

ORDINANCE # _____

AN ORDINANCE VACATING PART OF 9TH STREET IN THE CITY OF HUMPHREY, NEBRASKA

WHEREAS, there is no public need existing or anticipated for Part of 9th Street in the City of Humphrey, Nebraska; and, said Street is hindering the development of the City of Humphrey, Nebraska; and,

WHEREAS, the City of Humphrey still requires the use of the area (the easements) that is presently the street for utility and service line purposes; and,

WHEREAS, Section 17-558 of the Nebraska Revised Statutes provides that Cities of the Second Class shall have the power to vacate streets and that whenever a street shall be vacated it shall revert to the owners of the abutting real estate, one half on each side thereof unless the City reserves title in the ordinance vacating such street or alley; and,

WHEREAS, the Mayor and the City Council of the City of Humphrey, Nebraska, having deliberated the matter at public hearing, have found that it would be in the City's best interest to vacate parts of 9th Street legally described as below;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF HUMPHREY, NEBRASKA:

That parts of 9th Street legally described as follows:

40' x 132' Parcel of 9th Street adjacent to the West Line of Lot 5, Block 14, Lockner's 2nd Addition to Humphrey, Platte County, Nebraska, and

40' x 132' Parcel of 9th Street adjacent to the West Line of Lot 4, Block 14, Lockner's 2nd Addition to Humphrey, Platte County, Nebraska, and

40' x 132' Parcel of 9th Street (except the East 12 Feet which was previously vacated) adjacent to the West Line of Lot 5, Block 13, Lockner's 1st Addition to Humphrey, Platte County, Nebraska, and

40' x 132' Parcel of 9th Street (except the East 12 Feet which was previously vacated) adjacent to the West Line of Lot 4, Block 13, Lockner's 1st Addition to Humphrey, Platte County, Nebraska, and

40' x 132' Parcel of 9th Street adjacent to the West Line of Lot 5, Block 3, Lockner's 1st Addition to Humphrey, Platte County, Nebraska, and

40' x 132' Parcel of 9th Street adjacent to the West Line of Lot 4, Block 3, Lockner's 1st Addition to Humphrey, Platte County, Nebraska

are hereby vacated, with only the East half (the East side of the center thereof) (20 feet) reverting to the owners of the abutting real estate, while the City of Humphrey, Nebraska expressly reserves title to the West half (the West side of the center thereof (20 feet) as per Neb. Rev. Stat. §17-558 and Municipal Code Section 6-212, PROVIDED HOWEVER, the City of Humphrey, Nebraska expressly reserves unto itself all utility easements, easements for ingress and/or egress, together with the full benefit and use of the above-described premises for the purpose of installing, maintaining, repairing or replacing utility service lines, all as provided by Humphrey Municipal Code Section 6-212 and Neb. Rev. Stat. Section 17-558.

This Ordinance shall be in full force and effect from and after its final passage as provided by law and its publication.

PASSED AND APPROVED this ____ day of _____, 2017.

CITY OF HUMPHREY, NEBRASKA

By: _____
Mayor

ATTEST:

City Clerk