

BOARD OF COUNTY COMMISSIONERS BOOK 396 PAGE 601
DOUGLAS COUNTY, NEBRASKA

pt 1 of 2 - 223 - W. Stungis

Resolved

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, on the 26th day of June, 1962, deemed that the public interest required the vacation of Oak Street, between 72nd Street and 72nd Avenue, in Douglas County, Nebraska, and by resolution on that date directed the Highway Department Superintendent to study the use being made of the aforesaid street and to submit in writing to the County Board upon the study made and his recommendation as to the vacation thereof, and

WHEREAS, on the 10th day of July, 1962, the Highway Department Superintendent recommended to the Board of County Commissioners of Douglas County, Nebraska, that "With reference to the request Robert L. Stungis and Mary V. Stungis for the vacation of Oak Street, between 72nd Street and 72nd Avenue, we recommend that same be allowed inasmuch as this is a dead-end street and since the widening of 72nd Street, it will not be opened to traffic," and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska on the 17th day of July, 1962, adopted a resolution fixing Tuesday, August 7th, 1962 at 10:30 A.M., in the County Board Room of Douglas County, Nebraska, as the time, date and place for a public hearing thereon, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, caused such resolution to be published in the Daily Record, a legal newspaper in Douglas County, Nebraska, once a week for three (3) consecutive weeks, and further caused copies of the resolution fixing the time, date, and place of said public hearing to be served upon all of the owners of land abutting on or adjacent to the street to be vacated by mailing the same, by certified mail, to the last known address of each owner more than two (2) weeks in advance of the hearing, and

WHEREAS, said street does not lie within a township in a County operating roads on a township basis, and

WHEREAS, a public hearing was held on August 7th, 1962 at 10:30 A.M., in the County Board Room of Douglas County, Nebraska, and at said time and place no objections were voiced and at the conclusion of said hearing the Board of County Commissioners of Douglas County, Nebraska, determined that the public good required the vacation of said street.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Nebraska, that Oak Street, between 72nd Street and 72nd Avenue, in Douglas County, Nebraska, be and the same is hereby vacated to conform to the plat attached hereto, marked Exhibit "A", and incorporated herein by reference; and that the above described vacated street shall revert to the owners of the adjacent real estate, one-half on each side thereof, 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 utilities 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 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.

Resolved

Page Two.


BE IT FURTHER RESOLVED that the County Surveyor be and is hereby authorized and directed to correct the records, profiles and plats accordingly and that a copy of this resolution be filed in the Register of Deed's Office and the cost of same be charged to the petitioners.

DATED this 14th day of August, 1962.

Ralph O. Hefflinger
John J. Cavanaugh
Gus A. Dworak
Daniel C. Lynch
Leonard Bergman
BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Motion by Bergman; Seconded by Dworak
I move the adoption of the resolution.
ADOPTED: August 14th, 1962.
YEAS: Cavanaugh; Dworak, Lynch
Bergman, Hefflinger

(CERTIFIED COPY)


Walter K. Spellman
COUNTY CLERK

NOTICE
Board of County Commissioners
Douglas County, Nebraska
RESOLVED:
WHEREAS, on the 26th day of June, 1962, the Board of County Commissioners of Douglas County, Nebraska, by unanimous resolution, resolved that the public interest required the vacation of Oak Street, between 72nd Street and 72nd Avenue, as surveyed, platted and recorded, Douglas County, Nebraska, and directed the County Surveyor of Douglas County, Nebraska, to study the use being made of said public street and to submit in writing to said Board a report on the study made and his recommendation concerning said vacation, and
WHEREAS, the County Surveyor of Douglas County, Nebraska, has made a study of the use being made of said street and under date of July 10th, 1962, reported to the Board as follows: "With reference to the request of Robert L. Stungis and Mary V. Stungis for the vacation of Oak Street, between 72nd Street and 72nd Avenue, we recommend that same be allowed inasmuch as this is a dead-end street and since the widening of 72nd Street it will not be opened to traffic."
THEREFORE BE IT RESOLVED by the Board of County Commissioners of Douglas County Nebraska that a public hearing be held on the vacation of Oak Street between 72nd Street and 72nd Avenue in the hearing room of the County Commissioners of Douglas County Nebraska on Tuesday, August 7, 1962 at 10:30 A. M. and that this resolution be published once a week for three (3) consecutive weeks in the Daily Record a legal newspaper in Douglas County Nebraska and that wherever possible copies of said resolution shall be served either by registered or certified mail upon the owners of land abutting on or adjacent to the street to be vacated by mailing the same to the last known address of each owner not less than two (2) weeks in advance of the hearing as provided by Section 39-1724 Revised Statutes of Nebraska 1943, 1959 Cumulative Supplement.
DATED this 17th day of July 1962.
Motion by Bergman; Seconded by Dworak.
I move the adoption of the resolution.
ADOPTED: July 17th 1962.
YEAS: Cavanaugh Dworak Lynch Bergman Hefflinger.
RALPH O. HEFFLINGER
JOHN J. CAVANAUGH
GUS A. DWORAK
DANIEL C. LYNCH
LEONARD BERGMAN
Board of County
Commissioners Douglas
County Nebraska.
WALTER K. SPELLMAN
County Clerk.
h7-19, 26 & 8-2-62

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RECEIVED

MAY 3 PM 2 30

THOMAS J. CONNOR
REGISTER OF DEEDS
DEWITT COUNTY, ILL.

...
by record in the office of the Register of
Deeds of said county and recorded in
Book 396 of Deeds

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Thomas J. Connor
Register of Deeds

BY _____
MAIL _____
Deputy

67/55
118
P.M. P.C.
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Return to -
Louis Carnazzo
339 Aquila Court