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AN ORDINANCE vacating the East-West alley South of Maple Street between 85th Street and 86th Street and Miami Street, 85th Street West to vacated 86th Street in the City of Omaha and providing the effective date hereof.

WHEREAS, petition representing owners of more than 75 percent of the property abutting on the East-West alley South of Maple Street between 85th Street and 86th Street and Miami Street, 85th Street West to vacated 86th Street has been filed with the City of Omaha; and,

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation.

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

Section 1. That the East-West alley South of Maple Street between 85th Street and 86th Street and Miami Street, 85th Street West to vacated 86th Street, abutted by Lots 1 through 12 inclusive, Lots 29, 30 and 49, all located in Block 3, West Benson Addition

in the City of Omaha, be and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitations that there is reserved to the City of Omaha the right to maintain, operate, repair, and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; also the right to authorize the Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain, repair or renew and operate now existing or hereafter installed water mains, pole line, 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; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the City and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes, and crops, and all structures upon the premises, including but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

Section 2. That this Ordinance shall be in full force and take effect fifteen (15) days

from and after the date of its passage.

INTRODUCED BY COUNCILMEMBER

Bernie Simon

APPROVED BY:

Michael Boyle 12/6/83
MAYOR OF THE CITY OF OMAHA DATE

PASSED DEC 6 1983 7-0

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.

ATTEST:

ACTING Grace P. Mantel
DEPUTY CITY CLERK OF THE CITY OF OMAHA

BY Montgomery Brown
APPROVED AS TO FORM: CITY CLERK

Paul Simon
ASSISTANT CITY ATTORNEY

