

ORDINANCE NO. 1112.

AN ORDINANCE vacating certain portions of certain streets within the City of South Omaha, and requiring and directing the Mayor to make, execute and deliver for and on behalf of said city a deed or deeds to the owners respectively of the property abutting upon said vacated streets.

WHEREAS, on the 29<sup>th</sup> day of December, A.D., 1902 The Omaha and North Platte Railroad Company, and the South Omaha Land Company, corporations respectively organized and existing under the laws of the State of Nebraska, and respectively owners of the lands abutting thirty-sixth (36th) street between the north line of west "L" and the north line of "I" Streets, and those portions of west "I", west "J" and west "K" Streets, lying between thirty-sixth (36th) street and a point thirty (30) feet west of the west line of Boyd Street, South Omaha, filed their joint petition with the City Clerk of South Omaha, therein praying the vacation of said parts of said streets; and,

WHEREAS, the Mayor of said City did, pursuant to the provisions of Section 20 of an act entitled, "An Act to incorporate cities of the first class, having less than forty thousand and more than twenty-five thousand inhabitants and regulating their duties, powers and government", appoint three disinterested freeholders of said City to determine the valuation of the said parts of said streets so hereby vacated; which said appointment was duly confirmed by a majority vote of all the members elected to the City Council, in a regular session convened; and,

WHEREAS, the appraisers so by the Mayor appointed and by the City Council confirmed, after being duly sworn to perform the duties of the appointment with fidelity and impartiality, did value the said portions of said streets hereby vacated in the manner directed by law in that behalf, and did find and value the

property so hereby vacated, and herein directed to be conveyed, to be of the sum of \$1043.00; and,

WHEREAS, the report of the said freeholders has been filed with the City Council and the same has been in all things confirmed by the Mayor and Council; and,

WHEREAS, The Omaha and North Platte Railroad Company and the South Omaha Land Company, owners respectively of the lots abutting the portions of the streets hereby vacated, have paid to the City Treasurer of said City the sum of \$1,043.00 as the found value of the same, and have deposited with the City Treasurer their several deeds of conveyance covering the thirty foot strip of ground off the east side of blocks 332 and 351, and a triangular strip of block 312 lying east of the east boundary line of the Omaha and North Platte Railroad Company's right of way; and,

WHEREAS, The Omaha and North Platte Railroad Company and the South Omaha Land Company being by reason of the premises entitled to a deed of conveyance of the property so hereby vacated, have agreed between themselves as to the apportionment of the same.

THEREFORE, BE IT ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH OMAHA:

Section 1. That that portion of Thirty-sixth (36th) Street, South Omaha, which lies between the north line of West "L" Street and the north line of west "I" Street, and those portions of west "I" Street, west "J" Street, and west "K" Street, which lie between Thirty-sixth (36th) Street and a point thirty (30) feet west of the west line of Boyd Street, South Omaha, be, and the same hereby are forever vacated.

Section 2. That the Mayor is hereby and herein empowered, authorized and directed to make, execute and deliver, for and on behalf of the City of South Omaha a deed of conveyance, in the usual form with the usual covenants, and thereby convey to The Omaha and North Platte Railroad Company the portions of said vacated streets described as follows:

Beginning at the point of intersection of the north line of west "L" street with the west line of 36th street, South Omaha; thence east 66 feet to east line of 36th street; thence north in east line 36th street to south line of west "K" street; thence east in south line west "K" street to point 30 feet west of west line of Boyd street; thence north to center of west "K" street; thence west in center line west "K" street to point 10 feet east of east line 36th street; thence northwesterly to south-west corner of block 351; thence continuing northwesterly to point in center line 36th street 100 feet north of north line west "K" street; thence north in center line 36th street to point 216 feet measured at right angles from center line of O. & N. P. R. R.; thence northeasterly parallel with said center line of railroad to east line 36th street; thence north in east line 36th street to northwest corner of block 332, South Omaha; thence east in south line west "I" street to point 30 feet west of west line of Boyd street; thence north parallel with and 30 feet distant from west line Boyd street to southeasterly right of way line of O & N. P. R. R.; thence southwesterly in said southeasterly right of way line to west line of 36th street; thence south in west line 36th street to place of beginning.

Section 3. That the Mayor is hereby and herein empowered, authorized and directed to make, execute and deliver, for and

on behalf of the City of South Omaha, a deed of conveyance, in the usual form and with the usual covenants, and thereby convey to the South Omaha Land Company the residue of said portion of said vacated streets described as follows:

Beginning at the south-west corner of block 351; South Omaha; thence east in north line west "K" street to point 30 feet west of west line of Boyd street; thence south, parallel with and 30 feet distant from west line of Boyd street to center of west "K" street; thence west in center line of west "K" street to point 10 feet east of east line of 36th street; thence northwesterly to place of beginning; Also beginning at southwest corner of block 351, as before; thence north in east line 36th street to south line west "J" street; thence east in south line west "J" street to point 30 feet west of west line of Boyd street; thence north parallel with and 30 feet distant from west line of Boyd street, to north line of west "J" street; thence west to east line 36th street; thence north in east line 36th street to point 216 feet measured at right angles from center line of O. & N. P. R. R.; thence southwesterly parallel with center line of railroad to center of 36th street; thence south in center line 36th street to point 100 feet north of north line west "K" street; thence southeasterly to place of beginning.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval.

Approved Feb 10<sup>th</sup> 1903  
 Frank Southey  
 Mayor.

Passed Feb 9<sup>th</sup> 1903

S. C. Shrigley

City Clerk

Introduced by  
 Councilman  
 Wm Braderick