

646

ORDINANCE NO. 390

AN ORDINANCE VACATING THAT PORTION OF 12TH STREET IN THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA, WHICH IS IN EXCESS OF THIRTY-THREE (33) FEET EITHER SIDE OF THE CENTERLINE OF SAID 12TH STREET, EXCEPT STREETS PREVIOUSLY PLATTED WHICH CROSS 12TH STREET AND EXCEPTING EXTENSIONS OF ALLEYS EXTENDED TOWARDS 12TH STREET FROM PREVIOUSLY PLATTED AND NOT VACATED ALLEYS IN THE BLOCKS ADJACENT TO THE SAID 12TH STREET; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, AS FOLLOWS:

SECTION I. That that portion of 12th Street in the City of Fort Calhoun, Washington County, Nebraska, in excess of Thirty-three (33) feet of either side of the centerline of said 12th Street, except Streets previously platted which cross 12th Street and excepting extensions of alleys extended towards 12th Street from previously platted and not vacated alleys in the Blocks adjacent to the said 12th Street, in the City of Fort Calhoun, be and hereby is vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitations that there is reserved to the City of Fort Calhoun, the right to maintain, operate, repair, and renew sewers and water lines now existing therein and in the future to construct, maintain, repair and renew additional or other sewers and water lines; also the right to authorize the Metropolitan Utilities District of the City of Fort Calhoun, or another public utility to construct, maintain, repair, or renew and operate now existing or hereafter install pole lines, conduits and other similar services or equipment above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the City and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes, and crops, and all structures upon the premises, including but not limited to, buildings, walls, fences, drives, and walls, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

SECTION II. That this Ordinance shall be in full force and take effect within 15 days from and after the date of its passage.

SECTION III. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Passed and approved this 17th day of August, 1987.

Recorded _____
 General _____
 Numerical _____
 Photostat _____

Philip H. Tomasco
 Mayor

Attest:

Robert J. ...
 City Clerk

STATE OF NEBRASKA COUNTY OF WASHINGTON SS 1284
 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
 THIS 17th DAY OF AUGUST A.D. 1987
 AT THE CITY OF FORT CALHOUN AND RECORDED IN BOOK
 412 PAGE 646
 COUNTY CLERK *Charles A. ...*
 DEPUTY *...*

646