

ORDINANCE NO.

COUNCIL MEMBER INTRODUCED THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE CITY OF BLAIR NEBRASKA, WITH THE ORIGINAL RIGHT-OF-WAY BEING 80-FEET WIDE, VACATING 15 FEET OF EXCESS RIGHT-OF-WAY LOCATED ON THE WEST SIDE OF NORTH 24TH STREET BETWEEN NEBRASKA STREET AND JACKSON STREET (NOW THE WEST VALLEY SUBDIVISION) AND ALL THAT PART OF THE EAST 15 FEET OF NORTH 24TH STREET (ORIGINALLY FRENCH STREET) RIGHT-OF-WAY AS IT APPEARS ON THE ORIGINAL PLAT OF DEXTERS 1ST ADDITION TO THE CITY OF BLAIR, VESTED IN THE CITY OF BLAIR, ADJOINING LOTS LOT 9, BLOCK 8; LOT 10, BLOCK 8; LOT 9, BLOCK 17, AND LOT 10, BLOCK 17, BETWEEN NEBRASKA STREET AND JACKSON STREET AND VACATED PORTIONS OF VACATED NEBRASKA STREET AND PARK STREET ADJOINING LOTS, ALL IN BLAIR, WASHINGTON COUNTY, NEBRASKA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

WHEREAS, Nebraska Revised Statute §16-661 authorizes the City Council or its agent to initiate vacation of any public right of way; and

WHEREAS, this area was previously dedicated to public use through various dedications or by prescriptive easement as a county road; and

WHEREAS, it is hereby determined that the right of way described above is not useful or needed as a right of way, and it is in the public interest that said right of way be abandoned and vacated as right of way and as public property and be released from any and every public right, use, title, interest, if any, except as hereinafter provided; and

WHEREAS, the attached Exhibit "A" outlines the properties affected with their parcel numbers for ease of verification; and

WHEREAS, the attached Exhibit "B" is a map that shows the area in question.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BLAIR, NEBRASKA, AS FOLLOWS:

SECTION 1. ABANDONMENT. It is hereby determined that the property hereinafter described is no longer useful or needed as a right of way, and it is in the public interest that said right of way be abandoned and vacated as right of way and as public property and be released from any and every public right, use, title, interest. Said property is described and depicted in Exhibit "A" and Exhibit "B", attached hereto, and is by reference incorporated herein.

SECTION 2. ABUTTING PROPERTY OWNER. Upon the vacation of the right of way by the City of Blair, the title to such property shall vest in the owner of the abutting property of 24th Street between Nebraska and Jackson Streets and become a part of such property.

SECTION 3. CERTIFIED COPY. Within thirty (30) days after the effective date of the vacation, the City of Blair shall file a certified copy of the vacating ordinance with the Washington County Register of Deeds in which the vacated property is located to be indexed against all affected lots.

SECTION 4. EASEMENTS. The City of Blair reserves the right to maintain, operate, repair, and renew public utilities existing at the time title to the property is vacated there; and there is reserved to the City of Blair any public utilities and any cable television systems the right to maintain, repair, renew, and operate water mains, gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances, including lateral connections or branch lines, above, on, or below the surface of the ground that are existing as valid easements at the time title to the property is vacated for the purposes of serving the general public or the abutting properties and to enter upon the premises to accomplish such purposes at any and all reasonable times; and there is reserved to the City of Blair any easements to conduct snow removal, or any other maintenance of the right of way for any existing easements at the time title to the property is vacated for the purposes of serving the general public or the abutting properties and to enter upon the premises to accomplish such purposes at any and all times.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect from and following the passage and publication hereof as required by law.

Passed and approved this 8th day of April 2025.

CITY OF BLAIR, NEBRASKA

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Melinda K. Rump, MAYOR

ATTEST:

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BRENDA R. WHEELER, CITY CLERK

(SEAL)

STATE OF NEBRASKA     )

) SS

COUNTY OF WASHINGTON     )

BRENDA R. WHEELER hereby certifies that she is the duly appointed, qualified and acting City Clerk of the City of Blair, Nebraska and that the above and foregoing Ordinance was passed at a regular meeting of the Mayor and City Council of said City held on the 8th day of April 2025.

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BRENDA R. WHEELER, CITY CLERK