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CITY OF OMAHA

COUNCIL CHAMBER

BOOK 704 PAGE 385

Omaha, Nebr. January 10, 19 84

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Southwest Corporation proposes to build a Subdivision, Cathedral Square Townhomes, which will be located at 36th and Burt Streets; and,

WHEREAS, Southwest Corporation wishes to connect to Omaha's sewer system, the system of sanitary sewers to be constructed by Southwest Corporation within the area to be developed; and,

WHEREAS, the parties wish to agree upon the manner which public improvements will be built by Southwest Corporation and to clarify the responsibilities of the parties in building and maintaining the improvements in the subdivision; and,

WHEREAS, a Subdivision Agreement has been prepared setting forth all the provisions mentioned above.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the Mayor is authorized to sign and the City Clerk is authorized to attest the Subdivision Agreement between the City of Omaha and Southwest Corporation providing for the public improvements and sewer connections to the Omaha sewer system.

APPROVED AS TO FORM:

[Signature] ASSISTANT CITY ATTORNEY

PWC/12:1C9:34

I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.

By [Signature] Bernice Timm Councilman

Adopted JAN 24 1984 7-0

[Signature] Mary Gallep Barnett City Clerk

Approved [Signature] Michael R. H. Halsey Mayor

[Signature] BY CITY CLERK



SUBDIVISION AGREEMENT

704 PAGE 386

This Subdivision Agreement, made this 24th day of January, 1934 by and between Southwest Corporation, a Nebraska Corporation (hereinafter referred to as "SUBDIVIDER"), and the CITY OF OMAHA (hereinafter referred to as "CITY").

WHEREAS, THE Subdivider is the owner of the land shown on the proposed plat attached hereto as Exhibit "A" (hereinafter referred to as "PROPERTY"); and,

WHEREAS, the Subdivider proposes to build public improvements on the property; and,

WHEREAS, the Subdivider wishes to connect the system of sanitary sewers to be constructed within the property to the sewer system of the City of Omaha; and,

NOW, THEREFORE, in consideration of the above the following is agreed between the parties hereto:

1. Public improvements. There are no public improvements.
2. Water, gas, and electrical power. The Subdivider agrees to enter into an Agreement with the Metropolitan Utilities District regarding all water and gas line extensions on the property, and into an Agreement with the Omaha Public Power District for power lines to be installed on the property. Copies of all Agreements with the Metropolitan Utilities District and the Omaha Public Power District will be provided to City within four months from the date of this Agreement.
3. Installation of improvements. The Subdivider agrees to commence the timely and orderly installation of the improvements following execution of this Agreement, pursuant to Section 53-9 of the Omaha Municipal Code.
4. Payment for improvements. The Subdivider shall pay the cost of the improvements, as well as all charges by the Metropolitan Utilities District for water and gas line installation and charges by the Omaha Public Power District for underground electrical service or overhead power installations.
5. Right to connect to City sewer system. The City hereby acknowledges that it has given the subdivider the right to connect the sanitary sewer system of the property to the City sanitary sewer system, subject to obtaining proper permits and paying the regular fees.
6. Binding effect. This Subdivision Agreement shall be binding upon the parties, their respective successors, and assigns.

ATTEST:

Mary Gailigan
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

CITY OF OMAHA

Michael Boyle
MAYOR

DEVELOPER:

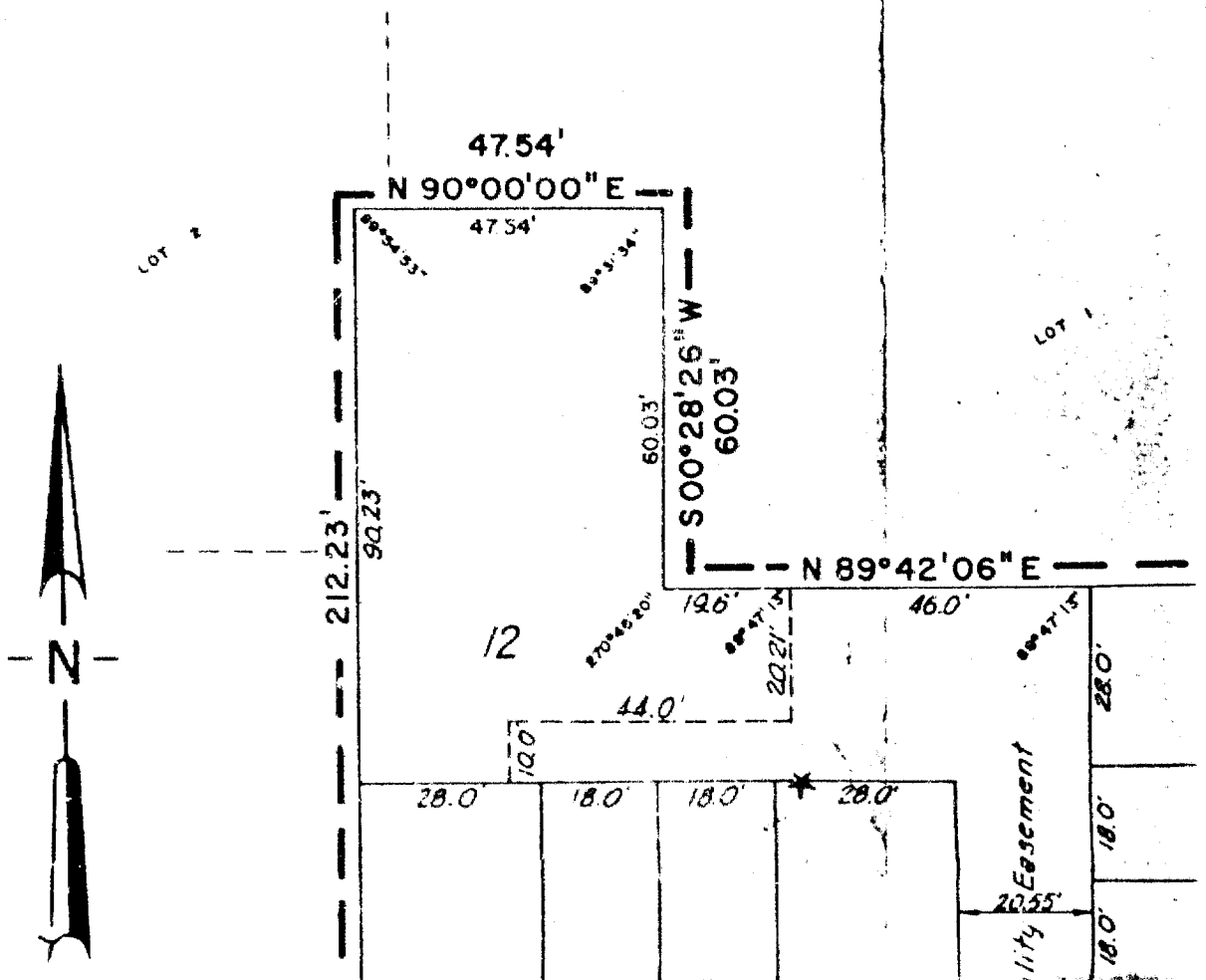
[Signature]
SOUTHWEST CORP. PRESIDENT

★
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CATHEDRAL SQUARE

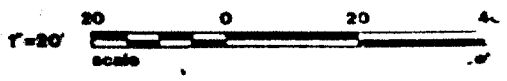
A REPLAT OF THE WEST 40.87' OF THE EAST 6.12' OF THE SOUTH 1/2 OF LOT 3, AND ALL OF LOT 4 EXCEPT 153.0', BLOCK 8, LOWES 2nd ADJACENT TO COUNTY, NEBRASKA.

LOTS 1 thru 12



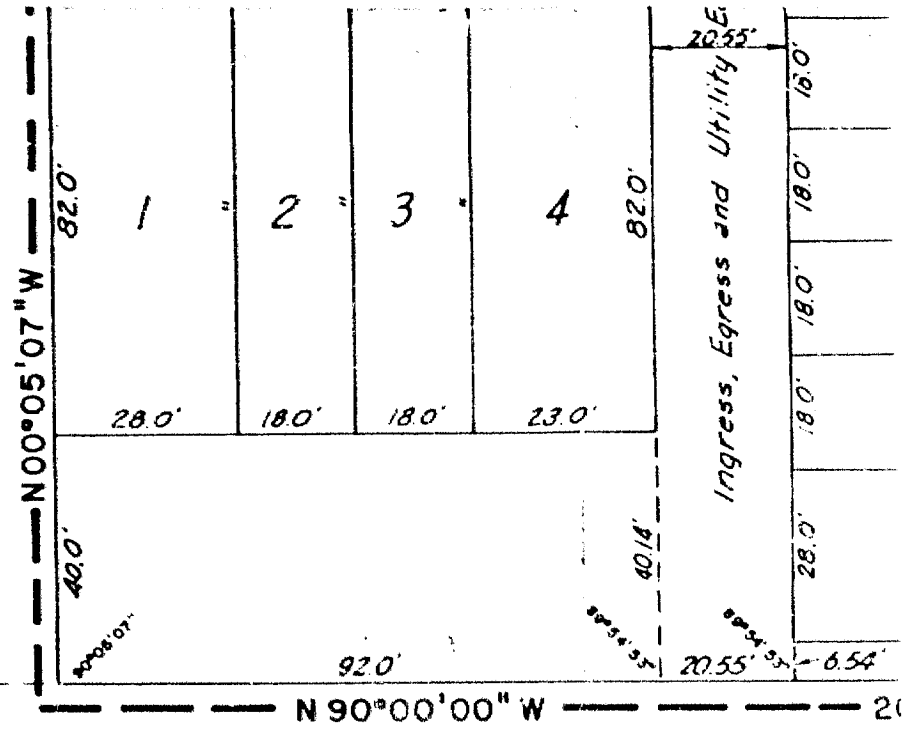
POOR INSTRUMENT FILED

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ALL ANGLES NOT SHOWN ARE 90°00'00"
BOOK 704 PAGE 388

LOT 3



WE
THE
LOT
WES
A.
LOTS

BURT STREET
(66' R.O.W.)

12'06
46.0'

Design Engineering and Associates, Inc.
 ENGINEERS LAND SURVEYORS PLANNERS
 2100 CLAY STREET BELLEVUE, NEBRASKA 68008 402.291.4100

L SQUARE TOWNHOMES

E WEST 40.87' OF THE SOUTH 54.0' OF LOT 1,
THE SOUTH 54.0' OF LOT 2, THE EAST 6.12' OF
LOT 4 EXCEPT THE NORTH 6.0' OF THE EAST
WES 2nd ADDITION, CITY OF OMAHA, DOUGLAS
A.

LOTS 1 thru 12 INCLUSIVE

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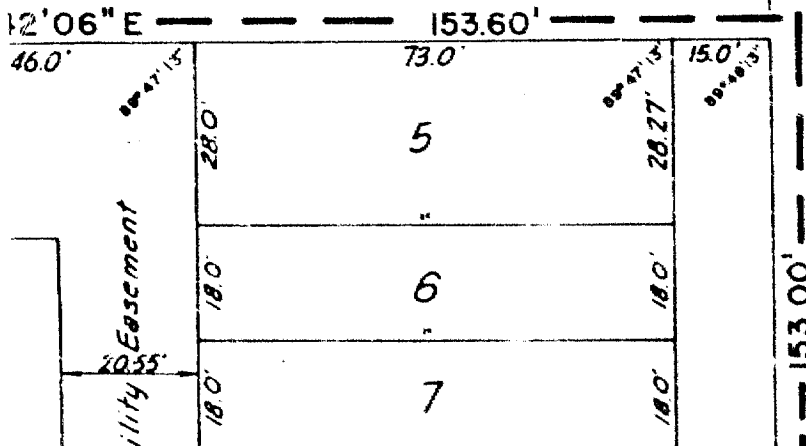
WILLIAM J.

State of N

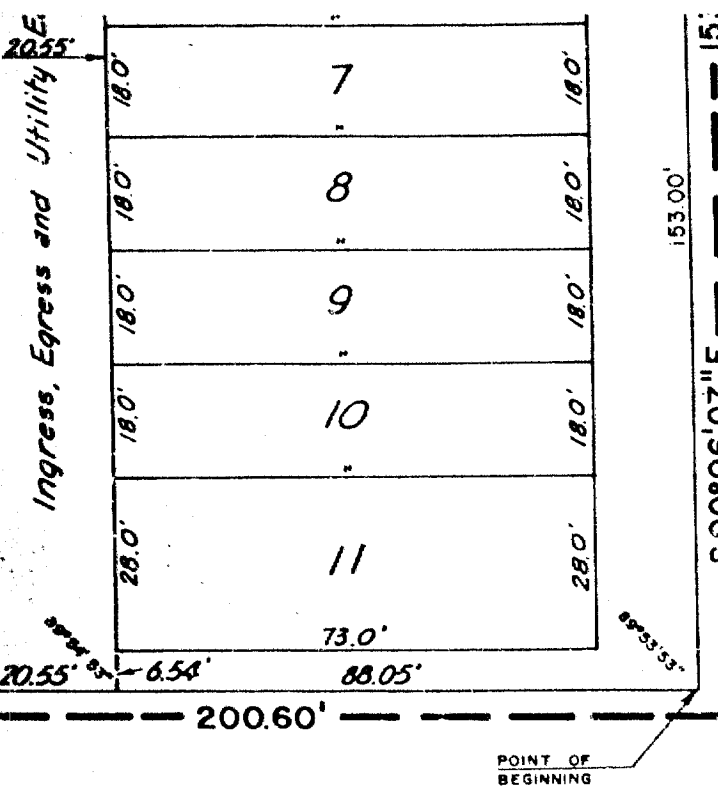
County of

On this
commission
Trustee, p
on the Ded
Dedication

Witness my
aforesaid.



POOR INSTRUMENT FILED



36th STREET

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(66' ROW)

EET

DEDICATION

Know all men by these presents: That I, William J. Sweet, Trustee, being the sole owner and proprietor of the land as described in the Surveyors Certificate and embraced within this plat, have caused said land to be subdivided into lots, to be named and numbered as shown, said subdivision to be hereafter known as Cathedral Square Townhomes, and I do hereby ratify and approve of the disposition of my property as shown on this plat, and I do hereby grant a perpetual easement to the Omaha Public Power District and Northwestern Bell Telephone Company, their successors and assigns, to erect, operate, maintain, repair and renew, poles, wires, cables, conduits, and other related facilities, and to extend thereon wires or cables for the carrying and transmission of electric current for light, heat and power, and for the transmission of signals and sounds of all kinds, including signals provided by a cable television system and the reception on, over, through, under and across a five foot (5') wide strip of land abutting the front and side boundary lot lines; an eight foot (8') wide strip of land abutting the rear boundary line of all interior lot lines; and a sixteen foot (16') wide strip of land abutting the rear boundary line of all exterior lots. The term exterior lots is herein defined as those lots forming the outer perimeter of the above described addition. Said sixteen foot (16') wide easement will be reduced to an eight foot (8') wide easement when adjacent land is surveyed, platted and recorded. No permanent buildings or retaining walls shall be placed in the said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted. In witness hereof I do hereby set my name this 7TH day of DEC., 1983

William J. Sweet, Trustee

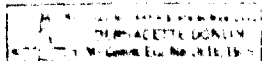
ACKNOWLEDGEMENT OF NOTARY

State of Nebraska)
) SS
 County of Douglas)

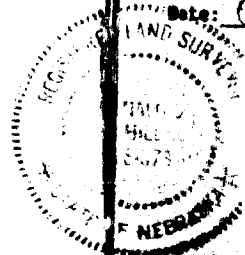
On this _____ day of _____, 1983, before me, a Notary Public duly commissioned and qualified in and for said County, appeared William J. Sweet, Trustee, personally known by me to be the identical person whose name appears on the Dedication hereon, and he acknowledged his execution of said Dedication to be his voluntary act and deed.

Witness my hand and official seal, in Omaha, Nebraska, the date last aforesaid. My commission expires on _____.

Notary Public



I, Rosa certify that pe that pe points of the feet of North 6 and rec describ and Add St. and bearing N 00°05 S 00°28 line of line to less.



Date: _____

I hereby _____

I hereby chapter _____

Date: _____

This is against within 1

BOOK 704 PAGE 392

POOR INSTRUMENT FILED



This is to certify that against the property des within this plat as show

Date: December 1, 19

APPRO

I have reviewed this plat RELEASED, 19

APPROV

This plat of Cathedral Sq Planning Board on this

ACC

This plat of Cathedral Sq Council on this

ATTEST: City Clerk

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SURVEYORS CERTIFICATE

I, Ronald D. Hill, the undersigned registered land surveyor, do hereby certify that I have made a boundary survey of the subdivision herein, and that permanent markers have been placed on the boundary of this plat, and that permanent markers will be placed at all corners of all lots and angle points in Cathedral Square Townhomes, being a replat of the West 40.87 feet of the South 54.0 feet of Lot 1, and the East 6.12 feet of the South 54.0 feet of Lot 2, and the East 6.12 feet of Lot 3, and all of Lot 4 except the North 6.0 feet of the East 153.0 feet, Block 8, Lowes 2nd Add., as platted and recorded, Douglas County, Nebraska, and being more particularly described as follows: Beginning at the Southeast corner of said Lot 4, Lowes 2nd Add. (said point being the intersection of the West R.O.W. line of 36th St. and the North R.O.W. line of Burt St.), thence N 90°00'00" W (assumed bearing) 200.60 feet along said North R.O.W. line of Burt St., thence N 00°05'07" W 212.23 feet, thence N 90°00'00" E 47.54 feet, thence S 00°28'26" W 60.03 feet, thence N 89°42'06" E 153.60 feet to the West R.O.W. line of 36th St., thence S 00°06'07" E 153.00 feet along said West R.O.W. line to the point of beginning. Described tract contains 0.77 acres, more or less.

Date: Oct 21, 1983

Ronald D. Hill
Ronald D. Hill L.S. No. 373



APPROVAL OF OMAHA CITY ENGINEER

I hereby approve this plat of Cathedral Square Townhomes this _____ day of _____ 1983.

Omaha City Engineer

APPROVAL OF OMAHA CITY ENGINEER

I hereby certify that adequate provisions have been made for compliance with chapter 53 of the Omaha Municipal Code.

Date: _____, 1983.

Omaha City Engineer

COUNTY TREASURERS CERTIFICATE

This is to certify that I find no regular or special taxes due or delinquent against the property described within the Surveyors Certificate of embrace within this plat as shown by the records of this office.

Date: December 1st, 1983.

Sam J. Howell
Douglas County Treasurer



APPROVAL OF DOUGLAS COUNTY SURVEYOR

I have reviewed this plat of Cathedral Square Townhomes this 28 day of _____ 1983.

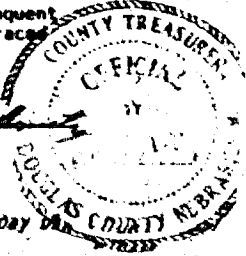
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POOR INSTRUMENT FILED

This is to certify that I find no regular or special taxes due or delinquent against the property described within the Surveyors Certificate of embrace within this plat as shown by the records of this office.

Date: December 1st, 1983.

Sam J. Howell
Douglas County Treasurer



APPROVAL OF DOUGLAS COUNTY SURVEYOR

I have reviewed this plat of Cathedral Square Townhomes this 22 day of DECEMBER, 1983.

Philip A. Burke
Douglas County Surveyor

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APPROVAL OF OMAHA CITY PLANNING BOARD

This plat of Cathedral Square Townhomes was approved by the Omaha City Planning Board on this _____ day of _____, 1983.

Leon F. Blah
Chairman, Omaha City Planning Board

ACCEPTANCE OF OMAHA CITY COUNCIL

This plat of Cathedral Square Townhomes was approved by the Omaha City Council on this _____ day of _____, 1983.

Mayor

ATTEST: _____
City Clerk

President of the City Council

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