

ORDINANCE RECORD

CITY HALL
LEXINGTON, NEBRASKA

MAY 3, 1938

The Mayor and Council of the City of Lexington, Dawson County, Nebraska met in regular session in the City Hall at 8:00 o'clock P.M. on May 3, 1938. Mayor Kjar presided and City Clerk Olsson recorded the proceedings of this meeting.

The Mayor instructed the Clerk to call the roll. The Clerk called the roll and the following Councilmen were present: Gillan, Morganson, Seaman, Morgan, Barrett, Evans. Absent: none.

Whereupon the Mayor announced that the introduction of ordinances was now in order, and the matter now coming before the Mayor and Council was the passage and approval of Ordinance No. 336 of the City of Lexington, Nebraska.

This ordinance was introduced by Councilman Morgan and is in words and figures as follows, to wit:

ORDINANCE NO. 336.

An ordinance vacating that part of North Tyler Street between Eleventh and Twelfth Streets and between Blocks Four (4) and Five (5) in MacColl and Leflang's Third Addition to the Town of Plum Creek, now City of Lexington, and vacating the alleys running north and south through the center of said Blocks Four and Five, all in the City of Lexington, Dawson County, Nebraska, and providing for the payment of all damages accruing to abutting property owners, by reason of said vacation.

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

Section 1. School District Number One of the City of Lexington, Nebraska, being the owner of all of Block Five (5) and all of Block Four (4), except Lot Nine (9), in MacColl & Leflang's Third Addition to the Town of Plum Creek, now City of Lexington, Dawson County, Nebraska, and having petitioned the City Council of said city to vacate that part of North Tyler Street between Eleventh and Twelfth Streets and between Blocks Four (4) and Five (5) in said addition, and to vacate the alleys running north and south through said Blocks 4 and 5, in order that said property may be developed as an Athletic and Recreational Field, and it appearing to the City Council that the vacation of that part of said street and the alleys in said blocks will be of value to said School District, and that the development thereof as an athletic and recreational field will be a benefit to the City of Lexington, and that no damage will be suffered by abutting property owners as a result thereof;

Section 2. It is therefore ordered that all that part of North Tyler Street between Eleventh and Twelfth Streets and between said Blocks Four (4) and Five (5), and the alleys running north and south through said Blocks 4 and 5, be and the same are hereby vacated, reserving however to the City of Lexington the right of way and easement over and across said street and alleys as they now exist, for the purpose of laying, relaying, maintaining and operating all sewer and water lines and pipes, and the use of the same for any other city owned public utility.

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Section 3. That the Mayor and Council shall appoint appraisers, as provided by law, to ascertain and appraise all damages accruing to property owners adjacent thereto, and all damages so found shall be paid out of the general fund of said city.

Passed and approved this 4th day of November, 1938.

Albert A. Kjar,
Mayor."

Attest:

J.L. Olsson,
City Clerk."

(seal)

FIRST READING

The Clerk read the foregoing Ordinance No. 336 in full, and it was moved by Councilman Morgan and seconded by Councilman Gillan that said Ordinance No. 336 be passed on its first reading and that its title be approved. On roll call the following vote was recorded: "Yea": Gillan, Morganson, Seaman, Morgan, Barrett, Evans. "Nay": none. Whereupon the Mayor declared said Ordinance No. 336 passed upon its first reading and its title agreed to.

Thereupon the Mayor appointed the following as a Committee of appraisers to appraise the damage incurring to abutting property owners by reason of the vacating of street and alleys as provided by said Ordinance No. 336, said appraisers to report to Council at the next regular meeting of the Mayor and Council:

Councilmen W.B. Barrett and A.H. Evans, and
R.E. Rosenberg, C.E. Collett and W.R. Smith.