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**ORDINANCE NO. 3983**

**AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, DIRECTING THE SALE AND CONVEYANCE OF REAL ESTATE DESCRIBED AS THE NORTH 140 FEET OF BLOCK 113, ORIGINAL TOWN, NOW CITY OF FREMONT, DODGE COUNTY, NEBRASKA, TO MDI LIMITED PARTNERSHIP #36, FOR THE PURPOSE OF INCOME BASED RESIDENTIAL DEVELOPMENT, PROVIDING THE TERMS AND CONDITIONS OF SALE INCLUDING THE RETENTION OF AN EASEMENT FOR COMMUNICATION PURPOSES, DIRECTING THE PUBLICATION OF NOTICE AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FREMONT, NEBRASKA:**

**SECTION I. That the real estate described as:**

The North 140 feet of Block 113, Original Town, now City of Fremont, including adjacent portions of vacated alleys, as platted and recorded in Dodge County, Nebraska.

FILED  
2002 PAGE 7567  
2002 OCT -4 PM 12:20  
Carol Kiverna  
DODGE COUNTY  
REGISTER OF DEEDS  
COMPUTER INDEX FEE \$ 12.50

shall be sold to MDI Limited Partnership #36

**SECTION II. That the terms and conditions of said sale shall be as follows:**

- (1) The purchase price of the property shall be ninety thousand dollars (\$90,000.00) payable at closing.
- (2) The property is sold "as is" with no warranty stated or implied by the City.
- (3) The City will, unless a remonstrance is filed with the County Clerk pursuant to §16-202 R.R.S., deliver a quitclaim deed and give possession of said real estate 30 days after the passage and publication of Ordinance No. 3983 and the publication of the notice therein directed.
- (4) MDI Limited Partnership shall, for the sum of one dollar and other good and valuable consideration, grant to the City an easement to keep and maintain the communications antenna now existing on the above property, provide suitable space for electrical equipment related thereto and provide necessary access to said antenna and equipment.

**SECTION III. That the City Clerk of the City of Fremont, Nebraska, shall publish a Notice of Sale as follows:**

**NOTICE OF SALE**

**NOTICE IS HEREBY GIVEN that pursuant to Ordinance No. 3983 of the City of Fremont, Nebraska, passed and approved by the Mayor and Council of the City of**

Fremont, Nebraska, on February 26, 2002 and published on March 1, 2002 that the City will sell real estate described as:

The North 140 feet of Block 113, Original Town, now City of Fremont, including adjacent portions of vacated alleys, as platted and recorded in Dodge County, Nebraska.

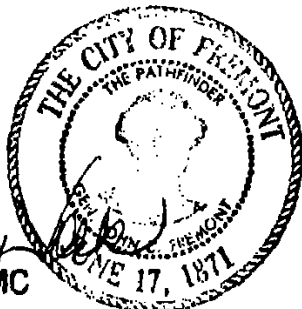
to MDI Limited Partnership #36, subject to the following terms and conditions of sale:

- (1) The purchase price of the property shall be ninety thousand dollars (\$90,000.00) payable at closing.
- (2) The property is sold "as is" with no warranty stated or implied by the City.
- (3) The City will, unless a remonstrance is filed with the County Clerk pursuant to §16-202 R.R.S., deliver a quitclaim deed and give possession of said real estate 30 days after the passage and publication of Ordinance No. 3983 and the publication of the notice therein directed.
- (4) MDI Limited Partnership shall, for the sum of one dollar and other good and valuable consideration, grant to the City an easement to keep and maintain the communications antenna now existing on the above property, provide suitable space for electrical equipment related thereto, and furnish necessary access to said antenna and equipment.

SECTION IV. That said Notice shall be published in the Fremont Tribune, a legal newspaper, on March 5, 2002, March 12, 2002 and March 19, 2002.

SECTION V. That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED THIS 26<sup>th</sup> DAY OF FEBRUARY, 2002.



ATTEST:

*Kimberly Volk*  
Kimberly Volk, CMC  
City Clerk

*Donald B. Edwards*  
Donald B. Edwards, Mayor