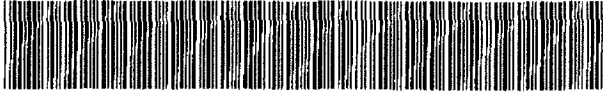




MISC 2008051078



MAY 23 2008 09:06 P 5

Misc 3/12
FEE 31.00 FB *see below*
BKP _____ G/O _____ COMP *dw*
DEL _____ SCAN _____ FV _____

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
5/23/2008 09:06:47.38



2008051078

THIS PAGE INCLUDED FOR INDEXING

PAGE DOWN FOR BALANCE OF INSTRUMENT

File against.

Lots 1-8, 12 Champion View - MC-06205

Lots 1,2 Champion View Reptat - MC-06203

Lot 115, Eagle Run West - MC-09995
per Co. Engineer

Return To: COSVI

Check Number
Chg SUR

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Resolution No. 258
ADOPTED: May 6, 2008

Resolved

WHEREAS:

a) Reeder Family, LLC and Eagle Run West Golf Partners and electors petitioned the Douglas County Board to vacate Locust Street between 135th Street and 138th Street, more particularly described in attached Exhibit "A".

b) On July 24, 2007 the Douglas County Board directed the County Engineer to study the requested vacation.

c) On February 26, 2008 the Omaha City Council passed a resolution recommending to the Douglas County Board the vacation of Locust Street, pursuant to Exhibit "A".

d) Locust Street between 135th Street and 138th Street was originally platted 25 feet wide in 1957 within Block 26, Green Meadows Addition. No improvements were ever constructed on this segment of Locust Street.

e) On May 14, 2007 Eagle Run West, Lots 1 thru 119 inclusive was platted and recorded and an additional 25 feet of right-of-way was dedicated for Locust street making a total dedicated width of 50 feet.

f) On June 8, 2007 this area was replatted within Champion View, Lots 1 thru 12 inclusive and no property requires access from Locust Street 135th Street 138th Street.

g) The Douglas County Engineer has reviewed this vacation and has no objections and would recommend that Locust Street be vacated between 135th Street and 138th Street one half to each adjoining property owner.

h) The Board of Commissioners of Douglas County, Nebraska, on April 08, 2008, fixed Tuesday, April 29, 2008, at 9:00 A.M. in the Legislative Chamber of the Omaha-Douglas Civic Center, as the date, time, and place of the public hearing.

i) Notice of such public hearing was published once a week for three consecutive weeks in *The Daily Record*, a legal newspaper in Douglas County, Nebraska, and further a notice of said public hearing was mailed by certified mail, more than two weeks in advance of the hearing, to the last known address of the owners of land abutting or adjacent to the street to be vacated.

j) A public hearing was held on April 29, 2008, at 9:00 A.M. in the Legislative Chamber of the Omaha- Douglas Civic Center, 1819 Farnam Street, Omaha, Nebraska, and at said hearing no objections were voiced. On May 6th, 2008 the Board of County Commissioners determined that the public good, convenience, and necessity required the vacation as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, NEBRASKA, that Locust Street between 135th Street and 138th Street, be and is hereby vacated to conform to the described parcel of land, and that the above-described street shall revert to and become the property of those owners of their prior grantors in the same proportion as was originally contributed to the public way now being vacated, subject to the condition and limitation that there is reserved to the Metropolitan Utilities District of the City of Omaha, the Omaha Public Power District, U.S. West Communications, or any other public utilities, the right to construct, maintain, repair, renew and operate presently existing or hereafter installed water mains, pole lines, conduits and other similar services or equipment above, on and below the surface of the ground for the purpose of serving the general public or abutting property owners and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the county; and to enter upon the premises to accomplish the above purpose at any and all times.

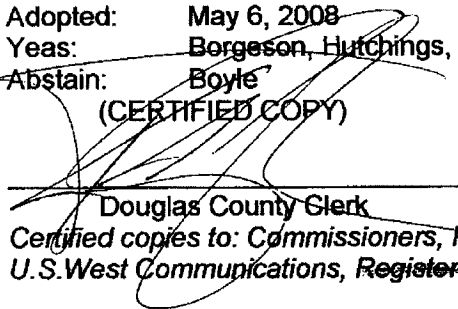
BE IT FURTHER RESOLVED that the Engineer of Douglas County, Nebraska be and is hereby authorized and directed to correct the records, profiles, and plats accordingly and that the petitioners shall file a copy of this resolution in the Office of the Register of Deeds, cost for same to be charged to the petitioners.

DATED THIS 6th DAY OF MAY, 2008.

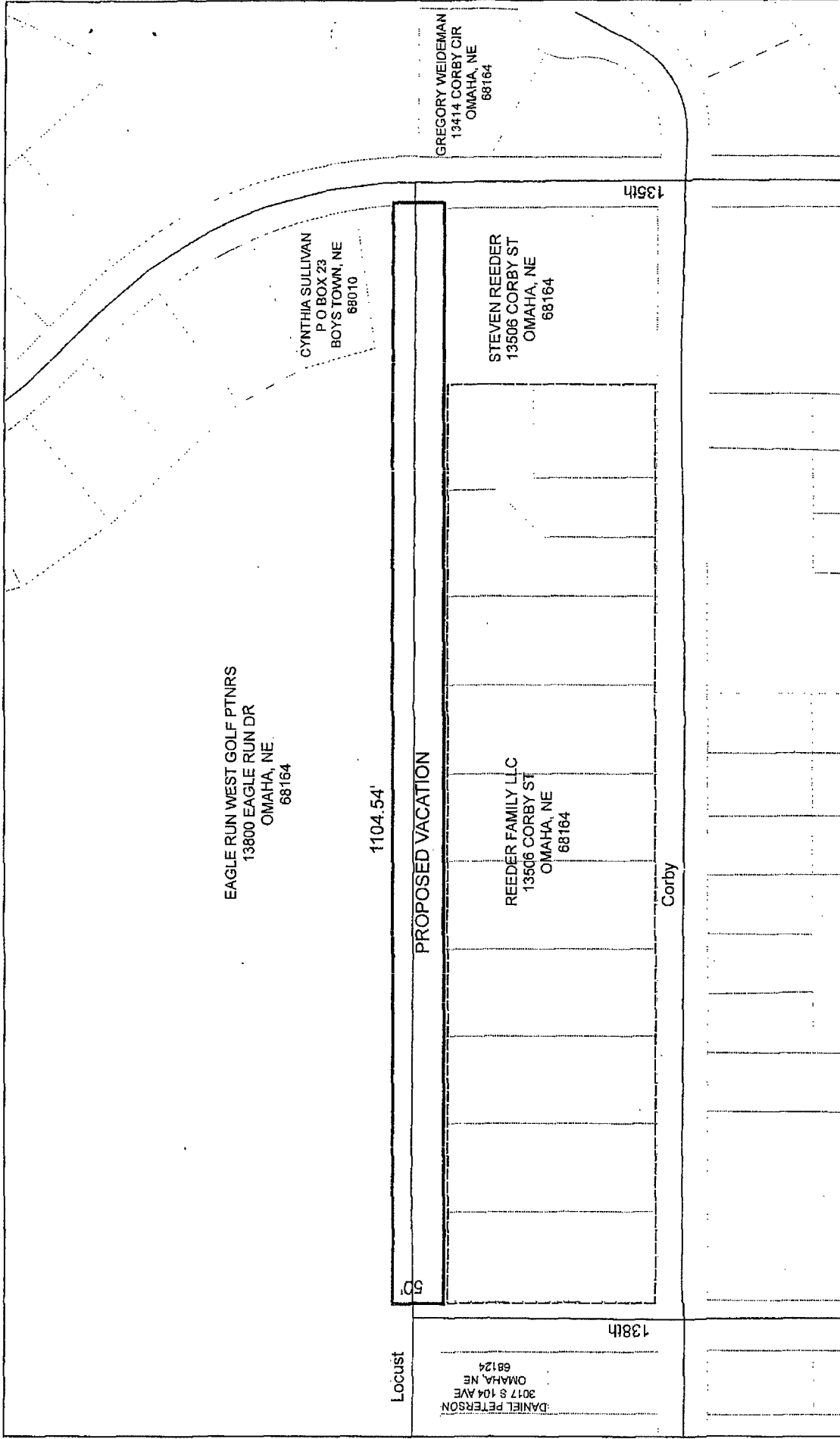
Motion by Borgeson, second by Maxwell to approve. I move the adoption of the resolution.

Adopted: May 6, 2008
Yeas: Borgeson, Hutchings, Maxwell, Rodgers, Tusa, Duda
Abstain: Boyle

(CERTIFIED COPY)


Douglas County Clerk
Certified copies to: Commissioners, Petitioner, Engineer, City of Omaha, MUD, OPPD,
U.S. West Communications, Register of Deeds

Resolution No. 258
ADOPTED: May 6, 2008



LOCUST STREET VACATION

EXHIBIT "A"

5

2008 MAY -5 P 1:40-1

IV

CITY OF LOS ANGELES
ADMINISTRATIVE SERVICES
DEPARTMENT

**AGENDA ITEM
REQUEST/JUSTIFICATION FORM**
(To be completed by requesting Department)
Forward all requests to Sharon Bourke, LC2 Civic Center
DEADLINE SUBMITTAL IS 4:00 P.M. WEDNESDAY

Agenda item: Vacate a parcel of property

Date to be on agenda: May 6, 2008

Exact wording to be used for the agenda: Tom Doyle, County Engineer,
requests the approval of the following: Vacation Locust Street between 135th St.
and 138th Street.

Action requested: Approve Final Vacate

Amount requested: \$ N/A Object Code: _____

Is item in current year's budget? Yes No

Does this item commit funds in future years? Yes No

If yes, explain: _____

If an agreement or contract, has the County Attorney
reviewed and approved? Yes No

Previous action taken on this item, if any: _____

Recommendations and rationale or action:

Will anyone speak on behalf of this item, if so who? Tom Doyle

If this is a rush agenda item, please explain why: _____

Submitted by (Name & Dept.): Tom Doyle, Co. Engineer Ext. 6372

Date submitted: 4.30.08

List Attachments: resolution and Exhibit "A"
(Attach resolution and all pertinent documentation; i.e. contract, agreement, memorandums, etc.)

Certified Copies of the resolution should be sent to (please include name and addresses of all individuals or departments that need a certified copy): Engineer office

Completed by receiving office		
Received in Administrative Office:	Date	Time