

ORDINANCE NO. 4907

An ordinance vacating streets and alleys in Cottage Grove Addition, conditioned upon reservation of an easement for public utilities; to provide for the recording of this ordinance in the office of the Register of Deeds, Hall County, Nebraska; and to provide the effective date hereof.

WHEREAS, the Regional Planning Commission, at its regular meeting on September 2, 1970, recommended the vacation of the above streets and alleys; and

WHEREAS, this Council, after public hearing on October 19, 1970, determined that such streets and alleys should be vacated, conditioned upon the reservation of a necessary easement for public utilities.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The alley and streets described as follows:

Tract No. 1:

The twelve (12) foot in width north/south alley between Geddes Street and Earl Street, and running from the north line of Baker Avenue to the south line of Seventh Street; said alley being more particularly described as abutting Lots 91 through 106 on the east side of said alley and abutting Lots 107 through 122 on the west side of said alley, all being in Cottage Grove Addition in the City of Grand Island, Nebraska, containing 0.14 acres, more or less; and

Tract No. 2:

Geddes Street, being sixty-six (66) feet in width lying between Willow Street and Earl Street, and running from the north line of Baker Avenue to the south line of Seventh Street; said Geddes Street being more particularly described as abutting Lots 107 through 122 on the east side of said Geddes Street and abutting Lots 123 through 138 on the west side of said Geddes Street, all being in Cottage Grove Addition in the City of Grand Island, Nebraska, containing 0.79 acres, more or less; and

Tract No. 3:

Earl Street, being sixty-six (66) feet in width lying between Geddes Street and Hagge Street, and running from the northerly line of Fourth Street as now located to the south line of Seventh Street; said Earl Street being more particularly described as abutting Lots 75 through 89 on the east side of said Earl Street and abutting Lots 91 through 106 on the west side of said Earl Street, all being in Cottage Grove Addition in the City of Grand Island, Nebraska, containing 0.75 acres, more or less; and

Tract No. 4:

Baker Avenue, being forty (40) feet in width lying along the southerly line of Cottage Grove Addition in the City of Grand Island, Nebraska; said Baker Avenue being more particularly described as follows: Beginning at the southwesterly corner of Lot 123 in said Cottage Grove Addition; thence running east on a line joining the south line of Lots 123, 122, and 91 to the northerly line of Fourth

APPROVED AS TO FORM

OCT 2 1970

LEGAL DEPARTMENT

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ORDINANCE NO. 4907 (Cont'd)

Street to the south line of Cottage Grove Addition; thence running west on the south line of said Cottage Grove Addition, said line being forty (40) feet south from the south line of Lots 91, 122, and 123 in said Cottage Grove Addition, to the southwest corner of said Cottage Grove Addition; thence running northwesterly on the southwesterly line of said Cottage Grove Addition to the east line of Willow Street, being fifty (50) feet east from the west line of said Cottage Grove Addition; thence running north on the east line of Willow Street to its intersection with the westerly line of Lot 128 in said Cottage Grove Addition; thence running southeasterly on the southwesterly line of Lots 128 through 123 in said Cottage Grove Addition to the point of beginning, containing 0.49 acres, more or less; and

Tract No. 5:

Hagge Street, being sixty-six (66) feet in width lying parallel to, and east of Earl Street; said Hagge Street being more particularly described as abutting Lots 43 through 48 on the east side of said Hagge Street and abutting Lots 68 through 74 on the west side of said Hagge Street, all being in Cottage Grove Addition in the City of Grand Island, Nebraska, containing 0.29 acres, more or less;

be, and hereby are vacated, provided and conditioned that the City of Grand Island hereby reserves for the public a perpetual right of way and easement to construct, operate, maintain, extend, repair, replace, and remove sanitary sewer mains, manholes, surface markers, and other appurtenances upon, over, in and through a part of vacated Hagge Street, more particularly described as:

A tract of land being the westforty-three (43) feet of vacated Hagge Street running from the northerly line of Fourth Street as now located to the south line of Seventh Street, containing 0.19 acres more or less;

together with all rights of ingress and egress through and across the easement for the purpose of exercising the rights herein retained. No improvements, structures, or buildings of any kind whatsoever shall be allowed in, upon, or over the easement herein retained.

The foregoing tracts are as shown on Exhibit "A" dated 11/2/70 attached hereto and incorporated herein by reference.

SECTION 2. Subject to the easement reserved, the title to those portions of streets and alleys vacated by Section 1 of this ordinance shall revert to the owner or owners of lots or lands abutting the same in proportion to the respective ownerships of such lots or grounds.

SECTION 3. That a certified copy of this ordinance is hereby directed to be filed in the office of the Register of Deeds, Hall County, Nebraska.

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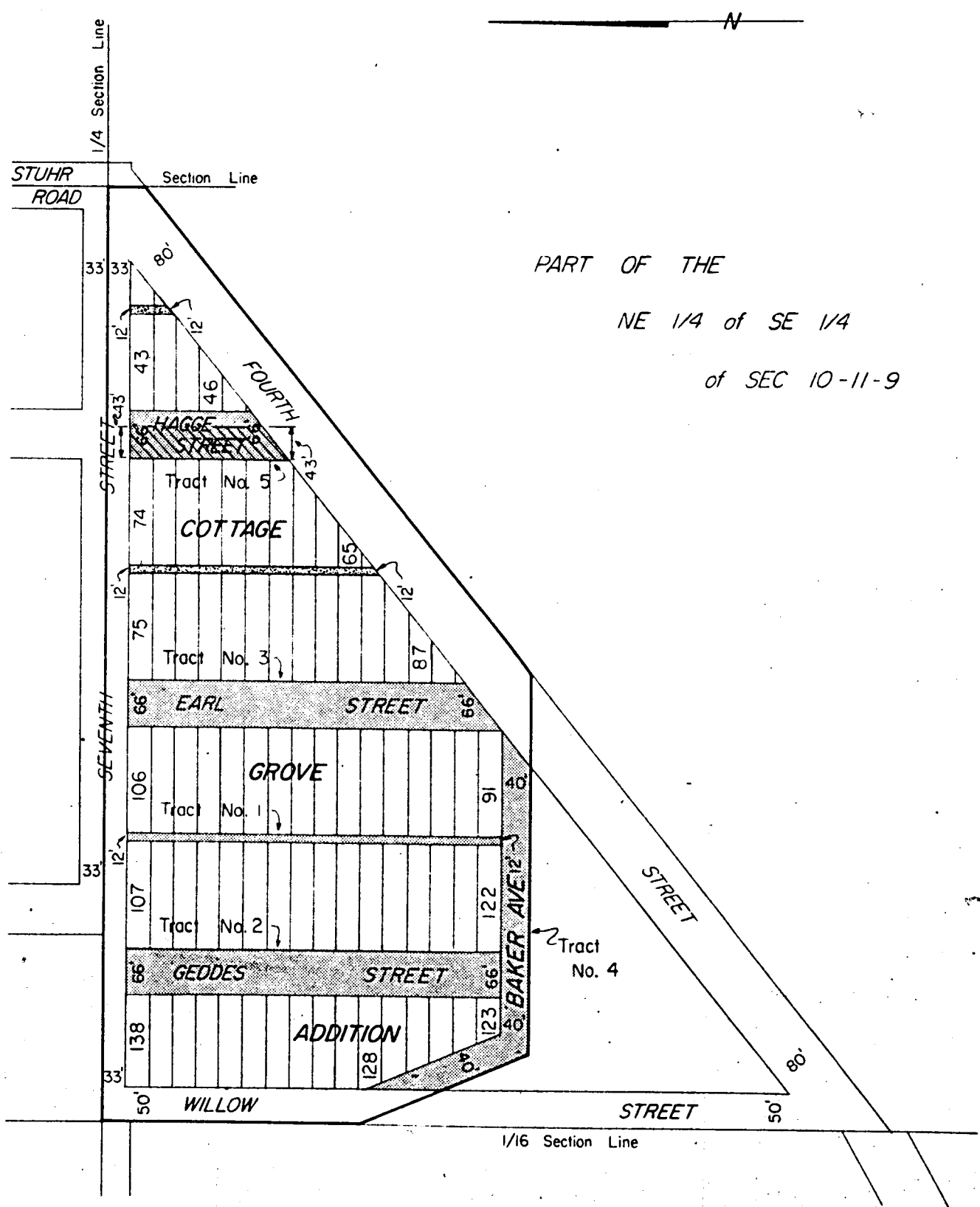
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication without the plat within thirty days in one issue of the Grand Island Daily Independent, as provided by law.

Enacted NOV 2 1970.

John Dittler
President of the Council

ATTEST:

J. D. Minner
City Clerk



PART OF THE
NE 1/4 of SE 1/4
of SEC 10-11-9

LEGEND




-  Streets & Alley Vacated
By Ord. No. 4907 On 11-2-70
-  Right-Of-Way & Easement Retained
By Ord. No. 4907 On 11-2-70
-  Alleys Vacated By
Ord. No. 4637 On 10-7-69

EXHIBIT "A"

CITY OF GRAND ISLAND, NEBRASKA
ENGINEERING DEPARTMENT

PLAT PERTAINING TO ORD. NO. 4637
AND ORD. NO. 4907