

Vacation 10006 – South Portion

ORDINANCE NO. _____

1 AN ORDINANCE vacating multiple streets and alleys in the West Haymarket
2 Redevelopment Area, generally located at South 5th Street from L Street to M Street,
3 needed by BNSF Railway Company (BNSF) for a future railway corridor.

4 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5 Section 1. That multiple streets and alleys in the West Haymarket
6 Redevelopment Area, generally located at South 5th Street from L Street to M Street,
7 Lincoln, Lancaster County, Nebraska more particularly described on Attachment "A"
8 attached hereto, be and the same are hereby vacated, subject, however, to Section 2
9 below, with title of said street and alley portions remaining in the City of Lincoln to the
10 extent allowed by law.

11 Section 2. That the vacation of the streets and alleys described in
12 Attachment "A" shall not become operative unless and until the City of Lincoln and BNSF
13 Railway Company ("BNSF") close upon the vacated right-of-way and other land to be
14 conveyed by the City to BNSF, and the City closes on the land to be conveyed by BNSF
15 to the City in order to accommodate relocation of the existing BNSF railroad operations and
16 construction of the West Haymarket Project improvements including but not limited to a
17 new arena.

18 Section 3. The vacated streets and alleys are hereby declared to be
19 surplus and are authorized to be conveyed to BNSF pursuant to the Master Development

1 Agreement and Land Exchange Agreement between the parties as assigned by the City
2 to the West Haymarket Joint Public Agency.

3 Section 4. That this ordinance shall take effect and be in force from and
4 after its passage and publication in one issue of a daily or weekly newspaper of general
5 circulation in the City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2011:

Mayor