



MISC 2013116118



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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/20/2013 13:36:15.02



2013116118

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PAGE DOWN FOR BALANCE OF INSTRUMENT

RETURN TO: Public Works 6th Floor  
Kyle Dwork

CHECK NUMBER

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*(C)*

**RELEASE OF SEWER EASEMENTS**

WHEREAS, a sewer easement was reserved in vacating Ordinance Number 28467 for the vacation of an alley between Capital Avenue and Davenport Street from 11<sup>th</sup> Street to 12<sup>th</sup> Street. Said vacating ordinance was passed September 5, 1978 and is referred to as Ordinance No. 28467. Said Ordinance was recorded in the Douglas County, Nebraska, Register of Deeds Office on September 21<sup>st</sup>, 1978 in Miscellaneous Book 603, Page 376; and,

WHEREAS, a sewer easement was reserved in vacating Ordinance Number 15852 for the vacation of an alley between Chicago Street and Davenport Street from 11<sup>th</sup> Street to 12<sup>th</sup> Street. Said vacating ordinance was passed January 27, 1948 and is referred to as Ordinance No. 15852. Said Ordinance was recorded in the Douglas County, Nebraska, Register of Deeds Office on May 14<sup>th</sup>, 1948 in Miscellaneous Book 233, Page 379; and,

WHEREAS, a sewer easement was reserved in vacating Ordinance Number 30603 for the vacation of 11<sup>th</sup> Street from Capital Avenue to Davenport Street. Said vacating ordinance was passed March 1, 1985 and is referred to as Ordinance No. 30603. Said Ordinance was recorded in the Douglas County, Nebraska, Register of Deeds Office on March 14, 1985 in Miscellaneous Book 733, Page 326; and,

WHEREAS, Shamrock Development, Inc., Developer of the Capitol District Improvements, has requested a release of these sewer easements because the alleys and street will have improvements constructed upon them; and,

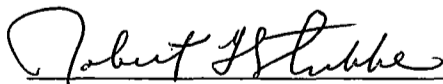
WHEREAS, the Public Works Department of the City of Omaha has investigated this request and has no objection to a release of these sewer easements; and,

WHEREAS, the release of these easements will not adversely impact the City Master Plan.

NOW, THEREFORE, IN ACCORD WITH THE PROVISIONS OF SECTION 27-1 OF THE OMAHA MUNICIPAL CODE:

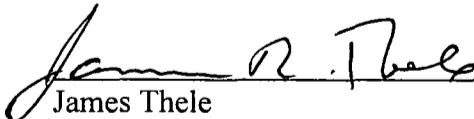
The release of the sewer easements reserved in vacating ord. No. 28467, vacating ord. No. 15852, and vacating ord. No. 30603; and described on the attached Exhibit "A", is approved and delivery of this release is authorized.

APPROVED:



Robert G. Stubbe P.E.  
Public Works Director

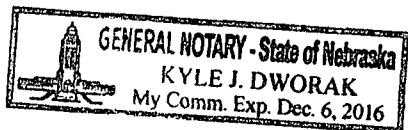
APPROVED:



James Thele  
Acting Planning Director

STATE OF NEBRASKA )  
  ) ss.:  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 20 day of November, 20 13, by Robert G. Stubbe, P.E. Public Works Director, and by James Thele, Acting Planning Director of the City of Omaha, a Municipal Corporation of the State of Nebraska.



NOTARY PUBLIC

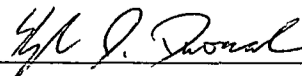


Exhibit "A"  
Page 1 of 2

Legal Description

The east – west vacated alley abutting Lots 1 thru 8, in Block 72, Original City of Omaha, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, from the east right of way line of 12<sup>th</sup> Street to the west right of way line of vacated 11<sup>th</sup> street.

**TOGETHER WITH**

Vacated 11<sup>th</sup> Street lying east of and abutting Lots 1 and 8, in Block 72 and west of and abutting Lots 4 and 5, in Block 71, both being in Original City of Omaha, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, from the south right of way line of Davenport Street to the north right of way line of Capitol Avenue.

**TOGETHER WITH**

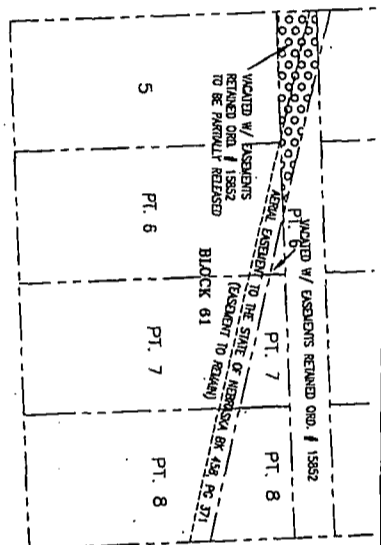
That part of the vacated east-west alley abutting Lots 4, 5, 6, in Block 61, Original City of Omaha a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, lying east of the east right of way line of 12th Street and west of the property owned by the State of Nebraska, described as follows;

Commencing at the northwest corner of original Lot 5, Block 61;  
Thence North 87°41'17" East (assumed bearings) for 102.75 feet on the south line of said vacated alley;  
Thence North 77°41'18" West for 79.22 feet to the north line of said vacated alley and the south line of Lot 4, Block 61;  
Thence South 87°41'17" West for 26.16 feet on said north line to the southwest corner of said Lot 4 and the east right of way line of 12th Street;  
Thence South 02°29'25" East for 20.00 feet to the POINT OF BEGINNING.  
Contains 1289 square feet.

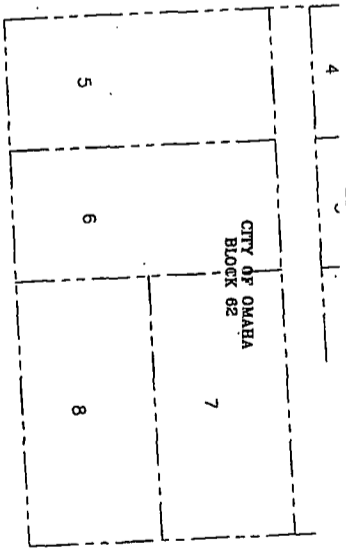
Exhibit "A"

Page 2 of 2

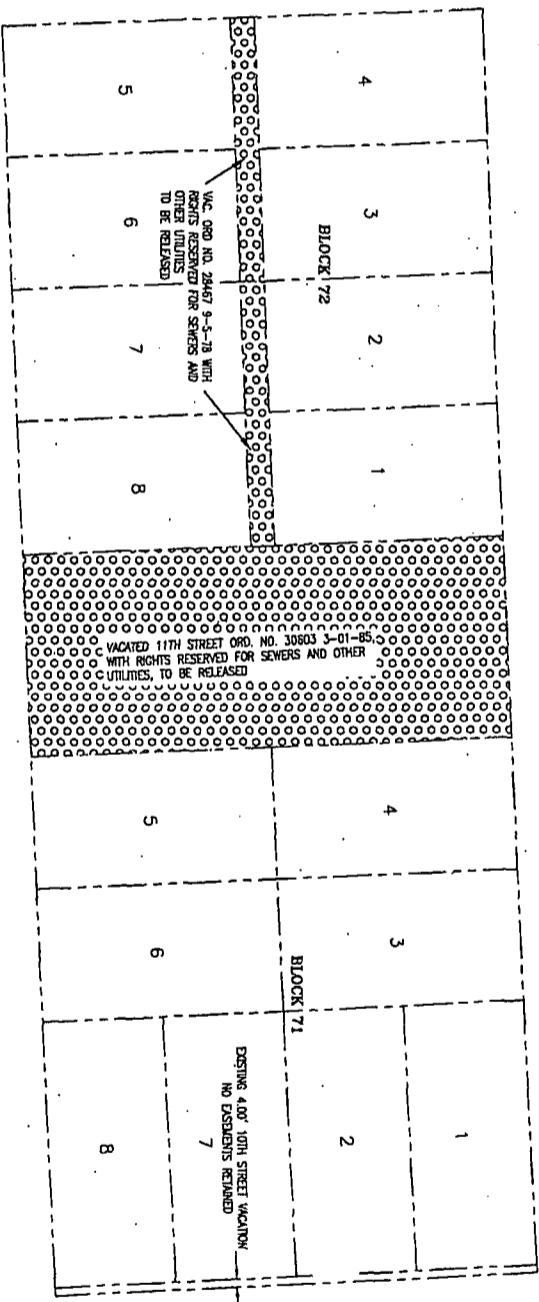
12TH STREET  
100' Public Right of Way



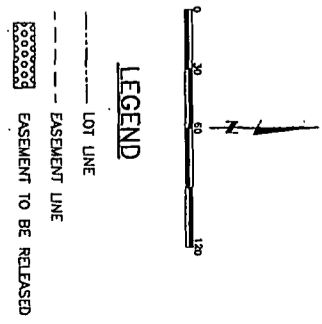
11TH STREET  
100' Public Right of Way



DAVENPORT STREET  
100' Existing Public Right of Way



10TH STREET  
Public Right of Way Width Varies



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drawn by: EAM  
 designed by: TLW  
 reviewed by: TLW  
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 book and page:  
 revisions:

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MINOR PLAT EXHIBIT - THE CAPITOL DISTRICT  
 EASEMENTS TO BE RELEASED