

ORDINANCE NO. 2008-12

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF A PORTION OF AN EASEMENT IN LOT 18, BLOCK 5, SUNNYVIEW SUBDIVISION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Section 1. The City of Wayne has received a request to release a portion of the utility easement in and along the north side of Lot Eighteen (18), Block Five (5), Sunnyview Subdivision to the City of Wayne, Wayne County, Nebraska.

Section 2. The City would still retain a five foot utility easement thereon if it releases the south one foot of the six foot easement claimed on the above mentioned lot.

Section 3. Said release of this easement will be contingent upon the property owner finding the exact location of the underground utilities before any excavation is undertaken, and that the property owner will be responsible for any relocation or repair of the utilities if they are in the portion of the easement being released.

Section 4. The City hereby releases and abandons the easement along the north side of Lot Eighteen (18), Block Five (5), Sunnyview Subdivision to the City of Wayne, Wayne County, Nebraska, except for the north five feet thereof, the same being shown on the attached exhibit, and the Mayor and/or Council President is hereby authorized to execute the quitclaim deed to the current property owner to carry out said release and abandonment.

Section 5. This Ordinance shall be in full force and effect, from and after its passage, approval and publication, as provided by law.

PASSED AND APPROVED this 19th day of August, 2008.

CITY OF WAYNE, NEBRASKA

By _____

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney

