

ORDINANCE NO. 4396.

An ordinance to amend section 1 of ordinance No. 4189 and to repeal so much of said section 1 of ordinance No. 4189 as vacates that part of Ninth street lying between a line drawn from the northeast corner of lot eight (8) in block 232 and the northwest corner of lot five (5) in block 233 and a line drawn parallel therewith fifty (50) feet north thereof, and declaring the ground between said lines a part of Ninth street and open to public use and travel as originally platted.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That section 1 of ordinance No. 4189 entitled "An ordinance providing for the vacation of parts of certain streets and alleys within the right of way and depot grounds of the Omaha & Southwestern Railroad Company, and providing for the conveyance thereof to said company, subject to certain conditions," be and the same is hereby amended so as to read as follows:

Section 1. That the following described portions of certain streets and alleys within the right of way and depot grounds of the Omaha & Southwestern Railroad company be and the same are hereby vacated, and the mayor, on behalf of the city of Omaha is hereby authorized to convey the same by a deed executed to said company in due form, as follows, to wit:

All that part of Eighth (8th) street lying north of the north line of Pacific street and south of the dividing line between the property and grounds of the Union Pacific Railway company and the Omaha & Southwestern Railroad company.

Also that part of Ninth (9th) street lying north of a point fifty (50) feet north of the north lines of lot eight (8) in block 232 and lot five (5) in block 233 and south of the south line of Mason street.

Also that part of Ninth (9th) street lying north of the north line of Mason street and south of the dividing line between the property of the Union Pacific Railway company and the Omaha & Southwestern Railroad

company.

Also that part of Tenth (10th) street lying north of the north line of Mason street and south of a prolongation of the dividing line between the property of the Union Pacific Railway company and the Omaha & Southwestern Railroad company; excepting, however, that part thereof that is occupied by the south abutment of the Tenth (10th) street viaduct.

Also that part of Mason street lying west of Eighth (8th) street and southwest of dividing line between property of the Union Pacific Railway company and the Omaha & Southwestern Railroad company, and extending westerly to a north and south line, ten (10) feet, more or less, west of the east line of Tenth (10th) street to the east side of the abutment at south end of Tenth (10th) street viaduct.

All that part of alley through block 220 lying east of a north and south line, 36 feet east of west side of said block 220.

Also all the north half of the alley through block 232 lying north of lots six (6), seven (7) and eight (8), in said block.

Also all the alleys through blocks 253 and 254.

That said deed to contain a condition requiring said parts of streets and alleys so conveyed to be used for depot grounds and railroad purposes, and providing that said conveyance shall not affect any right of the city to require construction or repairs of Tenth (10th) street viaduct.

Sec. 2. That all that part of section 1 of ordinance No. 4189 which vacates that part of Ninth street lying between a line drawn from the northeast corner of lot eight (8) in block 232 and the northwest corner of lot five (5) in block 233 and a line drawn parallel therewith fifty (50) feet north thereof, and all other ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

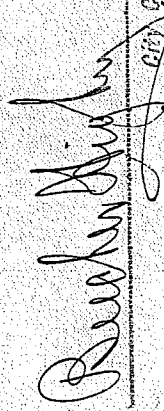
Sec. 3. That that part of Ninth street as originally existing lying between a line drawn from the northeast corner of lot eight (8) in block 232 and the northwest corner of lot five (5) in block 233 and a line drawn parallel therewith fifty (50) feet north thereof, in the

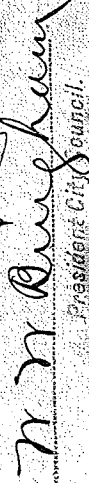
city of Omaha be and the same is hereby declared to be a part of Ninth street and open to public use and travel as originally platted.

Sec. 4. That this ordinance take effect and be in force from and after its passage and approval.

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City Clerk

  
President City Council

Approved APR 5 1899 189

