraska, which are inconsistent and in conflict herewith this Ordinance are hereby repealed and without further force of effect.

Section 5. That this ordinance shall be in full force and take effect from and after its passage, approval, and publication as required by law.

Passed and approved this 22<sup>nd</sup> day of October, 2019.

  
Jonathon Berghorst, Mayor

ATTEST:

  
Stephanie M. Wright, City Clerk

