

BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

BOOK 228 PAGE 47

CERTIFIED

Recorded in Book

Agenda

Date

Resolved,

WHEREAS, on May 6, 1947 the County Board adopted a resolution authorizing the vacation of Nicholas Street from Seventieth Avenue to Seventy-first Street; and Seventy-first Street from Izard to Western Avenue and also the alleys running east and west from Seventieth Avenue to Seventy-first Street between Izard and Nicholas Streets, and from Seventieth Avenue to Seventy-first Street between Nicholas Street and Western Avenue, and

WHEREAS, on September 22, 1947 the owners, with the exception of one, of the real estate abutting on Izard Street between 70th Avenue and 72nd Street; Nicholas Street between 70th Avenue and 71st Street; and Seventy-first Street from Izard to Western Avenue, and also the alleys running east and west from 70th Avenue to 71st Street between Izard and Nicholas Streets, from 70th Avenue to 71st Street between Nicholas Street and Western Avenue, and from Izard to Western Avenue between 71st and 72nd Street, being those alleys in Blocks 1, 2 and 3, Otis Place, filed a petition for the vacation of said streets and alleys, and said petition has been signed by at least ten electors, residing within five miles of the road proposed to be vacated, and said petition substantially complies with the requirements of Section 31-105, Revised Statutes of Nebraska for 1943; and

WHEREAS, the County Surveyor has made an investigation in compliance with the requirements of Sections 39-107, 39-108, 39-109 and 39-110, R. S. 1943, advising the County Board that said vacation is in his opinion expedient, taking into consideration both the public and private convenience; and

WHEREAS, the County Attorney has advised in a formal written opinion that it is not necessary that all adjacent or contiguous property owners consent to the proposed vacation, but that it is legally sufficient if a majority of the voters living within two miles of the road proposed to be vacated consent to such vacation; and

WHEREAS, the Board of County Commissioners finds as a fact that a majority of the voters living within two miles of the road and not living in a village or city have and do consent to the proposed vacation.

THEREFORE, BE IT RESOLVED that the resolution adopted May 6, 1947 granting permission for the vacation of Nicholas Street from Seventieth Avenue to Seventy-first Street; and Seventy-first Street from Izard to Western Avenue and also the alleys running east and west from Seventieth Avenue to Seventy-first Street between Izard and Nicholas Streets, and from Seventieth Avenue to Seventy-first Street between Nicholas Street and Western Avenue, be and is hereby rescinded, and

BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

CERTIFIED COPY

Resolved,

BE IT FURTHER RESOLVED that Izard Street between 70th Avenue and 72nd Street; Nicholas Street between 70th Avenue and 71st Street; and Seventy-first Street from Izard to Western Avenue, and also the alleys running east and west from 70th Avenue to 71st Street between Izard and Nicholas Streets, from 70th Avenue to 71st Street between Nicholas Street and Western Avenue, and from Izard to Western Avenue between 71st and 72nd Street, being those alleys in Blocks 1, 2 and 3, Otis Place, be and are hereby vacated and the County Surveyor be and is hereby directed to correct the records, profiles and plats accordingly, and that a copy of this resolution be filed in the office of the Register of Deeds of Douglas County, Nebraska.

DATED this 21st day of October, 1947.

COPIES MADE  
OF DEEDS

NOT

RECORDED

Frank C. Best

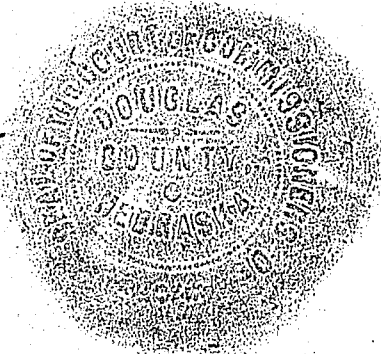
Leonard Bergman

H. B. Bergquist

BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

Motion by Best; Seconded by Bergquist  
I move the adoption of the resolution.  
ADOPTED: October 21, 1947  
YEAS: Bergman, Bergquist, Best  
ABSENT: Renstrom, Hruska.  
(CERTIFIED COPY)

*John Lewis*  
COUNTY CLERK



17.  
OFFERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
23 OCT 1947 AT 4:01 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS

6.75