

AN ORDINANCE vacating 11th Street from Capitol Avenue to Davenport Street 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 11th Street from Capitol Avenue to Davenport Street 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 11th Street from Capitol Avenue to Davenport Street abutted by Lots 4 and 5, Block 71, Lots 1 and 8 and vacated alley adjacent, Block 72, Omaha City located in the Northeast Quarter Section of 22-15-13,

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.

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 COUNCIL MEMBER

Benjie Simon

APPROVED BY:

Michael Boyle 3/1/85
MAYOR OF THE CITY OF OMAHA DATE

PASSED FEB 26 1985 6-0

ATTEST:

Mary Gully-Cornes
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

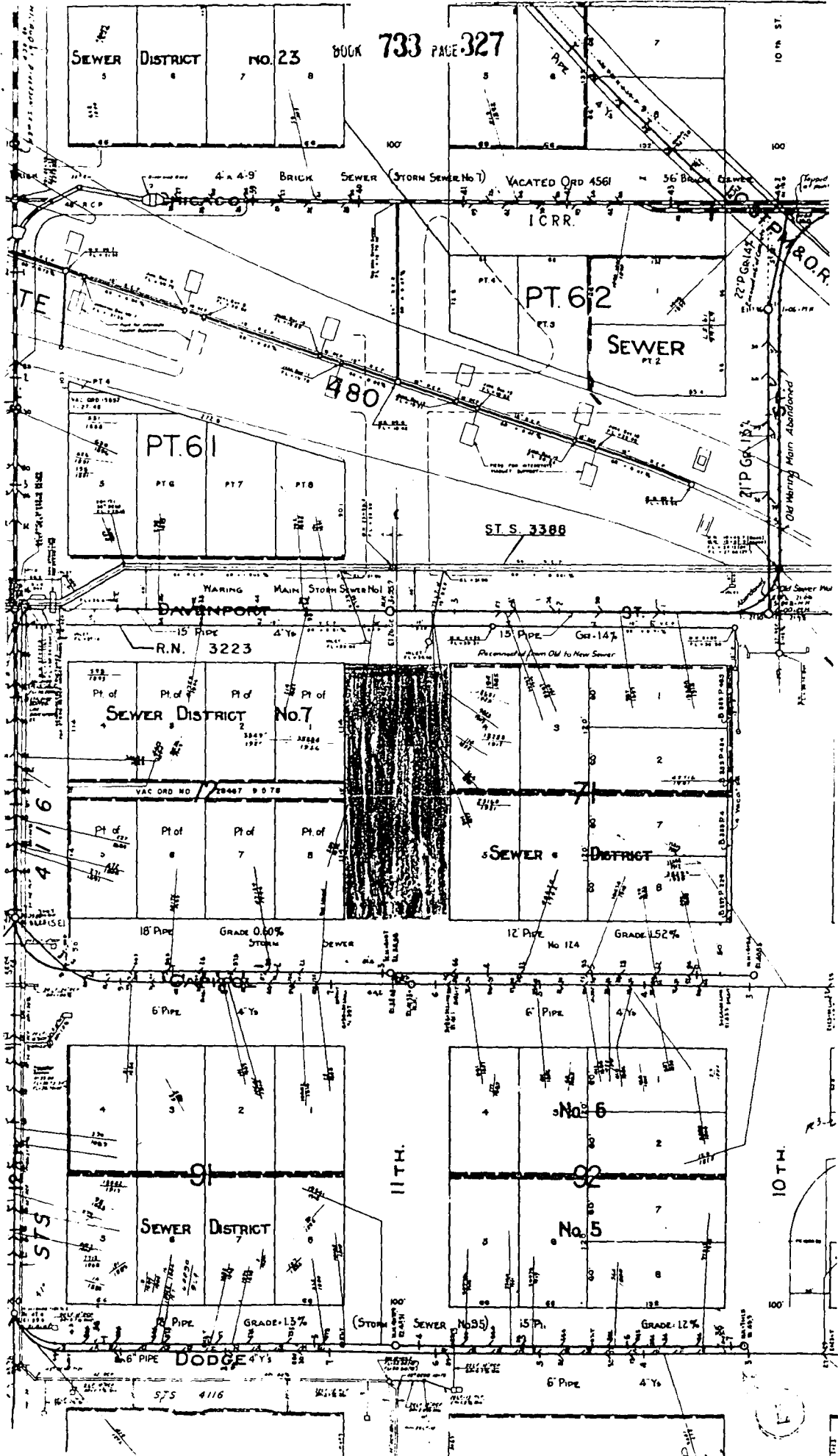
I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.

Mary Gully-Cornes
CITY CLERK
PWE/6:3
BY
C18:2

John Hanna
ASSISTANT CITY ATTORNEY



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