

# MISCELLANEOUS RECORD No. 104

3. ORDINANCE

City of Omaha

to

Whom It May Concern

ORDINANCE NO. 14159

AN ORDINANCE VACATING THE NORTH FORTY-FOUR (44) FEET OF HICKORY STREET, FROM FIRST STREET TO EAST LINE OF CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY IN THE CITY OF OMAHA AS DECLARED NECESSARY BY ORDINANCE NO. 14148.

WHEREAS, a petition representing owners of more than seventy-five per cent of the property abutting upon Hickory Street from 1st Street to East Line of C. B. & Q. R. R. Right of Way has been heretofore 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 the vacating of said North 44 feet of Hickory Street from 1st Street to East Line of C. B. & Q. R. R. Right of Way.

WHEREAS, Three members of the City Council who, after being duly sworn to perform the duties of their appointment with fidelity and impartiality, have assessed the damages to owners of property caused by such vacation and have found that no damages have been occasioned thereby;

WHEREAS, Such assessment has been duly reported to the City Council for confirmation and has been duly approved and confirmed; and

WHEREAS, All other requirements of law relating thereto have been complied with;

THEREFORE,

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

Section 1. That the North 44 feet of Hickory Street, from First Street to the East Line of the Chicago, Burlington and Quincy Railroad Right of Way in the City of Omaha be, and is hereby vacated; the vacating of the property herein described, and the reversion thereof, shall be subject to the condition 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 Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain, repair and renew and operate now existing or hereafter installed water mains, pole lines, 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.

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

INTRODUCED BY:

Harry Trustin

Roy N. Towl  
Mayor and President of City Council.

PASSED: September 12, 1933.

Attest: Emmett Hannon,  
City Clerk.

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.

State of Nebraska, )  
County of Douglas ) ss

Emmett Hannon  
City Clerk.

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County the 15th day of November A. D. 1933, at 3:40 o'clock, P. M.

Thomas J. O'Connor, Register of Deeds

Compared by D&T

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