

ORDINANCE NO. 592

AN ORDINANCE TO VACATE THE ALLEY RUNNING EAST AND WEST IN BLOCK 43, HYDE PARK ADDITION, TO THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA; RESERVING EASEMENTS THEREIN; PROVIDING RESTRICTIONS THEREON CONCERNING GATES AND STRUCTURES; CONDITIONING SAID VACATION ON THE DEEDING OF THAT PORTION OF SAID VACATED ALLEY ADJACENT TO LOTS 16, 17, AND 18 IN SAID BLOCK 43, HYDE PARK ADDITION TO THE CITY OF GOTHENBURG BY THE ADJOINING LAND OWNER; PROVIDING THAT THE ALLEY SO VACATED REVERT TO ADJOINING PROPERTY OWNERS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA AS FOLLOWS:

1. The alley running east and west in Block 43, Hyde Park Addition, to the City of Gothenburg, Dawson County, Nebraska, is no longer needed for municipal purposes and it is in the best interest of the City if the said alley were vacated.

2. That portion of alley running east and west in Block 43, Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska, is hereby vacated, subject to the terms and conditions set forth hereafter.

3. That the land so vacated in Section 2 above shall revert to the owners of lands or lots abutting thereto.

4. The City of Gothenburg reserves an easement for the maintenance, placement, and replacement of all existing utility lines and any future utilities, of whatever nature over and through the alley vacated hereby. As a specific condition of this easement

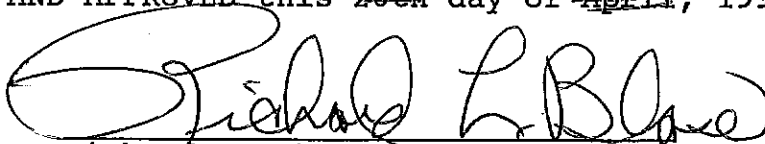
it is required that any fence across the vacated alley have a gate installed which is wide enough to allow the passage of maintenance equipment. No structures, or trees or shrubs may be planted which encroach on the easement area. No playground equipment or equipment of a permanent type may be placed in the easement area.

5. The vacation of this alley is strictly conditioned on and such vacation shall not occur until the adjoining land owner deed to the City of Gothenburg the South 1/2 of the vacated alley adjoining lots 16, 17, and 18 in Block 43, Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska. Upon the filing of a deed in favor of the City of Gothenburg for the property last above described, in the office of the Dawson County Register of Deeds, this ordinance shall become effective.

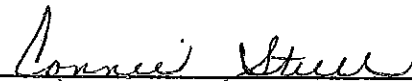
6. All ordinances and specifically all parts of ordinances in conflict herewith shall be and the same are hereby repealed.

7. This ordinance shall be in force and effect from and after its passage, approval and publication as required by law, except as limited in section 5 hereof.

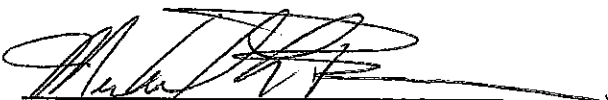
PASSED AND APPROVED this ^{1st} ~~20th~~ day of ^{June} ~~April~~, 1993.


Richard L. Blase, Mayor

ATTEST:


Connie Stull, City Clerk

APPROVED AS TO FORM:


Michael L. Bacon,
City Attorney