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FLOOR DEBATE

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the body. This enacts an exemption to the current requirements for vacating or narrowing streets or alleys in a metropolitan class city. These requirements are found in current Section 14-3,107, which is amended by the bill. The exception created by the bill would involve what is defined as a new subsection as minimal second (sic) right of way: any street or alley which is unpaved, had substandard paving, or has pavement narrower than 16 feet and is a secondary means to access to or from property abutting the portion to be vacated. If the property which the city proposes to vacate is a minimal secondary right of way, it can be vacated by the city without the need for petition or convening a committee for determining damages if all affected abutting properties have a primary access to otherwise open and passable public street right of way. Title to the vacated property vests in the owner of the abutting property and becomes a part of the property, taxable as such. The proposal would simplify and expedite vacations in specific circumstances when current statutory protections are neither necessary or useful. And that's what the bill does. It's brought to me by the city of Omaha to deal with a problem that they have. So I'd ask...and there is a committee amendment.

SENATOR CUDABACK: Thank you, Senator. I'll recognize you to open on the committee amendment, Senator Hartnett.

SENATOR HARTNETT: When we heard the bill I think the question of access to this area would add language to the new provision encompassed in the original bill for the purpose of preserving any city, utility or cable television easement in the vacated right of way existing at the time of the vacation and preserving the right for the intended...for these entities possessing the easement to come onto the property for the purpose of maintaining or reconstructing the line present on that property. After the effective date of the vacation, any new easement could be subject to negotiation with the owner of the vacated property. In addition, the committee amendment mirrors current statutory language on vacation to require the city to file certified copies of the vacating ordinance for any minimal secondary right of way vacation with the register of deeds to be indexed against the affected lots. That's simply the...what the