

## LEGISLATIVE BILL 399

Approved by the Governor April 2, 1971

Introduced by Herbert J. Duis, 39th District

AN ACT to amend section 17-503, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to remove an exception to the general power to convey real estate; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 17-503, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-503. (1) The power of any city of the second class or village to convey any real estate owned by it, including park land, except real estate used in the operation of public utilities, ~~or-acquired-through-tax-foreclosure-proceedings-where-the-sale-price-is-less-than-five-hundred-dollars,~~ shall be exercised by ordinance directing the conveyance of such real estate and the manner and terms thereof.

(2) Notice of all sales of real estate described in subsection (1) of this section, and the terms thereof, shall be published three consecutive weeks in a legal newspaper published in or of general circulation in such city or village and, if there be no legal newspaper published in or of general circulation in such city or village, then in some newspaper of general circulation published in the county wherein such city or village is located, and if there be no legal newspaper of general circulation published in the county wherein such city or village is located then in a newspaper, designated by the county board, having a general circulation within the county where such city or village is located, and if no newspaper is published in the city, village, or county, or if no newspaper has general circulation in the county, then by posting a written or printed copy thereof in each of three public places in the city or village, immediately after the passage and publication of such ordinance; Provided, if a remonstrance against such sale, signed by legal electors thereof equal in number to thirty per cent of the electors of such city or village voting at the last regular municipal election held therein, be filed with the governing body of such city or village, within thirty days after the passage and publication of such

ordinance, said property shall not then, nor within one year thereafter, be sold, unless such sale be ratified by a majority of the electors of such municipality voting upon the same at a special or general municipal election at which the same is submitted. If the voters of such municipality have previously accepted sections 18-101 to 18-129, as provided in section 18-129, then and in such event notwithstanding such remonstrance the said ordinance effectuating the sale may be submitted to the voters of such municipality for their approval or rejection at a general or special municipal election, and if such ordinance be approved by that procedure it shall forthwith become effective for the purpose of making such conveyance; and provided further, that real estate now owned or hereafter owned by a city of the second class or a village may be conveyed without consideration to the State of Nebraska or to the Nebraska Armory Board for state armory sites or, if acquired for state armory sites, such property shall be conveyed strictly in accordance with the conditions of sections 18-1001 to 18-1006.

Sec. 2. That original section 17-503, Reissue Revised Statutes of Nebraska, 1943, is repealed.