



CITY OF FREMONT NEBRASKA

400 E. Military • P.O. Box 1266 • Fremont, NE 68026-1266 • (402) 727-2636 • FAX (402) 727-2659 • TDD (402) 727-2619

September 30, 2004

Dodge County Title and Escrow Company, LLC
Attn: Marlene
630 North "D" Street
Fremont, NE 68025

RE: Alley Vacations
Original Town

Dear Marlene:

Enclosed, please find a copy of the Fremont Town Record Book, Page 4 and 5, dated July 6, 1860. This record includes a petition of "property holders" asking that the alleys in said town be closed and divided among the adjacent lot owners. On motion, the Board of Trustees granted said petition. A side note in the record book states the Territorial Legislature confirmed this action on January 9, 1862.

If you need additional assistance, please feel free to contact me.

Sincerely,

Clark Boschuit
Director of Public Works

CB:dp

Enc.

Post-it® Fax Note	7671	Date	1-17	# of pages	▶
To	Rhonda	From	CLARK		
Co./Dept.	DAROTA	Co.	CITY		
Phone #		Phone #	727-2630		
Fax #	727-4625	Fax #			



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Dodge County Title and Escrow Company, LLC
Attn: Marlene
630 North "D" Street
Fremont, NE 68025

RE: Alley Vacations
Original Town

Dear Marlene:

Enclosed, please find a copy of a letter dated April 20, 1989 by Thomas B. Thomsen, Attorney at Law, regarding alley vacations in the "Original Town". Based on the information that I have been able to gather, alleys in the "Original Town" were vacated by the Territorial Legislature and City records may or may not include an instrument allowing the City to issue a Quit Claim Deed for the vacated alleys. As such, the City has not issued such Quit Claim Deeds and the past City Attorney's opinion was that a Quit Claim Deed is not necessary.

Sincerely,


Clark Boschult
Director of Public Works

CB:dp

Enc.

LAW OFFICES
SIDNER, SVOBODA, SCHILKE,
THOMSEN, HOLTORF & BOGGY

SUITE 403 505 BUILDING
505 NORTH MAIN STREET
FREMONT, NEBRASKA 68025

PHONE 402-721-7111
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GEORGE E. SVOBODA
NEIL W. SCHILKE
THOMAS B. THOMSEN
BRADLEY D. HOLTORF
S. NICHOLAS BOGGY

S. SIDNER—1875-1944
EARL J. LEE—1888-1963
H. A. GUNDERSON—1889-1969
ARTHUR C. SIDNER—1900-1975

April 20, 1989

City of Fremont
Attention: Derril Marshall
725 North Park
Fremont, Nebraska 68025

Re: Vacation of alleys - Original Town

Dear Derril:

I assume that Lyle Gill has shared his opinion concerning the question of vacating an alley by the City of Fremont and whether or not a Deed from the City of Fremont is necessary to pass good title to this property to the adjacent property owners.

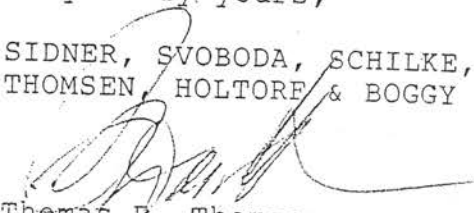
If I correctly interpret the letter of Lyle Gill, for title purposes it is not necessary for the City of Fremont to deed these alleys to the adjacent property owners in order for these adjacent property owners to have marketable title to the alleys in the Original Town of the City of Fremont. The vacation was accomplished many years ago.

I have advised Dodge County Abstract & Title Co. that this should no longer be a title requirement. I will assume that the City of Fremont agrees unless I hear otherwise from you.

Thank you for your cooperation in this matter.

Very truly yours,

SIDNER, SVOBODA, SCHILKE,
THOMSEN, HOLTORF & BOGGY


Thomas B. Thomsen

TBT:ml

- cc. Dodge County Abstract & Title Co.
720 North Park
Fremont, Nebraska 68025
Attention: Kathy Nathan
- cc. Mr. Lyle Gill, Attorney-at-Law
Suite 303 - 505 Bldg. - 5-5 North Main
Postoffice Box 642
Fremont, Nebraska 68025

Fremont, Nev. 1860

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Feb 6th The Board of Trustees met at the house of James S. Smith -
On motion Jas S. Smith was elected Sec. -
On presentation of a petition from various citizens of Fremont for the closing of all alleys in said town -

On motion said petition was granted -

On motion, the President is directed to pay Mr Barnard bill for drawing sectional subdivision lines on Granite, amounting to (four Dollars) -

\$4.00

On motion, Meeting adjourned
Jas S. Smith, Sec. pro tem

Apr 27th A Special Meeting being called at the house of E. H. Rogers. E. H. Rogers Jas S. Smith, J. H. Hye, & R. W. Hazen present.

The accounts and business for the past year were then examined finding a balance in the hands of the President (\$119.7) one hundred Nineteen Dollars and odd cents, which was receipted to James S. Smith -

On motion of J. H. Hye, all papers and the transaction of business of the President, E. H. Rogers for the Town Company for the past year be accepted & to remain -

On motion, the meeting adjourned

R. W. Hazen, Clerk

Fremont April 27th A.D. 1860

The Station Engineer
The Captain of the Arsenal
June 9 - 1862

Freemont N.H. 1860

We the undersigned citizens
of Fremont and property holders
of said town, would respectfully
ask the Trustees of said town
to close all of the alleys in the
different blocks and divide them
"pro rata" among the adjacent
lot owners—

Le Henry Rogers
 J. P. Hawthorn
 J. Fritz Reynolds
 George Turner
 James M. Lee
 Man West
 S. B. Colson
 W. B. Lee
 John W. Lee
 Adolph Knutstrat
 J. P. Colson
 J. J. Smith
 W. L. Smith
 P. W. Waldorf
 Geo. Fuller jr
 B. S. Turner
 John C. Harnel
 Wilson Reynolds
 Henry A. Peirce
 James S. Warrington
 C. C. M. Sheen
 James E. Weston
 L. W. Davis