ORDINANCE NUMBER 24-11

An ordinance to vacate the following described real property:

All of Blocks Four (4), Five (5), and Twelve (12), all in Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

An ordinance to close and vacate certain portions of Marlborough Avenue, Swarthmore Avenue and Edgmont Avenue, all in Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska, more particularly described below; to retain title in said vacant roadways in the name of the City; to repeal conflicting ordinances:

That portion of Bluff Street lying between Blocks Three (3), Four (4), Five (5), Six (6), Eleven (11), and Twelve (12), all in Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Marlborough Avenue lying between the northwest corner of Lot Ten (10), Block Three (3), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, the southwest corner of Lot Eleven (11), Block Twelve (12), Belvedere Heights, City of Beatrice, Gage County, Nebraska, the southeast corner of Lot Four (4), Block Eleven (11), Belvedere Heights, City of Beatrice, Gage County, Nebraska, and the northeast corner of Lot One (1), Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and that portion of Marlborough Avenue lying between Lots Four (4) and Five (5), Block Eleven (11), Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Swarthmore Avenue lying between Lots Three (3) and Four (4), Block Four (4) Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Edgmont Avenue lying between Lots Three (3) and Four (4), Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Twelve (12), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Twelve (12), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska,

and to provide for publication in electronic form and an effective date of this ordinance.

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

SECTION 1. That the following described property, to wit:

All of Blocks Four (4), Five (5), and Twelve (12), all in Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska,

be and are hereby vacated.

SECTION 2. That the following portions of Marlborough Avenue, Swarthmore Avenue, and Edgmont Avenue, and alleys:

That portion of Bluff Street lying between Blocks Three (3), Four (4), Five (5), Six (6), Eleven (11), and Twelve (12), all in Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Marlborough Avenue lying between the northwest corner of Lot Ten (10), Block Three (3), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, the southwest corner of Lot Eleven (11), Block Twelve (12), Belvedere Heights, City of Beatrice, Gage County, Nebraska, the southeast corner of Lot Four (4), Block Eleven (11), Belvedere Heights, City of Beatrice, Gage County, Nebraska, and the northeast corner of Lot One (1), Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and that portion of Marlborough Avenue lying between Lots Four (4) and Five (5), Block Eleven (11), Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Swarthmore Avenue lying between Lots Three (3) and Four (4), Block Four (4) Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

That portion of Edgmont Avenue lying between Lots Three (3) and Four (4), Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska and Lots One (1) and Two (2), Block Twelve (12), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Four (4), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Five (5), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska; and

The alley lying between Lots One (1) through Four (4), inclusive, Block Twelve (12), Green's Addition to Belvedere Heights, City of Beatrice, Gage County, Nebraska,

be and are hereby vacated and closed, said vacation to be in accordance with the laws of Nebraska governing the vacating and closing of streets and alleys, and the City Clerk is hereby directed to certify the same to the Register of Deeds of Gage County, Nebraska, and to designate upon the official map of the city the vacating and closing thereof.

SECTION 3. That title to such vacated roadways and alleys shall be reserved and retained by the City, pursuant to Nebraska Revised Statute Section 16-611(1).

SECTION 4. That the cost of the vacations of the above-described property and roadways, including the recording and publication of this ordinance provided therefore, shall be the cost of the applicant for said vacation.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in electronic form as provided by law.

PASSED AND APPROVED this 4th day of March, 2024.

Attest:

Erin Saathoff, CMC, City Clerk

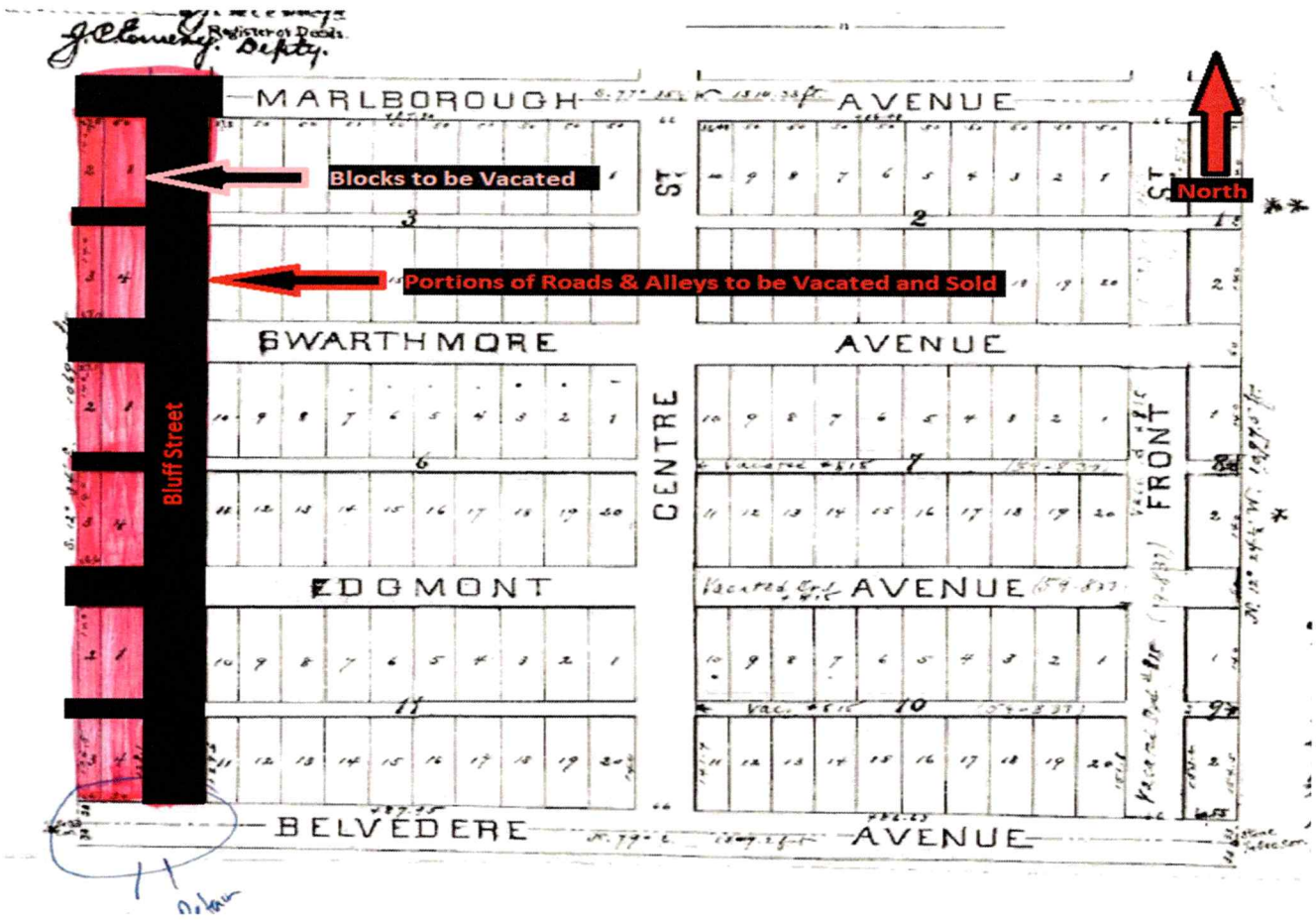
Robert Morgan, Mayor

STAKE YOUR CLAIM

BEATRICE

CITY • BOARD OF PUBLIC WORKS

MEMORANDUM

TO:	Mayor & City Council	**DATE SUBMITTED:**	February 29, 2024
FROM:	Taylor Rivera City Attorney	**FOR AGENDA OF:**	March 4, 2024
SUBJECT:	Vacation & Sale of Real Estate	**EXHIBIT(S):**	

Jay DeBoer approached the City to vacate Blocks Four (4), Five (5), and Twelve, Green's Addition to Belvedere Heights, and to vacate and close the alleyways located therein, and portions of Marlborough Avenue, Swarthmore Avenue, Edgmont Avenue, and Bluff Street and to purchase those vacated alleyways and roadways for the purpose of replatting said real estate. The purchase price for the real estate is $2,544.30.