

Recorded \_\_\_\_\_  
General \_\_\_\_\_  
Numerical \_\_\_\_\_  
Photostat \_\_\_\_\_  
Proofed \_\_\_\_\_  
Scanned \_\_\_\_\_

Prepared by and after Recording Return to:  
Brenda Wheeler, City Clerk, City of Blair, 218 S. 16<sup>th</sup> Street, Blair, NE 68008 (402) 426-6694

ORDINANCE NO. 2358

COUNCIL MEMBER JENSEN INTRODUCED THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE CITY OF BLAIR, NEBRASKA; VACATING AND ABANDONING EXCESS RIGHT OF WAY LOCATED ON THE WEST SIDE OF NORTH 27TH STREET AND HANSEN DRIVE BETWEEN COLLEGE DRIVE AND NEBRASKA STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AND PUBLISHING IN PAMPHLET FORM.

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

WHEREAS, Angels Share Inc., the owner of the adjacent property, has agreed to include this area in the final plat of Transformation IIll Addition, to be located within the City of Blair; and

WHEREAS, this area was previously dedicated to the 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 below 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;

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

2018 - 01189

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 Attachment A, 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 west of 27th Street 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.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

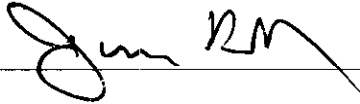
SECTION 6. This ordinance shall be in full force and effect from and following the passage and publication hereof as required by law.

PASSED AND APPROVED this 24th day of April, 2018.

2018 - 01189

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CITY OF BLAIR, NEBRASKA

By  \_\_\_\_\_  
JAMES REALPH, MAYOR

ATTEST:

  
\_\_\_\_\_  
BRENDA WHEELER, CITY CLERK

(SEAL)

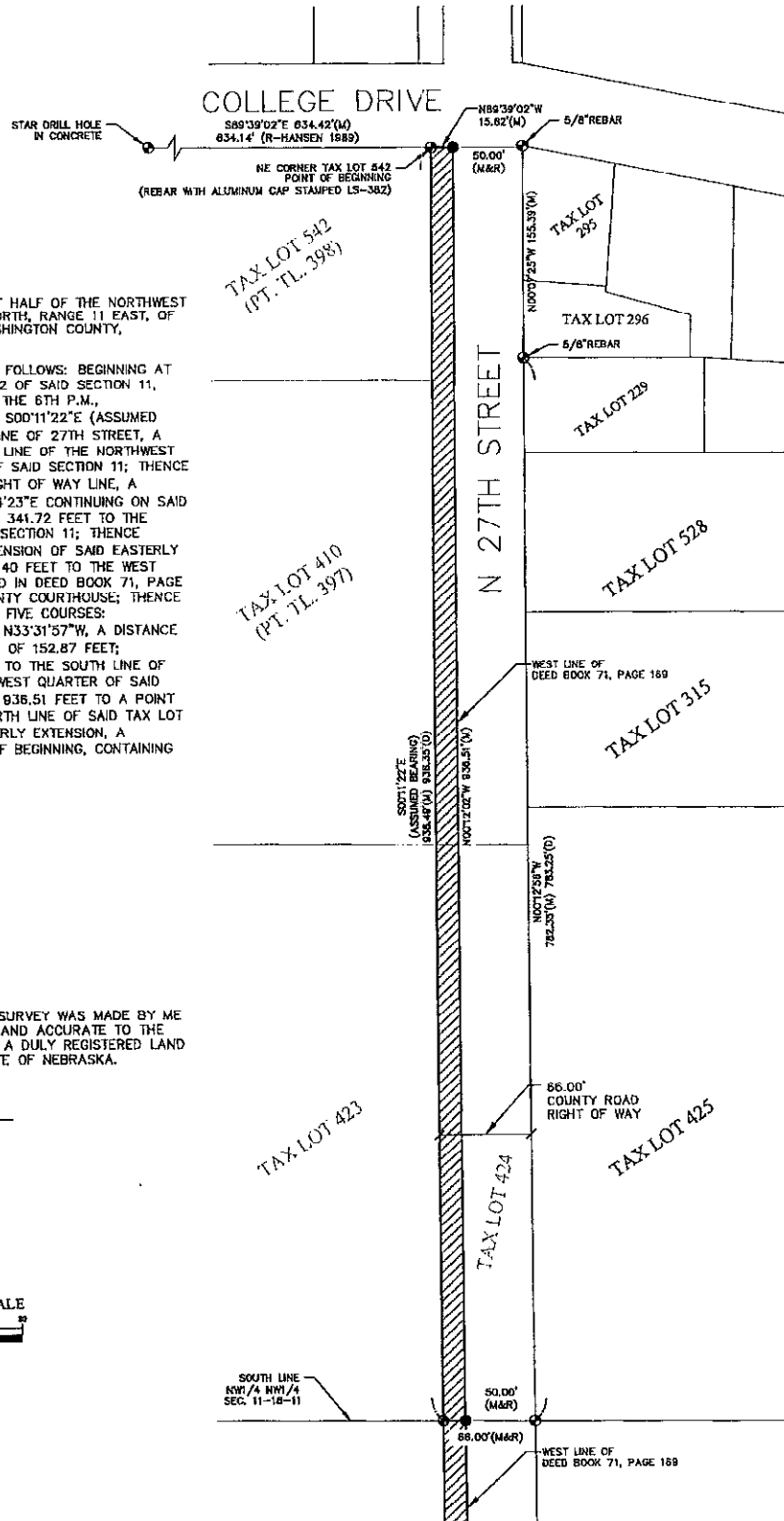
STATE OF NEBRASKA    )  
                                  ):ss:  
WASHINGTON COUNTY )

BRENDA 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 and approved at a regular meeting of the Mayor and City Council of said City held on the 24th day of April, 2018.

  
\_\_\_\_\_  
BRENDA WHEELER, CITY CLERK

SURVEY RECORD  
ROAD VACATION

Attachment A



LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 11 EAST, OF THE 6TH P.M., IN THE CITY OF BLAIR, WASHINGTON COUNTY, NEBRASKA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF TAX LOT 542 OF SAID SECTION 11, TOWNSHIP 18 NORTH, RANGE 11 EAST, OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA; THENCE  $S00^{\circ}11'22''E$  (ASSUMED BEARING) ON THE WEST RIGHT OF WAY LINE OF 27TH STREET, A DISTANCE OF 936.49 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE CONTINUING  $S00^{\circ}11'22''E$  ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 447.86 FEET; THENCE  $S41^{\circ}34'23''E$  CONTINUING ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 341.72 FEET TO THE EASTERLY LINE OF TAX LOT 540 OF SAID SECTION 11; THENCE  $N33^{\circ}28'32''E$  ON THE NORTHEASTERLY EXTENSION OF SAID EASTERLY LINE OF TAX LOT 540, A DISTANCE OF 10.40 FEET TO THE WEST LINE OF A PARCEL OF LAND AS DESCRIBED IN DEED BOOK 71, PAGE 169, RECORDED AT THE WASHINGTON COUNTY COURTHOUSE; THENCE NORTHERLY ON SAID WEST LINE THE NEXT FIVE COURSES:  $N50^{\circ}41'26''W$ , A DISTANCE OF 50.03 FEET;  $N33^{\circ}31'57''W$ , A DISTANCE OF 243.55 FEET;  $N16^{\circ}32'56''W$  A DISTANCE OF 152.87 FEET;  $N00^{\circ}12'56''W$ , A DISTANCE OF 313.47 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11;  $N00^{\circ}12'02''W$ , A DISTANCE OF 936.51 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID TAX LOT 542; THENCE  $N89^{\circ}39'02''W$  ON SAID EASTERLY EXTENSION, A DISTANCE OF 15.82 FEET TO THE POINT OF BEGINNING, CONTAINING 0.71 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

RYAN M. O'TOOLE, LS 765

**LEGEND**

- MONUMENT FOUND 3/4" REBAR WITH CAP STAMPED LS# 765 (UNLESS NOTED OTHERWISE)
- MONUMENT SET
- CALCULATED POINT
- D DERIVED DISTANCE
- 0 GOVERNMENT DISTANCE
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- R RECORDED DISTANCE

**NOTE: ALL BEARINGS ARE ASSUMED.**

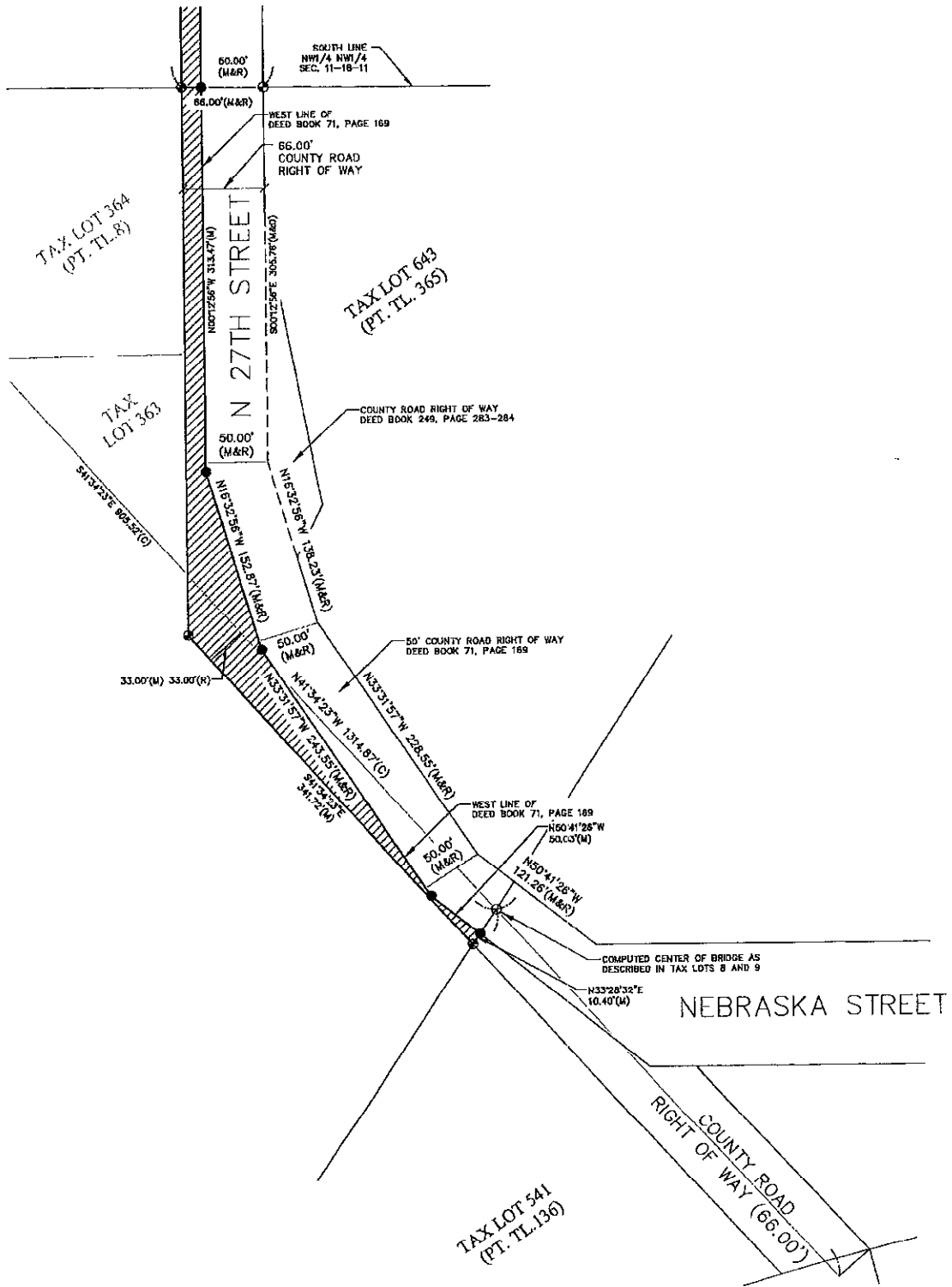
**GRAPHIC SCALE**

DATE 4/19/2018	<p>J&amp;O CONSULTING GROUP LLC 800.773.8567 Omaha, NE 400.934.3680 www.jeo.com</p>
SCALE 1" = 80'	
DRAWN RMD	
JOB NO. R180099.00	
FIELD BOOK FIELD BOOK	
FIELD WORK KTRH	
SHEET 1 OF 2	
FILE NO.	

2018 - 01189

# SURVEY RECORD

## ROAD VACATION



DATE	4/19/2018
SCALE	1" = 50'
DRAWN	RMO
JOB NO.	R180099.00
FIELD BOOK	
FIELD WORK	
BY	KYZEH
SHEET	2 OF 2
FILE NO.	

**JEO CONSULTING GROUP LLC**  
 801.723.8567  
 Omaha, NE 68134-3680  
[www.jeo.com](http://www.jeo.com)

**LEGEND**

- MONUMENT FOUND 5/8" REBAR WITH CAP STAMPED LSN 765 (UNLESS NOTED OTHERWISE)
- MONUMENT SET
- CALCULATED POINT
- D DEEDED DISTANCE
- G GOVERNMENT DISTANCE
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- R RECORDED DISTANCE

**GRAPHIC SCALE**

**NOTE: ALL BEARINGS ARE ASSUMED.**

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