

ORDINANCE NO. 02-604

AN ORDINANCE RELATING TO municipal property; to provide for filing of an ordinance vacating a street, avenue, alley, or lane with the Register of Deeds; to harmonize with state law; to repeal conflicting ordinances and sections; to provide for the publication of this ordinance in pamphlet form, and to provide an effective date.

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

Section 1. Section 8-301 of the Municipal Code of Friend, Nebraska, is amended to read as follows:

**STREETS AND ALLEYS; OPENING, WIDENING, IMPROVING, OR VACATING.**

(A) The Municipality shall have power to open, widen, or otherwise improve or vacate any street, avenue, alley, or lane within the limits of the Municipality and also to create, open, and improve any new street, avenue, alley, or lane. All damages sustained by the citizens of the Municipality, or by the owners of the property therein, shall be ascertained in such manner as shall be provided by ordinance. Whenever any street or alley is vacated, the same shall revert to the owners of the abutting real estate, one-half on each side thereof and become a part of such property. When a portion of a street, avenue, alley, or lane is vacated only on one side of the center thereof, the title to such land shall vest in the owner of the abutting property and become a part of such property. When the Municipality vacates all or any portion of a street, avenue, alley, or lane, the Municipality shall, within thirty days after the effective date of the vacation, file a certified copy of the vacating ordinance with the Register of Deeds for the county in which the vacated property is located to be indexed against all affected lots. (Neb. RS 17-558)

(B) The Municipality shall have power to create, open, widen, or extend any street, avenue, alley, off-street parking area, or other public way, or annul, vacate, or discontinue the same. (Neb. RS 17-559)

Section 2. Any other ordinance or section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form or posting as required by law.

Passed and approved this 7<sup>th</sup> day of January, 2003.



(SEAL)

Clerk

Mayor