

ORDINANCE NO. 27490

AN ORDINANCE vacating that part of 11th Street between Chicago Street and Cass Street, more particularly described as follows: Commencing at the northwest corner of Lot 4, Block 62, Original City of Omaha, thence north 00°12'08" west along the extension of the west line of said Lot 4, a distance of 11.67 feet to a point 10 feet measured at right angles southeasterly from center line of railroad spur track which is also point of beginning; thence north 40°37'11" West on the line 10 feet southwesterly from and parallel to the center line of said spur track, a distance of 162± feet to a point on the east line of Lot 8, Block 38, Original City of Omaha; thence north along east line of said Lot 8 and Lot 1, Block 38, a distance of 218± feet to a point 10 feet southwesterly from another railroad spur track measured radially; thence southeasterly on a line 10 feet southwest from and concentric to the center line of said spur track on a curve to the left a distance of 156± feet to a point on the west line of Lot 5, Block 37, Original City of Omaha, thence south along the west line of said Lot 5, and the extension of said Lot 5, for a distance of 213± feet to point of beginning located in southeast quarter (¼) Section 15-15-13 and northeast quarter (¼) Section 22-15-13, 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 July 1, 1975, the Committee of Appraisers held a meeting at 1:00 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 part of 11th Street between Chicago Street and Cass Street more particularly described as follows: Commencing the northwest corner of Lot 4, Block 62, Original City of Omaha, thence north $00^{\circ}12'08''$ west along the extension of the west line of said Lot 4, a distance of 11.67 feet to a point 10 feet measured at right angles southeasterly from center line of railroad spur track which is also point of beginning; thence north $40^{\circ}37'11''$ West on the line 10 feet southwesterly from and parallel to the center line of said spur track, a distance of 162± feet to a point on the east line of Lot 8, Block 38, Original City of Omaha; thence north along east line of said Lot 8 and Lot 1, Block 38, a distance of 218± feet to a point 10 feet southwesterly from another railroad spur track measured radially; thence southeasterly on a line 10 feet southwest from and concentric to the center line of said spur track on a curve to the left a distance of 156± feet to a point on the west

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line of Lot 5, Block 37, Original City of Omaha, thence south along the west line of said Lot 5 and the extension of said Lot 5, for a distance of 213± feet to point of beginning located in southeast quarter (¼) Section 15-15-13, and northeast quarter (¼) Section 22-15-13 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

Robert J. Cunningham

APPROVED BY:

ACTING

Robert J. Cunningham

MAYOR OF THE CITY OF OMAHA

7-24-75
DATE

PASSED APRIL 22 1975

ATTEST:

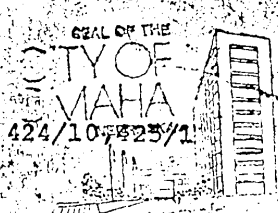
Mary Ellen Barrett

CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

Robert J. Palmer

CITY ATTORNEY



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.

Mary Ellen Barrett

BY DEPUTY CITY CLERK

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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA 9.75
103 AT 2.38 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS
7 DAY OF July