



CITY 2005160711



DEC 21 2005 15:41 P 5

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE

12/21/2005 15:41:42.11



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ORDINANCE NO. 37226

AN ORDINANCE vacating Marbee Circle and Poppleton Circle from the southern right-of-way line

of Pierce Street extended 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 Marbee Circle and Poppleton Circle from the southern right-of-way line of Pierce Street extended 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 Marbee Circle and Poppleton Circle from the southern right-of-way line of Pierce Street extended, abutted by Lots A, B, C, D, E, F and part of G; Pacific Gardens, located in the Northeast Quarter Section 26-15-12

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, and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate now or hereafter installed water mains and gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances 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 or such other utility and to enter upon the premises to accomplish the above purposes at any and all times. That no buildings, improvements, or other structures, shall be placed in, on, over, or across said vacated right-of-way without express written approval of the City. 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. 3226
PAGE 2

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 COUNCILMEMBER

Dennis G. Weber

APPROVED BY:

Mike Jahoy 12/8/05
MAYOR OF THE CITY OF OMAHA DATE

PASSED DEC - 6 2005 7-0

ATTEST:

Ernesta Brown 12/8/05
CITY CLERK OF THE CITY OF OMAHA DATE

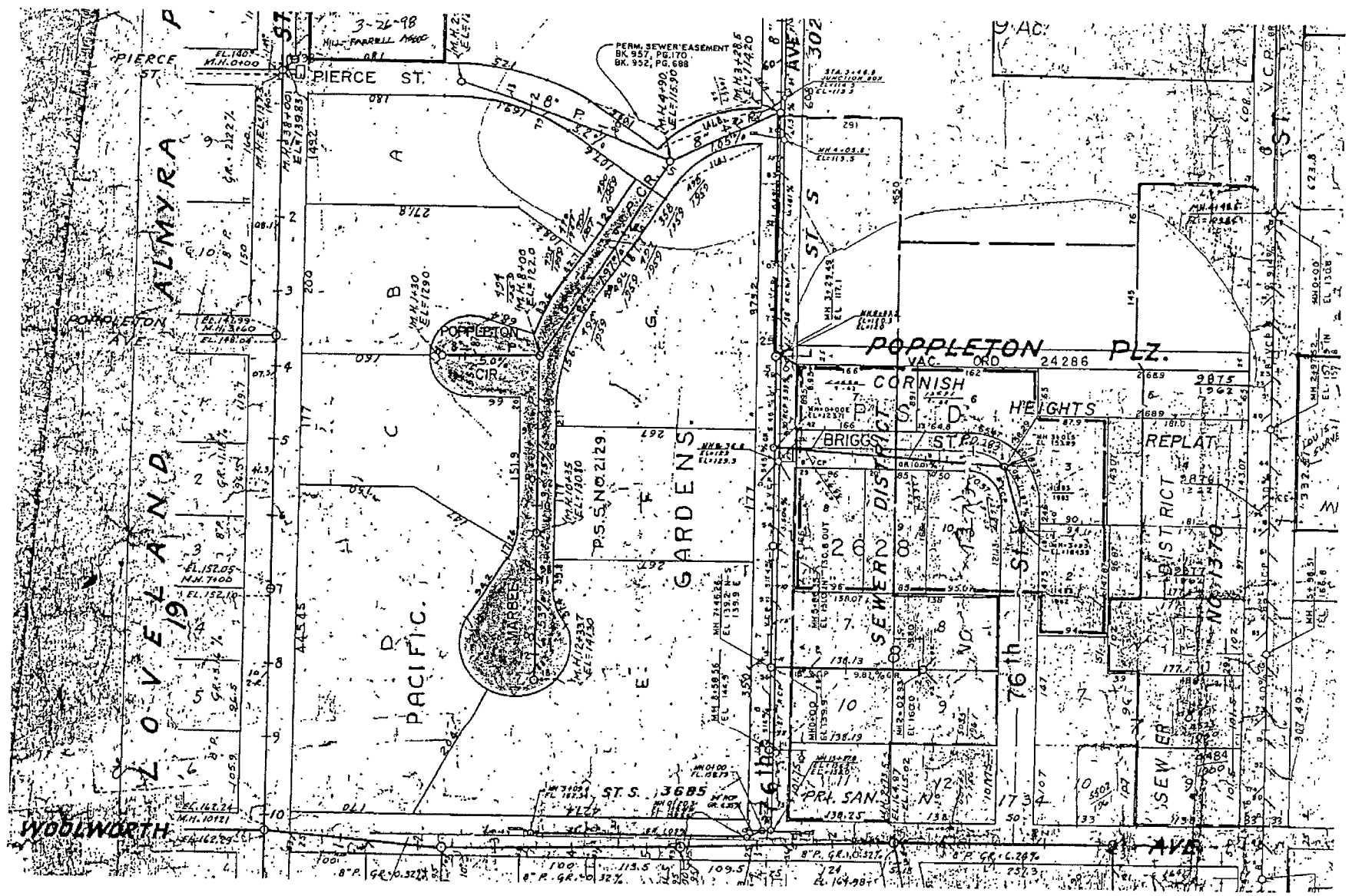
APPROVED AS TO FORM:

[Signature] 10-27-05
CITY ATTORNEY DATE

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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.

[Signature]
Ernesta Brown, City Clerk, City of Omaha



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LOVELAND

PIERCE ST.

3-26-98

MILL FAARILL 1900

PIERCE ST.

POPPLETON PLZ.

CORNISH ST.

BRIGGS ST.

SEWERN DISTRICT

76th St

Woolworth St

WOOLWORTH

ST. S. 13685

SEWERN DISTRICT

76th St

Woolworth St

PERM. SEWER EASEMENT

BK 952, PG. 170

BK 952, PG. 688

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PRESENTED TO COUNCIL

1st Reading NOV 15 2005 - hearing
11/29/05 pursuant to City Council
Rule VII H.

Hearing NOV 29 2005 - Over to
12/6/05

Final Reading DEC - 6 2005

Passed 7-0

PUBLICATIONS

PUBLICATION OF HEARING

Date _____

PUBLICATION OF ORDINANCE

Date _____

BUSTER BROWN
City Clerk