

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1261

AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE NO. 335 VACATING A PORTION OF THE RIGHT OF WAY; TO REPEAL SECTION 3 OF ORDINANCE NO. 335 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Amendment of Section 3 of Ordinance No. 335. Section 3 of Ordinance No. 335 is hereby amended, effective as of the effective date of Ordinance No. 335, to read as follows:

"Section 3. The City of La Vista, in addition to any other rights reserved to the City by applicable law, shall reserve (i) title in the five (5') foot wide strips of right of way that abut the property located on Joseph Avenue between 72nd Avenue and Terry Drive, located in La Vista, Sarpy County and are vacated pursuant to Ordinance No. 335 and (ii) a perpetual easement for utilities, drainage, or other public improvements over, on, and/or under said vacated five (5') foot strips."

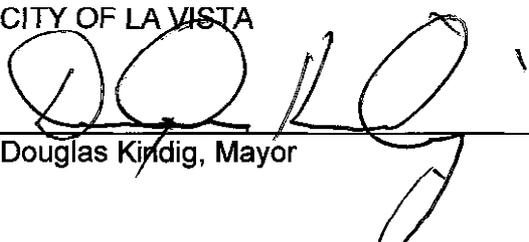
SECTION 2. Repeal of Section 3 as Previously Enacted. Section 3 of Ordinance No. 335 and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof is hereby repealed.

SECTION 3 Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

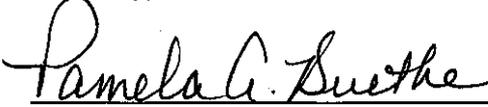
PASSED AND APPROVED THIS 18TH DAY OF AUGUST, 2015.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Bueche, CMC
City Clerk

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Partial vacation Joseph 72nd to Terry Dr 08.18.15.docx