



FAQ's about Sale of City Property or ROW

Is the property at 4578 North Whatever Street owned by the City? If so, is it for sale?

Ownership of property within the City of Lincoln and Lancaster County can be checked by using the City's GIS Viewer at <http://ags.lincoln.ne.gov/gisviewer/> or by calling the City's Real Estate Office at 402-441-7864. If the property is available for sale, you can make an offer for it. A property won't be for sale unless it is already declared surplus.

You can request a property be declared surplus by contacting the City's Real Estate Office. That begins a process that is often lengthy. It involves all City departments, utility companies, the Planning Commission, City Council and the Mayor. If the property is declared surplus, the person making the original surplus request may not be the only one wanting to buy it.

I'd like to vacate the alley [or street] next to my property. How do I do it? How much will it cost?

It all boils down to getting everyone - property owners, city, utility companies, City Council, etc. - to agree to the vacation and then buying the vacated land from the City. Here's how the process works:

- Call and request a "petition to vacate a public way" from the City Clerk (402-441-7436) or the Public Works & Utilities Department (402-441-7548).
- Everyone whose property abuts the alley [or street] needs to sign the petition.
- Submit the petition to the City Clerk.
- Law Department, Public Works & Utilities Department and the utility companies review the petition and decide what easements, if any, need to be retained or if there's anything else that needs to be worked out for the City to agree to the vacation. Meanwhile, the City Real Estate staff evaluates the property included in the proposed vacation and recommends a sale price. The Planning Department collects & correlates the department & utility data and prepares it for review by the Planning Commission. The amount of time this takes depends on each situation.
- Planning Department puts the proposed vacation on the Planning Commission Agenda, and notifies the petitioners (you) about the meeting. The Planning Commission makes their recommendation to City Council, which the Planning Department also tells you, along with when the issue is on the City Council Agenda.
- City Clerk contacts property owners involved to notify them of the recommended sale price to be paid to the City -- if the alley [or street] is vacated.
- City Council reviews the petition (now called an "ordinance for vacation"). The ordinance has three readings before the City Council. If anyone wants to comment about the proposed vacation, they can testify at the second reading which is a public hearing.
- City Council makes a decision at the third reading. If they approve the vacation, the money from all property owners must be paid to the City Clerk before the vacation is final.
- When the vacation is approved by the City Council and Mayor and all money has been paid, deeds are prepared, recorded and delivered by the City Attorney's staff.