ORDINANCE NO. 543-2022

AN ORDINANCE TO VACATE A PORTION OF SPRUCE STREET WHICH LIES BETWEEN

Lot Seven (7), Block Five (5), Second Addition to the Village of Kenesaw, Adams County, Nebraska;

AND

All that part of the Northeast Quarter of the Southwest Quarter (NE1/4SW14) of Section Thirty-four (34), Township Eight (8) North, Range Twelve (12) West of the 6th P.M., which lies South of the South line of Spruce Street in said Second Addition to Kenesaw, and Excepting the East 240 feet thereof, and excepting the South 5 acres of said Northeast Quarter (NE1/4SW1/4) of the Village of Kenesaw, Adams County, Nebraska.

AND BETWEEN

All of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Thirty-four (34), Township Eight (8) North, Range Twelve (12) West of the 6th P.M., Except that part platted in Second Addition the Village of Kenesaw, Adams County, Nebraska;

AND

Lots One (1) to Six (6) inclusive, in Block five (5) of the Second Addition to the Village of Kenesaw according to the recorded plat thereof in Adams County, Nebraska;

Lots Seven (7) through Twelve (12), inclusive, Block Six (6), Second Addition to Kenesaw, Adams County, Nebraska, according to the recorded plat thereof;

Lot Six (6), Block Six (6), Second Addition to the Village of Kenesaw, Adams County, Nebraska.

AND TO VACATE A PORTION OF POTTER AVENUE SOUTH WHICH LIES BETWEEN

Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Five (5), Second Addition to the Village of Kenesaw, Adams County, Nebraska;

AND

All that part of the Northeast Quarter of the Southwest Quarter (NE1/4SW14) of Section Thirty-four (34), Township Eight (8) North, Range Twelve (12) West of the 6th P.M., which lies South of the South line of Spruce Street in said Second Addition to Kenesaw, and Excepting the East 240 feet thereof, and excepting the South 5 acres of said Northeast Quarter (NE1/4SW1/4) of the Village of Kenesaw, Adams County, Nebraska.

NOW ABANDONED, AS THE SAME WAS FORMERLY USED FOR STREET PURPOSES. THE VILLAGE OF KENESAW, ADAMS COUNTY, NEBRASKA RESERVES UNTO ITSELF ANY AND ALL EASEMENTS WHICH IT MAY HAVE FOR UTILITIES ACROSS THE HEREIN DESCRIBED PROPERTY.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF KENESAW

Section 1. That Spruce Street which lies between the properties legally described above as adjacent to the portion of Spruce Street to be vacated and to vacate a portion of Potter Avenue South which lies between the properties legally described above as adjacent to the portion of Potter Avenue South to be vacated now abandoned, as the same was formerly used for street purposes, be and the same is hereby vacated. The Village of Kenesaw, Adams County, Nebraska reserves unto itself any and all easements which it may have for utilities across the herein described property.

Section 2. That the title to the vacated portion of the Spruce Street and Potter Avenue South herein described shall and does hereby revert to the owners of the adjacent land described above.

Section 3. That the Council finds that no persons or property will be in any way damaged by this vacation and, therefore, no provision is made for determination of damages.

Section 4. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 5. This Ordinance shall be known as Ordinance No. 543-2022 and shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 12th day of April, 2022.

(Seal)

ATTEST:

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Shelley Dick, City Clerk Sarah Kroos, Chairperson