

ORDINANCE 1151

AN ORDINANCE ADOPTED BY THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, TO VACATE THIRTEENTH (13th) STREET BETWEEN THE SOUTHERN BOUNDARY OF ASH STREET BETWEEN THE NORTHERN BOUNDARY OF LOT 6 OF BLOCK 36 AND LOT 1 OF BLOCK 35, OF THE FLORA CITY ADDITION, AND THE SOUTHERN BOUNDARY OF LOT 1, BLOCK 4, AND LOT 6, BLOCK 3, SALINE FORD ADDITION TO THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, AND TO RESERVE TITLE TO THE CITY IN THE WEST ONE-HALF THEREOF BETWEEN THE SOUTHERN BOUNDARY OF BIRCH STEET AND THE SOUTHERN BOUNDARY OF LOT 1, BLOCK 4, SALINE FORD ADDITION (SUBJECT TO THE CITY'S INTENT TO CONVEY); TO VACATE TWELFTH (12th) STREET BETWEEN THE SOUTHERN BOUNDARY OF LOT 12, BLOCK 29, AND LOT 7, BLOCK 28, FLORA CITY ADDITION AND THE SOUTHERN BOUNDARY OF LOT 1, BLOCK 3, AND LOT 6, BLOCK 2, SALINE FORD ADDITION TO THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, AND TO RESERVE TITLE TO THE CITY IN THE EAST ONE-HALF THEREOF ABUTTING (i) LOT 6, BLOCK 2, SALINE FORD ADDITION, (ii) LOT 6, BLOCK 37, FLORA CITY ADDITION, AND (iii) LOT 7, BLOCK 37, FLORA CITY ADDITION (ALL SUBJECT TO THE CITY'S INTENT TO CONVEY); TO VACATE ASH STREET BETWEEN 13th AND 12th STREETS; TO VACATE BIRCH STREET BETWEEN 12th STREET AND THE WESTERN BOUNDARY OF LOT 10, BLOCK 35, FLORA CITY ADDITION AND LOT 3, BLOCK 4, SALINE FORD ADDITION TO THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA; TO VACATE THE ALLEY IN BLOCK 36, FLORA CITY ADDITION; TO VACATE THE EAST ONE-HALF OF THE ALLEY IN BLOCK 35 ABUTTING LOTS 1 THROUGH 3 AND LOTS 10 THROUGH 12, BLOCK 35, FLORA CITY ADDITION; TO VACATE THE ALLEY IN BLOCK 3, SALINE FORD ADDITION, AND TO RESERVE TITLE TO THE CITY IN THE SOUTH ONE-HALF THEREOF ABUTTING LOTS 7 THROUGH 12, BLOCK 3, SALINE FORD ADDITION (SUBJECT TO THE CITY'S INTENT TO CONVEY); TO RESERVE TITLE TO THE CITY SUBJECT TO THE CITY'S INTENT TO CONVEY CERTAIN VACATED PORTIONS OF STREETS AND ALLEYS AS SET FORTH IN DETAIL BELOW; TO RETAIN FOR THE CITY THE RIGHT TO MAINTAIN AND REPAIR EXISTING PUBLIC UTILITIES; 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, AS FOLLOWS:

Section 1. That 13th Street between the Southern Boundary of Ash Street between the Northern boundary of Lot 6 of Block 36 and Lot 1 of Block 35, of the Flora City Addition, and the Southern Boundary 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, except that the West One-Half of said Vacated 13th Street lying between the Southern Boundary of Birch Street and the Southern Boundary of Lot 1, Block 4, Saline Ford Addition to the City of Ashland, Saunders County Nebraska, shall remain the property of the City of Ashland, subject to the City's intent to convey the same.

Section 2. That 12th Street between the Southern Boundary of Lot 12, Block 29, and Lot 7, Block 28, Flora City Addition and the Southern Boundary of Lot 1, Block 3, and Lot 6, Block 2, Flora City Addition to the City of Ashland, Saunders County, Nebraska, shall be vacated, except for that portion thereof lying South of Birch Street abutting Lot 1, Block 3, Saline Ford Addition, which has already been vacated, and except that the East One-Half of said Vacated 12th Street abutting (i) Lot 6, Block 2, Saline Ford Addition; (ii) Lot 6, Block 37, Flora City Addition; and (iii) Lot 7, Block 37, Flora City Addition, shall remain the property of the City of Ashland, subject to the City's intent to convey the same.

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

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

Section 5. That the alley in Block 36, Saline Ford Addition, and East One-Half of the alley in Block 35 abutting Lots 1 through 3 and Lots 10 through

12, Flora City Addition to the City of Ashland, Saunders County, Nebraska, shall be vacated.

Section 6. That the alley in Block 3, Saline Ford Addition to the City of Ashland, Saunders County, Nebraska, shall be vacated, except that the Southern One-Half of said Vacated alley abutting Lots 7 through 12, Block 3, Saline Ford Addition to the City of Ashland, Saunders County, Nebraska, shall remain the property of the City of Ashland, subject to the City's intent to convey.

Section 7. That the City of Ashland, 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 8. That except as otherwise provided in this ordinance, 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 9. That the City of Ashland, 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, Nebraska.

Section 10. That special damages suffered by abutting property owners as a result of vacating 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 11. 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 12. 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 5th day of July, 2018.

CITY OF ASHLAND
SAUNDERS COUNTY, NEBRASKA

By: *Richard Grauerholz*
Richard Grauerholz, Mayor

ATTEST:

Kathleen Sliva
Kathleen Sliva, City Clerk

