

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.

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BY Mary Ellen [Signature]  
CITY ORDINANCE NO. 33976

AN ORDINANCE partially amending Ordinance No. 17652 adopted June 9, 1953, in order to release reserved easement rights over vacated North and South alley between 43rd and 44th Streets from Frances Street North to a point 200 feet South of the South line of Center Street, and providing the effective date hereof.

WHEREAS, Ordinance No. 17652 adopted June 9, 1953, vacated all of the North and South alley between 43rd Street and 44th Street from Frances Street to Center Street abutting Lots 1 through 20, inclusive, in Block 20, in Ambler Place in the City of Omaha, Nebraska, and

WHEREAS, said Ordinance also reserved to the City of Omaha sewer easements over said vacated alley and also reserved to the City of Omaha the right to authorize utility companies to construct utility installations on, above or beneath said vacated alley, and

WHEREAS, said reserved easement rights and the reserved right to authorize construction of utility installations over that part of the said vacated alley from Frances Street to a point 200 feet South of the South line of Center Street abutting Lots 5 through 16, Block 20, in Ambler Place are not necessary to serve the general public, and said utility companies have heretofore released any rights to construct utility installations within the above described part of said vacated alley.

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

Section 1. That said Ordinance No. 17652 is hereby partially amended to cancel and forever release all reserved easements over the following described part of said vacated alley in favor of the City of Omaha, and also to cancel and release the reserved right of the City of Omaha to authorize Metropolitan Utilities District and any other public utility to construct, maintain, repair and renew and operate utility installations within the following described part of said vacated alley, as set forth in said Ordinance No. 17652, to-wit:

That part of said vacated alley from Frances Street to a point 200 feet South of the South line of Center Street abutting Lots 5 through 16, Block 20, in Ambler Place.

Section 2. That this Ordinance shall take effect and be in force after fifteen days from and after its passage.

INTRODUCED BY COUNCILMAN

[Signature]

APPROVED BY:

[Signature]

Mayor of the City of Omaha Date 9/2/66

PASSED

SEP 6 1966

APPROVED AS TO FORM:

ATTEST

[Signature]  
City Clerk of the City of Omaha

[Signature]  
City Attorney

[Signature]





28976

LET ALL MEN BY THESE PRESENTS, that Northwestern Bell Telephone Company, an Iowa corporation, hereby releases and forever disclaims any easement rights which it may have by virtue of franchise or otherwise to construct, maintain, repair and operate communications facilities in, under, upon and over the following described areas in Ambler Place in the City of Omaha, Douglas County, Nebraska:

all of that portion of the North and South alley between 42nd Street and 43rd Street from Frances Street North to a line parallel to and 400 feet South of the South Line of Center Street which was vacated pursuant to Ordinance No. 23348, recorded in Miscellaneous Book 397 at Page 99 in the Office of the Register of Deeds of Douglas County, Nebraska;

all of that portion of 43rd Street from Frances Street North to a line parallel to and 200 feet South of the South Line of Center Street which was a part of the street vacated pursuant to Ordinance No. 23339, recorded in Miscellaneous Book 417 at Page 129 in said Register of Deeds office; and

all of that portion of the North and South alley between 43rd Street and 44th Street from Frances Street North to a line parallel to and 200 feet South of the South Line of Center Street which was a part of the alley vacated pursuant to Ordinance No. 19052, recorded in Miscellaneous Book 279 at Page 74 in said Register of Deeds office.

IN WITNESS WHEREOF, Northwestern Bell Telephone Company has caused this instrument to be properly executed in its behalf on this 20th day of January, 1960, by its duly authorized officers.

NORTHWESTERN BELL TELEPHONE COMPANY

By /s/ J. E. Olson  
Vice President and General Manager

Attest: /s/ J. M. Hornish  
Assistant Secretary

COUNTY OF NEBRASKA )  
COUNTY OF DOUGLAS )

On this 20th day of January, 1960, before me, a Notary Public duly commissioned and qualified in and for said County, personally here the above named J. E. Olson and J. M. Hornish who are personally known to me to be the identical persons whose names are affixed to the above instrument as Vice President and General Manager and Assistant Secretary of the Northwestern Bell Telephone Company (a corporation), and they acknowledged the instrument to be their voluntary act and deed and the voluntary act and deed of said corporation.

WITNES my hand and official seal at Omaha, Nebraska, in said County on this day aforesaid.

/s/ Ella Stagnire  
Notary Public

TO CORRECTED COPY FEBRUARY 6, 1960.