

APR 10/15/76

CITY OF OMAHA



EDWARD ZORINSKY Mayor
OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET
OMAHA NEBRASKA 68102
402/444-7000

October 19, 1976

Honorable President

and Members of the City Council,

Transmitted herewith is an Ordinance for the proposed vacation of the following:

North-South Alley between 11th Street and 12th Street from Briggs Street North to East-West Alley, also the South East-West Alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street, located in Northeast Quarter (1/4), Section 27-15-13.

The approval of the City Planning Board at its meeting held April 21, 1976, is attached. A petition was not required since Section 14-375 Reissue, Revised Statutes of Nebraska, provides, "Upon the recommendation of the City Planning Board, the City Council may, by Ordinance or Resolution, vacate any street or alley within any such City without any petition being filed therefore", also "Before any such street or alley shall be vacated, the Council shall appoint a Committee of at least three members thereof who shall faithfully and impartially and after reasonable notice to the owners and parties interested in the property affected by such vacation, assess damages, if any, to such owners and parties affected."

On September 28, 1976, the Committee of Appraisers held a meeting at 1:30 P.M., in the Council Chamber of the City of Omaha and found no cause for any damages as a result of the vacation.

The form of the attached documents have been approved by the City Law Department.

The Housing and Community Development Department wish to vacate the above described alleys and being a non-taxable body, cannot submit a petition to vacate subject alleys, therefore, this request was initiated by the Planning Board.

Honorable President
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The Administrative Fee Committee has recommended that the Administrative Fee be waived.

The Public Works Department recommends approval of this proposed Ordinance.

Respectfully submitted,



Ferrance E. Pesek
Public Works Director

E2/1:536/15

AN ORDINANCE vacating North-South Alley between 11th Street and 12th Street from Briggs Street North to East-West Alley, also the South East-West Alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street, located in the Northeast Quarter ($\frac{1}{4}$), Section 27-15-13, and providing the effective date hereof.

WHEREAS, under Section 14-375, Reissue, Revised Statutes of Nebraska, 1943, provides that the City Council may vacate a street or alley without petition upon City Planning Board recommendation; and,

WHEREAS, the Statute further provides that a Committee of Appraisers be appointed to appraise damages, if any, to property affected by the vacation; and,

WHEREAS, Resolution No. 3496 adopted July 17, 1973, appointed Jerry Hassett, Monte Taylor and John Hlavacek, members of the City Council, to assess damages to all property affected by the vacation; and

WHEREAS, on September 28, 1976, the Committee of Appraisers held a meeting at 1:30 P.M., in the Council Chamber of the City of Omaha; and,

WHEREAS, the Committee of Appraisers found no cause for any damages as a result of the vacation; and,

WHEREAS, the City Council finds there are no damages as a result of this vacation.

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

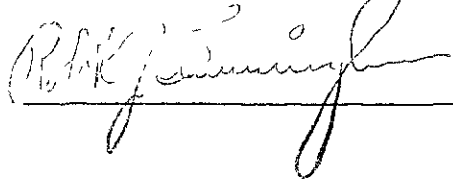
Section 1. That the North-South Alley between 11th Street and 12th Street from Briggs Street North to East-West Alley, also the South East-West Alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street, located in the Northeast Quarter ($\frac{1}{4}$), Section 27-15-13

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 limitation that there is reserved to the City of Omaha

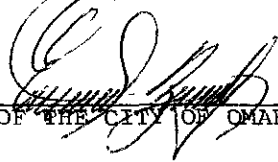
the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers, also the right to authorize the Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain, repair or renew and operate now existing or hereafter installed water mains, pole 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 connection 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.

Section 2. That this Ordinance shall take effect and be in force fifteen (15) days from and after the date of its passage.

INTRODUCED BY COUNCILMAN:



APPROVED BY:

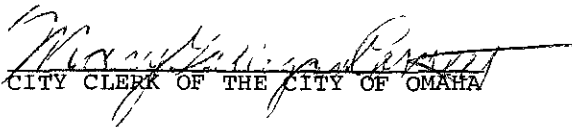


MAYOR OF THE CITY OF OMAHA DATE 11/4/76

NOV 2 1976

PASSED _____

ATTEST:

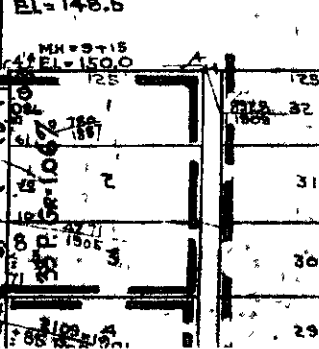
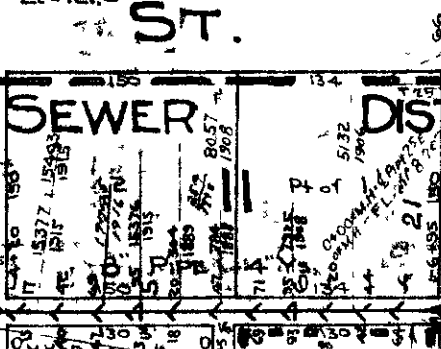
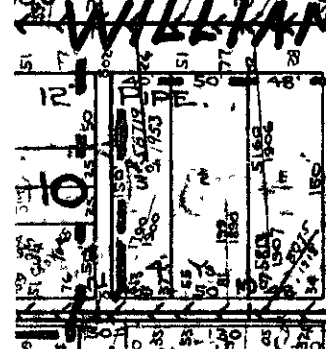
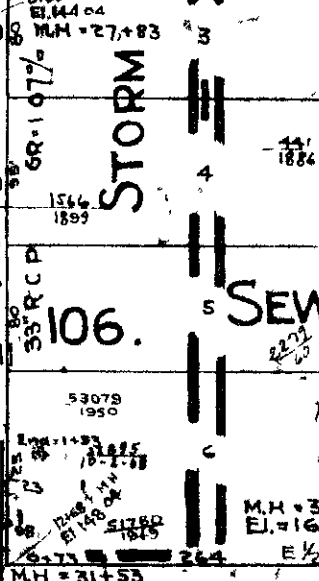
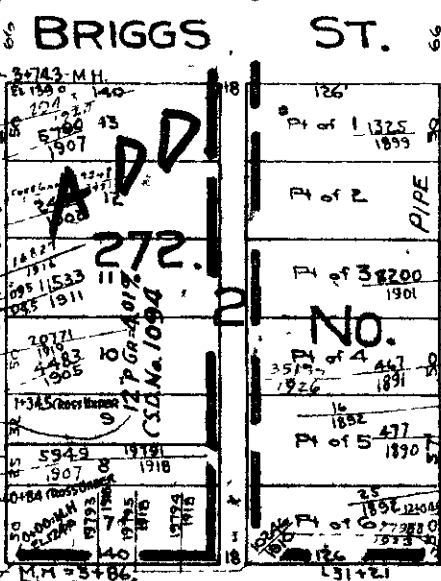
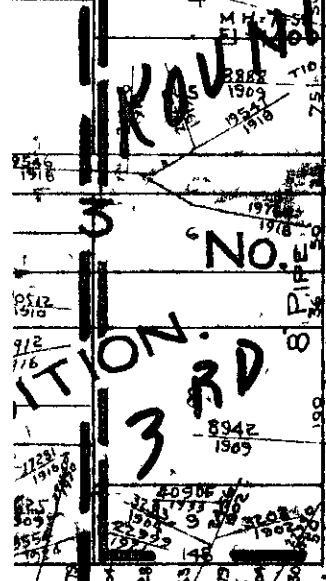
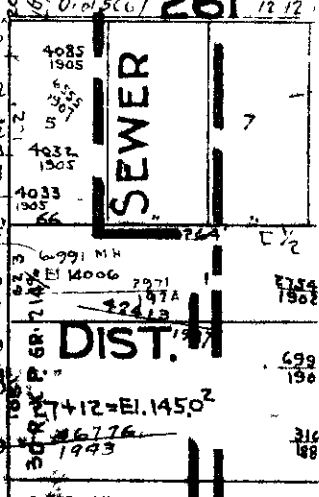
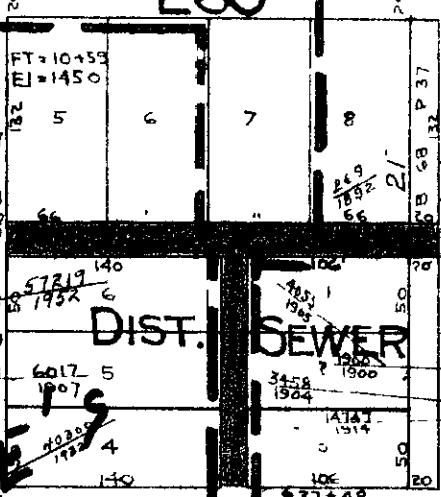
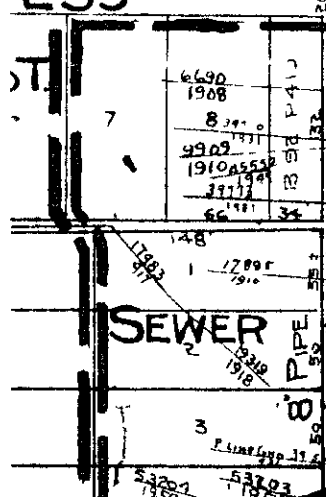
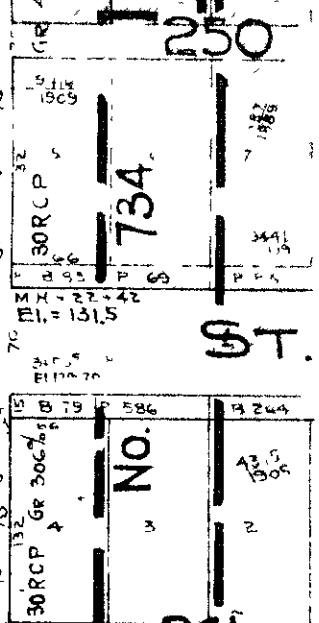
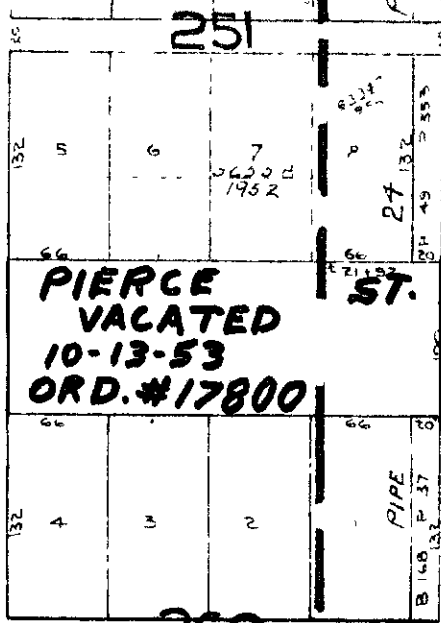
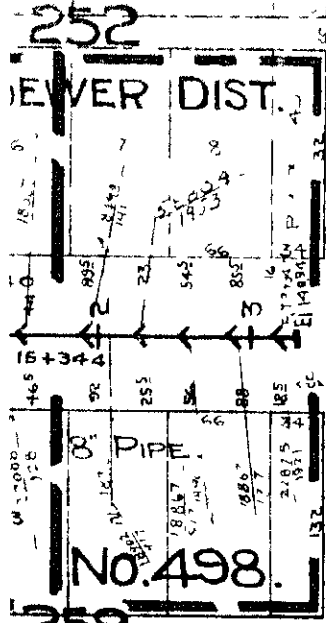


CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:



CITY ATTORNEY



REQUEST TO VACATE

NORTH-SOUTH ALLEY BETWEEN 11TH STREET AND 12TH STREET FROM BRIGGS STREET NORTH TO EAST-WEST ALLEY; ALSO THE SOUTH EAST-WEST ALLEY BETWEEN VACATED PIERCE STREET AND BRIGGS STREET FROM 11TH STREET TO 12TH STREET

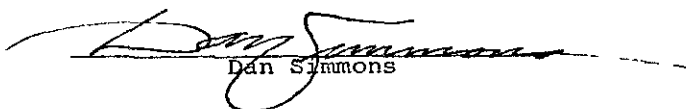
KOUNTZE'S 3RD ADDITION

LOT	BLOCK	OWNER AND INTERESTED PARTIES
Pt 11th St. on E & Lot 1	1	Danylo Ohorodnyk & Anastazyja Ohorodnyk & Iwan Kostiw, J.T. 1226 South 11th Street Omaha, Douglas County, Nebraska 68108
Pt 11th St. on E & N $\frac{1}{2}$ Lot 2	1	Pawlo Waszczyszyn & Sofia Waszczyszyn, J.T. 1228 South 11th Street Omaha, Douglas County, Nebraska 68108
S $\frac{1}{2}$ Lot 2 & 20' Strip Adj. on E	1	Sam Molletta & Carmella Molletta, J.T. 1230 South 11th Street Omaha, Douglas County, Nebraska 68108
Vac. W 20' 11th St. & Lot 3	1	Thomas F. Lamb & Bert N. Brutsche & Shirley E. Brutsche 2744 Redick Avenue Omaha, Douglas County, Nebraska 68112 L.C.: Edward W. Kruse & Lois A. Kruse, J.T. 1301 $\frac{1}{2}$ South 10th Street Omaha, Douglas County, Nebraska 68108
E $\frac{1}{2}$ Lot 4	1	Mario Lozito & Mary D. Lozito, J.T. 1114 Briggs Street Omaha, Douglas County, Nebraska 68108
Lots 5 & 6	1	The Creighton University 2500 California Street Omaha, Douglas County, Nebraska 68131

OMAHA CITY

Lots 5, 6, 7, 8 & Vac. Pt. 11th St. Adj. Lot 8 on E	260	The Creighton University 2500 California Street Omaha, Douglas County, Nebraska 68131
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I HEREBY CERTIFY that the above described real property is owned by the parties whose names are set opposite each description, according to the Records of the Register of Deeds this 19th day of April, 1976.


Dan Simmons

OMAHA CITY COUNCIL

OMAHA/DOUGLAS CIVIC CENTER

OMAHA NEBRASKA 68102

ROBERT G. CUNNINGHAM
PRESIDENT
JOHN P. MILLER
VICE PRESIDENT
BETTY L. ABBOTT
JERRY HASSETT
JOHN HLAVACEK
STEVE ROSENBLATT
MONTE TAYLOR

October 4, 1976

WHEREAS, the City Planning Board, at its meeting of April 21, 1976, recommended to the City Council that the following parcel of right of way be vacated, to-wit.

North-South alley between 11th Street & 12th Street from Briggs Street North to East-West alley; also the South East-West alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street.

WHEREAS, Section 14-375, Reissue, Revised Statutes of Nebraska, 1943, provides that "upon the recommendation of the City Planning Board, the City Council may, by ordinance or resolution, vacate any street or alley within any such city without any petition being filed therefore." It further provides that "Before any such street or alley shall be vacated, the Council shall appoint a committee of at least three members thereof who shall faithfully and impartially and after reasonable notice to the owners and parties interested in the property affected by the vacation, assess the damages, if any, to such owners and parties affected," and,

WHEREAS, on July 17, 1973, the City Council of the City of Omaha appointed Jerry Hassett, Monte Taylor and John Hlavacek, members of the City Council of the City of Omaha as a committee to assess damages, if any, to such owners and parties affected by the vacation of above said right of way, and,

WHEREAS, notice was given that a hearing was to be held on the 28th day of September, 1976 at 1.30 pm in the Council Conference Room of the Omaha/Douglas Civic Center, 1819 Farnam Street, to assess damages, if any, and such hearing was held.

NOW, THEREFORE, this Committee reports to the City Council that it assesses no damages in favor of the owners or parties affected.


Jerry Hassett


John Hlavacek


Monte Taylor

ORDINANCE NO. 27854

ORDINANCE vacating N/S alley between 11th St. & 12th St. from Briggs St. North to E/W alley, also the South E/W alley between vacated Pierce St. and Briggs St. from 11th St. to 12th St.

20 ✓

am. by Act. 10

PUBLICATIONS

PUB'N. OF HEARING

Date 10-29-76

PRESENTED TO COUNCIL

1st Reading OCT 19 1976

No action 10-26-76

Hearing OCT 26 1976

Over to 11-2-76

Final Reading NOV 2 1976 **Passed**

Mary Calligan Coates

CITY CLERK

PUB'N. OF ORDINANCE

Date 11-15-76

NOTICE TO PUBLIC

ORDINANCE NO. 2884

AN ORDINANCE vacating North-South Alley between 11th Street and 12th Street from Briggs Street North to East West Alley, also the South East-West Alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street, located in the Northeast Quarter (¼), Section 27-15-13, and providing the effective date hereof

WHEREAS, under Section 14-375, Reissue, Revised Statutes of Nebraska, 1943, provides that the City Council may vacate a street or alley without petition upon City Planning Board recommendation, and

WHEREAS, the Statute further provides that a Committee of Appraisers be appointed to appraise damages, if any, to property affected by the vacation, and

WHEREAS, Resolution No. 3498 adopted July 17, 1973, appointed Jerry Hassett, Monte Taylor and John Hassett, members of the City Council, to assess damages to all property affected by the vacation, and

WHEREAS, on September 28, 1976, the Committee of Appraisers held a meeting at 1:30 P.M., in the Council Chamber of the City of Omaha, and

WHEREAS, the Committee of Appraisers found no cause for any damages as a result of the vacation, and

WHEREAS, the City Council finds there are no damages as a result of this vacation

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

Section 1 That the North-South Alley between 11th Street and 12th Street from Briggs Street North to East-West Alley, also the South East-West Alley between vacated Pierce Street and Briggs Street from 11th Street to 12th Street, located in the Northeast Quarter (¼), Section 27-15-13 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 limitation 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 lines, conduits and other similar service equipment above, on and below the surface of the ground for the use of the City of Omaha, and the

NOTICE TO PUBLIC

The following ordinances have been set for City Council Hearing October 24, 1976 at 2:00 o'clock P.M.

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Law orders suit of weather aims

WASHINGTON (UPI) - President Ford has signed into law a bill which directs

Contracting Co. Inc., add to the following address: 6714 Dodge St. (Peterson) \$2,000
Dodge St. Baptist Church, St. 700.
Midwestern Baptist Church, 6714 Dodge St. (Peterson) \$2,000
Contracting Co. Inc., add to the following address: 6714 Dodge St. (Peterson) \$2,000