

**CITY OF GORDON, NEBRASKA  
ORDINANCE NO. 1183**

**AN ORDINANCE VACATING A CITY ALLEYWAY DESCRIBED AS ALL THAT PART OF THE 115' ALLEYWAY BEGINNING AT THE NORTH LINE OF WEST THIRD STREET, EXTENDED NORTH 115' TO THE NORTH EDGE OF PT OUTLOTS K & L, OT, GORDON, SHERIDAN COUNTY, NE; ESTABLISHING EASEMENT FOR CITY AND PROCEDURE FOR SPECIAL DAMAGES; AND AN EFFECTIVE DATE.**

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

**Section 1:** Pursuant to Gordon City Ordinance, SECTION 5-210, Notice has been provided to property owners abutting the real property described All that part of the 115' alleyway beginning at the north line of West Third Street, extended north 115' to the north edge of PT Outlots K & L, OT, Gordon by first class mail to their last known address on the 19<sup>th</sup> day of July, 2019.

**Section 2:** Upon a finding that All that part of the 115' alleyway beginning at the north line of West Third Street, extended north 115' to the north edge of PT Outlots K & L, OT, (1) receives no public usage due to obstruction from vegetation and trees, (2) is not utilized by City of Gordon public works in the operation of the City, and (3) without continued future maintenance may fall into disrepair, the City of Gordon, Nebraska hereby declares that the action of vacating the above described city alleyway is in the best interests of the City.

**Section 3:** The City of Gordon shall reserve and hold an easement upon Outlots K & L, Original Town of Gordon, Nebraska, across that portion of the described property between the curb line and adjacent property lines. Said easement shall be for the purpose of maintaining all utilities.

**Section 4:** Abutting property owners suffering special damages resulting from the City vacating the above described alleyway may make application to the City for compensation not to exceed the difference between the value of the abutting property immediately before, and immediately after, the sidewalk is vacated. Upon such an application, pursuant to SECTION 5-218, the city mayor shall appoint a special commission of disinterested residents of the City to ascertain the amount of special damages to which abutting property owners are entitled to receive and which resulted from the City of Gordon vacating the above described alleyway.

**Section 5:** This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law. A copy of this Ordinance shall be recorded with the Sheridan County Register of Deeds within 30 days of becoming effective.

**PASSED AND APPROVED** this 8th day of August, 2019.

CITY OF GORDON, NEBRASKA

          /s/ Nancy I Russell            
NANCY I RUSSELL, Mayor

ATTEST:

          /s/ Kim Buchan            
City Clerk