

# BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

BOOK 303, PAGE 327

Date

Resolved

RESOLVED

Noted and used

Noted in Book

CERTIFIED COPY

WHEREAS, the Union Pacific Railroad Company and The Union Land Company are the sole owners of all lands in Blocks 8 and 9, in Lawnfield Addition, and Blocks 21, 22, 23 and 24, in West Albright Addition, in Douglas County, Nebraska, more fully described as follows:

All of Blocks 21, 22, 23 and 24 in West Albright, also all of Blocks 8 and 9 in Lawnfield, as surveyed, platted and recorded, including the adjacent streets and alleys within the following described limits, all situated in the South 1/2 of the SW 1/4 of Section 36, Township 15 North, Range 12 East of the Sixth Principal Meridian, in Douglas County, Nebraska, to-wit:

Beginning at the intersection of the west line produced southerly of said Block 9 in Lawnfield with the south line of said Section 36;

thence east along the south line of said Section 36 to the south quarter-corner thereof;

thence north along the north and south center line of said section to a point in the north line produced easterly of said Block 21 in West Albright, as surveyed, platted and recorded;

thence west along the north line and said north line produced of said Blocks 21 and 22 in West Albright and along the north line and said north line produced of said Blocks 8 and 9, in Lawnfield, to the northwest corner of said Block 9;

thence south along the west line of said Block 9 and along the west line of said block produced to the point of beginning.

WHEREAS, the Union Pacific Railroad Company and The Union Land Company filed a petition setting forth that on the 24th day of June, 1952, the Board of County Commissioners of Douglas County, Nebraska, on petition of Union Pacific Railroad Company and The Union Land Company vacated that portion of the plats herebefore described with the streets and alleys adjoining the same, and

WHEREAS, by said resolution the vacation of the property therein described and the reversion thereof was made 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, Northwestern Bell Telephone Company or any other public utility the right to construct, maintain, repair, renew and operate present 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; 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, and

WHEREAS, Union Pacific Railroad Company and The Union Land Company show the Board that there are not now, nor ever have been any utilities or property described in said reservation on said property and that said streets and alleys never have been opened to the public nor used as streets and alleys, nor used in any manner by said utilities, but have in fact been used as farm lands and are now being developed as industrial sites, and

WHEREAS, Union Pacific Railroad Company and The Union Land Company have requested that said condition and limitation contained in the reservation be vacated and annulled, and that the lots and blocks, together with the streets and alleys abutting thereon hereinbefore described be vacated free and clear of all restrictions, limitations and conditions.

THEREFORE, BE IT RESOLVED, that the following portions of Lawnfield and West Albright Additions, more fully described as follows:

All of Blocks 21, 22, 23 and 24 in West Albright, also all of Blocks 8 and 9 in Lawnfield, as surveyed, platted and recorded, including the adjacent streets and alleys within the following described limits, all situated in the South 1/2 of the SW 1/4 of Section 36, Township 15 North, Range 12 East of the Sixth Principal Meridian, in Douglas County, Nebraska, to-wit:

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RESOLUTION

Resolved

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Beginning at the intersection of the west line produced southerly of said Block 9 in Lawnfield with the south line of said Section 36;

thence east along the south line of said Section 36 to the south quarter-corner thereof;

thence north along the north and south center line of said section to a point in the north line produced easterly of said Block 21 in West Albright, as surveyed, platted and recorded;

thence west along the north line and said north line produced of said Blocks 21 and 22 in West Albright and along the north line and said north line produced of said Blocks 8 and 9, in Lawnfield, to the north-west corner of said Block 9;

thence south along the west line of said Block 9 and along the west line of said block produced to the point of beginning

be and the same are hereby vacated, together with the streets and alleys abutting thereon, free and clear of all restrictions, limitations and conditions, and that said conditions, limitations and restrictions contained in the resolution vacating the same dated June 24, 1952, be and the same are hereby annulled and vacated, and that a copy of this resolution be filed with the Register of Deeds of Douglas County, Nebraska, and the cost of the same be charged to the petitioners.

Frank C. Best

Leonard Bergman

W. B. Bergquist

George Woodward, Jr.

Raymond F. Prohaska

BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

Approved as to form:

/s/ Eugene F. Fitzgerald  
County Attorney

Motion by Best; Seconded by Prohaska

I move the adoption of the resolution.

ADOPTED: October 10th, 1955.

YEAS: Bergquist, Best, Prohaska, Woodward, Bergman.

(CERTIFIED COPY)

COUNTY CLERK



ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.

25 DAY Oct 1955 AT 11:39 A.M.

THOMAS J. O'CONNOR, REGISTER OF DEEDS.