

ORDINANCE NO. 906

AN ORDINANCE OF THE CITY OF HARTINGTON, NEBRASKA VACATING THE ALLEY BETWEEN PORTLAND AVENUE AND NORDBY AVENUE, BEGINNING AT FRANKLIN STREET AND ENDING AT EAST MAIN STREET, ORIGINAL TOWN OF HARTINGTON, CEDAR COUNTY, NEBRASKA.

WHEREAS, Tracy Smith, Robert Lauer, Sylvia Lauer, Adam Wortmann, Tim Loberg, Lisa Loberg, Casey Nieman, Susan Nieman, Douglas Heitman, Timothy Gudis, Susan Gudis, Joshua Lopour, Megan Lopour, and Hartington Crown, LLC are all of the owners of real estate abutting the alley which lies between Portland Avenue and Nordby Avenue, beginning at Franklin Street and ending at East Main Street, Original Town of Hartington, Cedar County, Nebraska, and have either requested or have no objection to said alley being vacated.

BE IT ORDAINED by the Mayor and Council of the City of Hartington, Nebraska:

1. It is in the best interests of the City of Hartington, Nebraska to vacate said alley.
2. The City of Hartington, Nebraska reserves an easement over, upon and under said alley for the purpose of maintaining, operating, repairing or renewing any and all utilities.
3. The abutting property owners have waived their right of access and any claim against the City of Hartington, Nebraska for any special damages.
4. The abutting property owner to the east of the alley, Hartington Crown, LLC, has waived their claim to their one-half (1/2) of the vacated alley and have requested that the alley be granted to the property owners on the west side of the alley.
5. The eight foot alley between Portland Avenue and Nordby Avenue, beginning at Franklin Street and ending at East Main Street, Original Town of Hartington, Cedar County, Nebraska, is hereby vacated subject to the reservation of an easement as aforesated and ownership of said alley shall revert to the owner of the abutting real estate to the west.
6. This Ordinance shall take effect immediately upon passage and publication according to law.

PASSED AND APPROVED THIS 13th day of January, 2025.

CITY OF HARTINGTON, NEBRASKA

By: Mark Becker

Mark Becker, Mayor

ATTEST: Brittnei Bencoter

Brittnei Bencoter, City Clerk

