

BOOK 617 PAGE 585

5

ORDINANCE NO. 28783

AN ORDINANCE vacating 135th Street from Cryer Avenue South to Northerly Line of Lot 53, Montclair of Westwood located in Southeast Quarter (¼), Section 25-15-11 in the City of Omaha and providing the effective date hereof.

WHEREAS, petition representing owners of more than 75 percent of the property abutting on 135th Street from Cryer Avenue South to Northerly Line of Lot 53, Montclair of Westwood located in Southeast Quarter (¼), Section 25-15-11 has been filed with the City of Omaha; and,

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation.

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

Section 1. That 135th Street from Cryer Avenue South to the Northerly Line of Lot 53, Montclair of Westwood is abutted by Lots 107 and 249, Montclair of Westwood and Lots 1 and 2, Block 1, Sherwood Plaza Commercial located in Southeast Quarter (¼), Section 25-15-11

in the City of Omaha, 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 limitations 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 line, 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 City and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes, and crops, and all structures upon the premises, including but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

Ordinance No. 28783
Page 2

BOOK 617 PAGE 586

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

INTRODUCED BY COUNCILMAN

Jim Bois

APPROVED BY:

he Vayr 7/6/79
MAYOR OF THE CITY OF OMAHA DATE

PASSED JUL 3 1979 5-0

ATTEST:

Mary Gulligan Carney
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

Bob Johnson
CITY ATTORNEY

E/8:7C5:47

CITY OF OMAHA
NEBRASKA

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 Gulligan Carney
BY CITY CLERK

Book 617
Page 585
of three
Fee 2.25
Index ✓
Comped 78-449
II 75-193, etc
75-167
73-411
25-15-11

RECEIVED
1979 JUL 19 AM 9:47
E. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

31 pages