

**ORDINANCE #538**

**AN ORDINANCE PROVIDING FOR THE VACATION OF FIFTEEN FEET (15') OF STREET RIGHT-OF-WAY ON THE SOUTH SIDE OF MAIN STREET BETWEEN BELMONT STREET AND ADRIAN STREET IN THE VILLAGE OF ANSLEY, NEBRASKA; PROVIDING FOR THE GIVING OF NOTICE TO OWNERS OF PROPERTY ADJACENT TO THE VACATION OF SAID FOOTAGE OF THE TIME AND PLACE FOR SUBMITTING ANY CLAIMS FOR DAMAGES BY REASON OF SAID VACATION; PROVIDING FOR THE TIME AND MANNER OF ASCERTAINMENT OF DAMAGES SUSTAINED BY THE OWNERS OF PROPERTY ADJACENT TO THE VACATION OF SAID FOOTAGE; PROVIDING FOR PERPETUAL UTILITIES EASEMENT BY THE VILLAGE OF ANSLEY, NEBRASKA, FOR CONSTRUCTION, MAINTENANCE AND REPAIRS; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.**

**BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF ANSLEY, NEBRASKA;**

**Section 1.** That fifteen feet (15') of street right-of-way on the south side of Main Street between Belmont Street and Adrian Street of the Village of Ansley, Custer County, Nebraska shall be, and the same hereby is vacated.

**Section 2.** That the Village Clerk of the Village of Ansley, Nebraska, has given notice to the owners of property adjacent to the footage being vacated of the time limit for filing claims for damages for the vacation of said footage is 5:00 O'clock p.m. on Monday, April 6, 2020, and the damages, if any, sustained by the claimant shall be ascertained by the Chairperson and Board of Trustees of Ansley, Nebraska at their regular meeting held via teleconference (935-9921 access code 113533) on Monday, April 6, 2020, at 6:30 p.m.

**Section 3.** That the Village of Ansley shall retain perpetual easement rights for utilities for construction, maintenance and repair on the vacated portion of the south side of Main Street between Belmont Street and Adrian Street and the owners shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express written consent of the Village. If written consent is given by the Village for any obstruction, and removal of the obstruction is necessary for utility construction, maintenance or repair, the removal and replacement of said obstruction shall be at the expense of the property owner.

**Section 4.** That this ordinance shall be in full force and take effect from and after its passage, approval and publication or posting as required by law.

**Passed and approved this 6<sup>th</sup> day of April, 2020.**

ATTEST:

  
Lanette C. Doane, CMC

  
Trenton J. Fecht, Chairperson

(Seal)