

ORDINANCE NO. 631

AN ORDINANCE OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA GRANTING EASEMENT TO FRITO-LAY, INC. IN A PORTION OF SOUTHEAST QUARTER, SECTION 15, TOWNSHIP 11 NORTH, RANGE 25, WEST OF THE 6TH P.M., DAWSON COUNTY, NEBRASKA; DESCRIBING THE LOCATION THEREOF; THE PROPERTY TO WHICH THE SAME IS APPURTENANT; RESERVING AN EASEMENT THEREIN REPEALING ALL ORDINANCE OR PARTS OF 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:

Section 1. The City of Gothenburg hereby grants to Frito-Lay, Inc. an Easement for purposes of maintaining a railway spur over and across the following described property to-wit:

A Tract of land in the Southeast Quarter, Section 15, Township 11 North, Range 25 West, of the 6th P.M., Dawson County, Nebraska. More particularly described as follows:

Commencing at the intersection of the East line of said SE1/4 and the Southerly Right-Of-Way Line of the Union Pacific Railroad;

Thence N 59°48'27" W (bearing assumed and all other bearing are relative thereto) a distance of 1191.59 feet along said Railroad Right-Of-Way to a point 200 feet East of Cozad Canal Easterly Right-Of-Way line as measured along said Railroad Right-Of-Way line, to the Point of Beginning;

Thence S 70°10'36" W a distance of 156.61 feet to a point on a line 120 feet Southerly from and parallel to said Railroad Right-Of-Way line, said point being 109.10 feet East of said Canal Right-Of-Way line as measured along said parallel line;

Thence N 59°48'27" W a distance of 109.10 feet along said parallel line;

Thence N 70°10'36" E a distance of 156.61 feet to said Railroad Right-Of-Way line;

Thence S 59°48'27" E a distance of 109.10 feet along said Railroad Right-Of-Way line to the point of beginning.

Section 2. Said Easement adjoins the northerly boundary of lot 4 of the Gothenburg Improvement Company Second Addition of the

City of Gothenburg, Dawson County, Nebraska and is appurtenant to and runs with said lot 4 of the Gothenburg Improvement Company Second Addition.

Section 3. The City of Gothenburg reserves the right to, at all times, maintain the storm water outflow and drainage through said area, maintain and repair any structures thereon which are owned by City and further reserves the right to install, maintain, repair and replace any utility lines either overhead or under ground through said area and to travel through said easement area for such purposes as are deemed appropriate by the City of Gothenburg.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

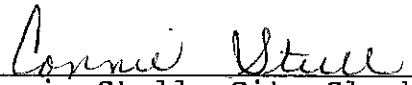
Section 5. This ordinance shall become effective from and after its passage, approval and publication as required by law.

Passed and approved this 1<sup>st</sup> day of August, 1995.

CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY   
Richard L. Blase, Mayor

ATTEST:

  
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Connie Stull, City Clerk

APPROVED AS TO FORM:

  
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Michael L. Bacon, City Attorney