

ORDINANCE 1159

AN ORDINANCE AMENDING ORDINANCE NO. 1151, WHICH VACATED A PORTION OF 12TH STREET, 13TH STREET, ASH STREET, BIRCH STREET, AND ADJACENT ALLEYS, TO PROVIDE FOR TECHNICAL CORRECTIONS; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT THEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, that Ordinance No. 1151 is hereby amended so that after its amendment, the entire Ordinance shall be known as Ordinance No. 1159 and shall read in its entirety as follows:

Section 1. That 13th Street lying between the Northern Boundaries of Lot 6, Block 36 and Lot 1, Block 35, of the Flora City Addition, and the Southern Boundaries of Lot 1, Block 4 and Lot 6, Block 3, of the Saline Ford Addition, to the City of Ashland, Saunders County, Nebraska, shall be vacated, with title to the West One-Half of said vacated 13th Street abutting Lot 1, Block 4, of the Saline Ford Addition to the City of Ashland, Saunders County, Nebraska, reserved to the City of Ashland, subject to the City's intent to convey the same.

Section 2. That 12th Street lying between the Southern Boundaries of Lot 12, Block 29 and Lot 7, Block 28, of the Flora City Addition, and the Southern Boundaries of Lot 1, Block 3 and Lot 6, Block 2, of the Saline Ford Addition, to the City of Ashland, Saunders County, Nebraska, shall be vacated except for that already vacated West One-Half of said vacated 12th Street abutting Lot 1, Block 3, of the Saline Ford Addition, with title to the East One-Half of said vacated 12th Street abutting (i) Lot 6, Block 2, of the Saline Ford Addition; (ii) Lot 6, Block 37, of the Flora City Addition; and (iii) Lot 7, Block 37, of the Flora City Addition, reserved to the City of Ashland, subject to the City's intent to convey the same.

Section 3. That Ash Street lying between the Eastern Boundary of 13th Street and the Western Boundary of 12th Street, of the Flora City Addition to the City of Ashland, Saunders County, Nebraska, shall be vacated.

Section 4. That Birch Street lying between the Western Boundary of 12th Street and the Western Boundaries of Lot 10, Block 35, of the Flora City Addition, and Lot 3, Block 4, of the Saline Ford Addition, to the City of Ashland, Saunders County, Nebraska, shall be vacated.

Section 5. That the alley in Block 36 of the Flora City Addition, to the City of Ashland, Saunders County, Nebraska, shall be vacated.

Section 6. That the East One-Half of the alley in Block 35 abutting Lots 1 through 3 and Lots 10 through 12, Block 35, of the Flora City Addition to the City of Ashland, Saunders County, Nebraska, shall be vacated.

Section 7. That the alley in Block 3 of the Saline Ford Addition to the City of Ashland,

Saunders County, Nebraska, shall be vacated, with title to the Southern One-Half of said vacated alley abutting Lots 7 through 12, Block 3, of the Saline Ford Addition to the City of Ashland, Saunders County, Nebraska, reserved to the City of Ashland, subject to the City's intent to convey the same.

Section 8. That the City of Ashland, Saunders County, Nebraska, shall retain the right to maintain, operate, or repair, by itself, or by its licensees and franchisees, any existing public utilities and associated facilities now located on, under, or above any the streets and alleys vacated by this ordinance.

Section 9. That except as otherwise provided in this ordinance where title has been reserved to the City of Ashland, the aforementioned vacated streets and alleys shall revert to the owners of the property abutting such vacated streets or alleys, one-half on each side thereof, and shall become part of the adjoining property, pursuant to the statutes of the State of Nebraska.

Section 10. That the City of Ashland, Saunders County, Nebraska, hereby finds that the vacation actions taken pursuant to this ordinance to be expedient for the public good and in the best interests of the City of Ashland, Saunders County, Nebraska.

Section 11. That special damages suffered by abutting property owners as a result of the vacation of said streets and alleys through this ordinance shall be sought and available pursuant to the procedure set forth in Ashland Municipal Code § 8-316.

Section 12. That all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

Section 13. That this ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 16th day of August, 2018.

CITY OF ASHLAND
SAUNDERS COUNTY, NEBRASKA

By: Richard Grauerholz
Richard Grauerholz, Mayor

ATTEST:

Kathleen Sliva
Kathleen Sliva, City Clerk

