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ORDINANCE NO. 32700 *S*

AN ORDINANCE vacating Wirt Street from a point 120+ feet West of 73rd Street to the West line of 75th Street and West 1/2 of 75th Street from Wirt Street to the South line of Bedford Avenue, and providing the effective date hereof.

WHEREAS, under Section 14-375, Reissue, Revised Statutes of Nebraska, 1943, provides that the City Council may vacate a street or alley without petition upon City Planning Board recommendation; and,

WHEREAS, the Statute further provides that a Committee of Appraisers be appointed to appraise damages, if any, to property affected by the vacation; and,

WHEREAS, Resolution No. 1580 adopted June 27, 1989 appointed Steve Exon, Resolution No. 1506 adopted June 25, 1991 appointed Joseph Friend, and Resolution No. 1507 adopted June 25, 1991 appointed Subby Anzaldo, respectively, members of the City Council, to assess damages to all property affected by the vacation; and,

WHEREAS, on April 28, 1992, the Committee of Appraisers held a meeting at 10:15 a.m., in the Council Conference Room; and,

WHEREAS, the Committee of Appraisers found no cause for any damages as a result of the vacation; and,

WHEREAS, the City Council finds there are no damages as a result of this vacation.

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

Section 1. That Wirt Street from a point 120+ feet West of 73rd Street to the West line of 75th Street and West 1/2 of 75th Street from Wirt Street to the South line of Bedford Avenue abutted by Part Lot 2 and Lots 3 through 5, Block 69, and vacated 75th Street adjacent; Lots 6 through 9 and vacated 75th Street adjacent to Block 70; Lots 1 and 10 and vacated Wirt Street adjacent, Block 75; and vacated Wirt Street and 75th Street adjacent, Block 76, Benson, located in the Northeast Quarter Section 11-15-12

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. 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 take effect and be in force fifteen (15) days from and after the date of its passage.

INTRODUCED BY COUNCILMEMBER

Joseph L. Freund

APPROVED BY:

A. Morgan Glicks
MAYOR OF THE CITY OF OMAHA DATE

PASSED JUN - 9 1992 6-0

ATTEST:

[Signature]
CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

[Signature]
ASSISTANT CITY ATTORNEY

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.

0105t
[Signature]
BY CITY CLERK

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BK 1018 ^{14/167} N ^{14A/1} C/O FEE 25.00
 PG 355-358 DEL IN MC 15
 OP MISC COMP F/B 43-02880

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

JUN 26 8 42 AM '92

RECEIVED

clerk