

ORDINANCE NO. 670

AN ORDINANCE ABANDONING A PORTION OF A UTILITY EASEMENT IN LOTS 1, 2, 3 AND 4, GOTHENBURG IMPROVEMENT COMPANY ADDITION, SUBJECT TO RECEIVING A REPLACEMENT UTILITY EASEMENT THEREIN; PROVIDING FOR THE FILING OF A COPY OF THIS ORDINANCE, SUBJECT TO THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN AUTOMATIC REPEAL OF THIS ORDINANCE UPON THE FAILURE TO RECEIVE A REPLACEMENT UTILITY EASEMENT; REPEALING ALL ORDINANCES 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. Subject to the terms of this Ordinance, the City of Gothenburg abandons and terminates that portion of the Utility Easement shown on the Plat of the Gothenburg Improvement Company Addition to the City of Gothenburg, Dawson County, Nebraska, described as follows: all that portion of the utility easement, the center line of which is the south line of Lot 4, extended, in said Addition, which lies West of a point 29 feet West of the East line of Lot 4 of said Addition. Provided, however, this ordinance shall not act as a vacation of a gasline easement in Lots 2, 3, and 4, in said Addition.

SECTION 2. This Ordinance shall be effective upon the receipt by the City of Gothenburg of an executed easement document by the owner and lessee of Lots 1, 2, 3 and 4 of the Gothenburg Improvement Company Addition providing for a Utility and Drainage Easement north of and adjacent to First Street and on the southerly

15 feet of Lots 1, 2 and 3 of the Gothenburg Improvement Company Addition.

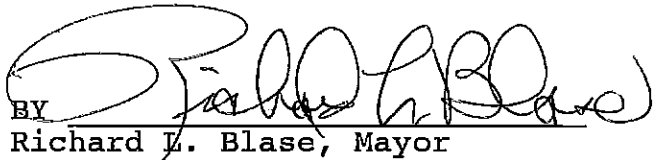
SECTION 3. This Ordinance shall be filed of record in the office of the Dawson County Register of Deeds within 60 days from and after its passage, approval and publication according to law. Provided however, in all events, the City Clerk shall not record this Ordinance in said office unless and until the owner and lessee of Lots 1, 2, 3 and 4 of the Gothenburg Improvement Company Second Addition execute a replacement easement as described above. Further provided if said replacement easement is not provided within 60 days from the passage and approval of this Ordinance, this Ordinance shall be null, void and of no effect.

SECTION 4. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.


SECTION 5. This Ordinance shall otherwise take effect from and after its passage, approval and publication, and strictly in accordance with the terms hereof, according to law.

Passed and approved this 15th day of April, 1997.

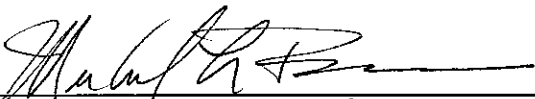
CITY OF GOTHENBURG, DAWSON
COUNTY, NEBRASKA

BY 
Richard L. Blase, Mayor

ATTEST:


Connie Stull, City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Michael L. Bacon", written over a horizontal line.

Michael L. Bacon, City Attorney