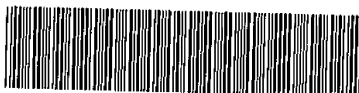




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RICHARD N. TANECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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ORDINANCE NO. 34886

AN ORDINANCE vacating 70th Circle from "L" Street access road north, 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, however, a petition was submitted by the four abutting property owners which waives any claim to damages; 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 70th Circle from "L" Street access road north to "J" Street

be, and hereby is, vacated and that without further act of the City, title to the vacated right-of-way shall pass to the abutting owners as detailed on the attached survey from Mike Kauss and Associates, Inc.; Parcels A, B, C and D thereon passing to the property abutting each, 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.



ORDINANCE NO. 34886
PAGE 2

Section 2. That this Ordinance being administrative in character shall be in full force and take effect upon passage.

INTRODUCED BY COUNCIL MEMBER

Frank Brown

APPROVED BY:

Philip [Signature] 4/29/99
ACTING MAYOR OF THE CITY OF OMAHA

PASSED APR 27 1999 7-0

ATTEST:

Buster Brown
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

[Signature]
ASSISTANT CITY ATTORNEY

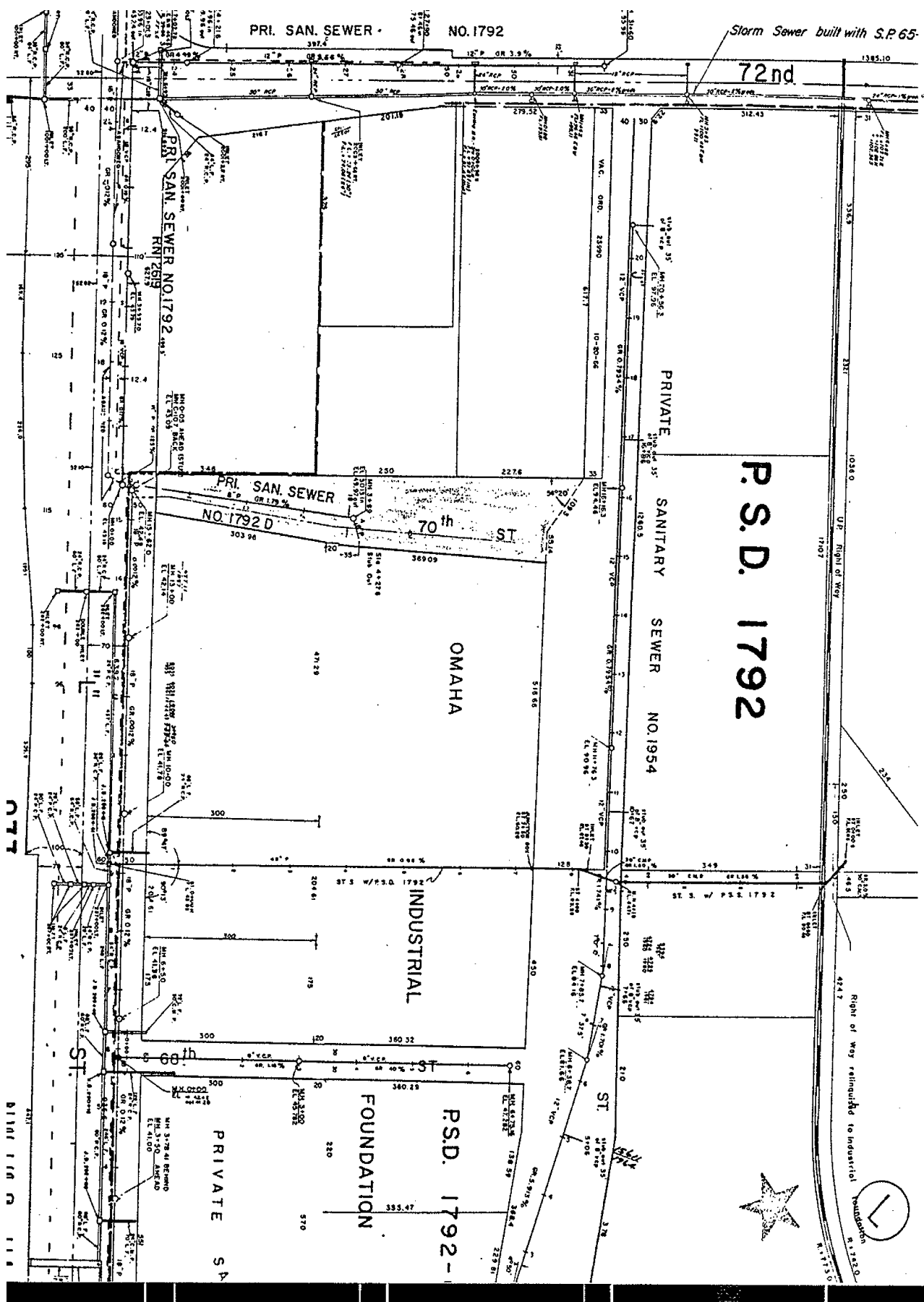
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I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.

Buster Brown
BY _____ CITY CLERK

IMPRINTED SEAL
REGISTER OF DEEDS





984-1028-1096 ✓

ORDINANCE NO. 34886

AN ORDINANCE vacating 70th Circle from "L" Street access road north, and providing the effective date hereof.

✓

PRESENTED TO COUNCIL

1st Reading APR 13 1999 - Hearing
4-20-99

Hearing APR 20 1999 - Curie to
4/22/99

Final Reading APR 27 1999
Passed, 7-0

BUSTER BROWN
CITY CLERK

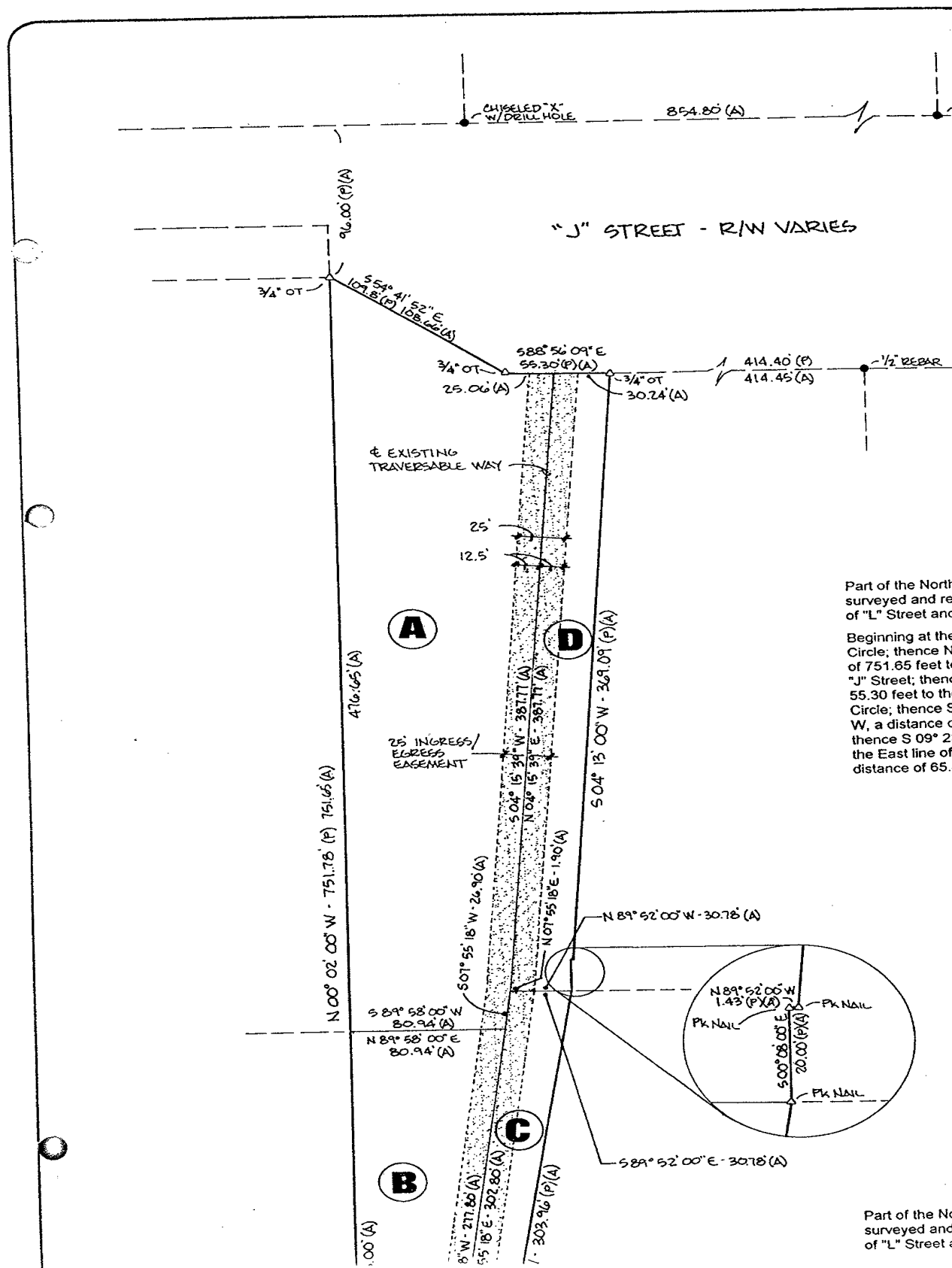
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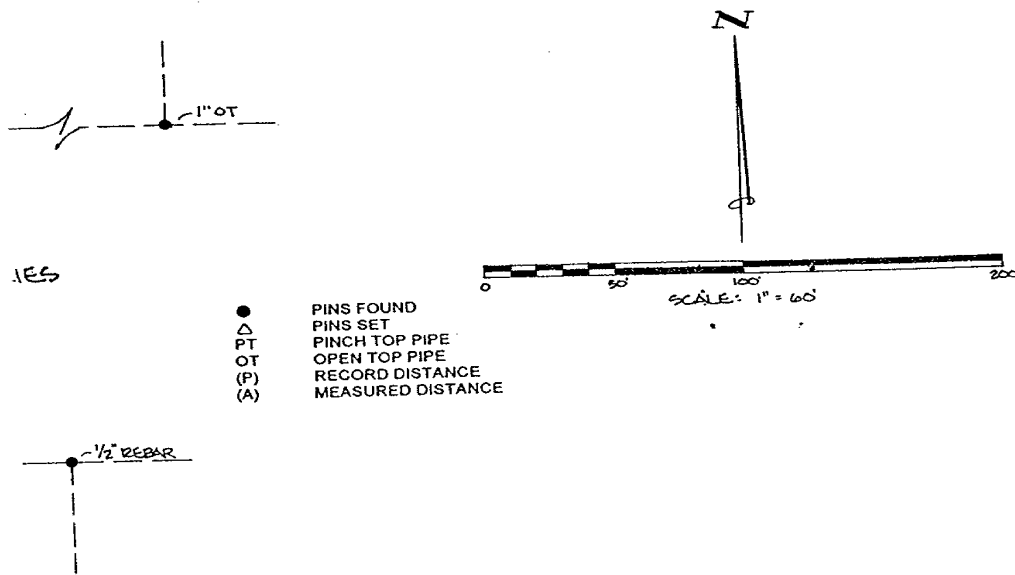
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LEGAL DESCRIPTION "TOTAL TRACT"

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Beginning at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence N 00° 02' 00" W (assumed bearing) along the West line of said 70th Circle, a distance of 751.65 feet to the point of intersection of the West line of said 70th Circle and the South line of said "J" Street; thence S 54° 41' 52" E, a distance of 108.66 feet; thence S 88° 56' 09" E, a distance of 55.30 feet to the point of intersection of the South line of said "J" Street and the East line of said 70th Circle; thence S 04° 13' 00" W, along said East line, a distance of 369.09 feet; thence N 89° 52' 00" W, a distance of 1.43 feet; thence S 00° 08' 00" E, along said East line, a distance of 20.00 feet; thence S 09° 23' 00" W, along said East line, a distance of 303.96 feet to the point of intersection of the East line of said 70th Circle and the North line of said "L" Street; thence N 89° 52' 00" W, a distance of 65.45 feet to the point of beginning, containing 80,230 square feet, more or less.



LEGAL DESCRIPTION "INGRESS / EGRESS EASEMENT"

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows

To the Office of
County Surveyor and Engineer
Douglas County

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision as required by sections 81-8108 to 81-8127 of the Nebraska State Statutes, and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

LEGAL DESCRIPTION "PARCEL A"

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Commencing at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence N 00° 02' 00" W (assumed bearing) along the West line of said 70th Circle, a distance of 275.00 feet to the point of beginning; thence continuing N 00° 02' 00" W, along said West line, a distance of 476.65 feet to the point of intersection of the West line of said 70th Circle and the South line of said "J" Street; thence S 54° 41' 52" E, a distance of 108.66 feet; thence S 88° 56' 09" E, a distance of 25.06 feet to a point on the centerline of an existing traversable way extended North; thence S 04° 15' 39" W, along said centerline, a distance of 387.77 feet to an angle point in said centerline; thence S 07° 55' 18" W, along said centerline, a distance of 26.90 feet; thence S 89° 58' 00" W, a distance of 80.94 feet to the point of beginning, containing 43,390 square feet, more or less.

LEGAL DESCRIPTION "PARCEL B"

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Beginning at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence N 00° 02' 00" W (assumed bearing) along the West line of said 70th Circle, a distance of 275.00 feet; thence N 89° 58' 00" E, a distance of 80.94 feet to a point on the centerline of an existing traversable way; thence S 07° 55' 18" W, along said centerline, a distance of 277.80 feet; thence N 89° 52' 00" W, a distance of 42.49 feet to the point of beginning, containing 16,976 square feet, more or less.

LEGAL DESCRIPTION "PARCEL C"

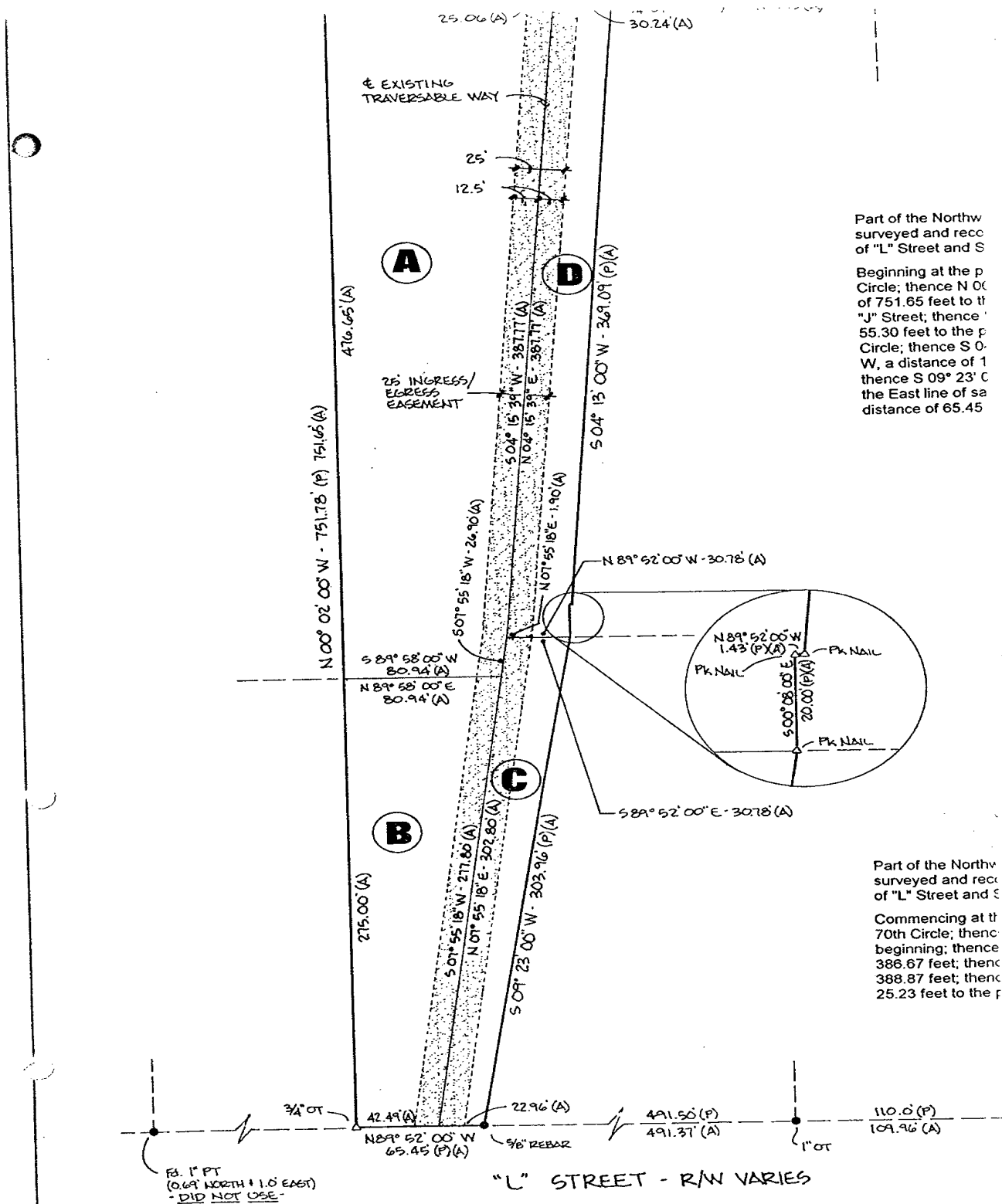
Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Commencing at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence S 89° 52' 00" E (assumed bearing), a distance of 42.49 feet to a point on the centerline of an existing traversable way and the point of beginning; thence N 07° 55' 18" E, along said centerline, a distance of 302.80 feet; thence S 89° 52' 00" E, a distance of 30.78 feet to a point on the East line of said 70th Circle; thence S 09° 23' 00" W, along said East line, a distance of 303.96 feet to the point of intersection of the East line of said 70th Circle and the North line of said "L" Street; thence N 89° 52' 00" W, a distance of 22.96 feet to the point of beginning, containing 8,062 square feet, more or less.

LEGAL DESCRIPTION "PARCEL D"

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Commencing at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence S 89° 52' 00" E (assumed bearing), a distance of 42.49 feet to a point on the centerline of an existing traversable way; thence N 07° 55' 18" E, along said centerline, a distance of 302.80 feet to the point of beginning; thence continuing N 07° 55' 18" E, along said centerline, a distance of 1.90 feet to an angle point in said centerline; thence N 04° 15' 39" E, along said centerline, a distance of 387.77 feet; thence S 88° 56' 09" E, a distance of 30.24 feet to the point of intersection



BOUNDARYLINE SURVEYS
MIKE KAUSS & ASSOCIATES, INC.
2521 South 119th Street * Omaha, Ne. 68144 * (402) 334-2032

TITLE
CITY OF OMAHA - 70th CIRCLE & "L" STREET SW
BOUNDARY LINE SURVEY & LEGAL DESCRIPTIONS

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LEGAL DESCRIPTION "TOTAL TRACT"

The Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as
and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North
Street and South of "J" Street and being more particularly described as follows:

Beginning at the point of intersection of the North line of said "L" Street and the West line of said 70th
Circle; thence N 00° 02' 00" W (assumed bearing) along the West line of said 70th Circle, a distance
35 feet to the point of intersection of the West line of said 70th Circle and the South line of said
Street; thence S 54° 41' 52" E, a distance of 108.66 feet; thence S 88° 56' 09" E, a distance of
100 feet to the point of intersection of the South line of said "J" Street and the East line of said 70th
Circle; thence S 04° 13' 00" W, along said East line, a distance of 369.09 feet; thence N 89° 52' 00"
W, along said East line, a distance of 20.00 feet;
thence S 00° 08' 00" E, along said East line, a distance of 1.43 feet; thence S 09° 23' 00" W, along said East line, a distance of 303.96 feet to the point of intersection of
the East line of said 70th Circle and the North line of said "L" Street; thence N 89° 52' 00" W, a
distance of 65.45 feet to the point of beginning, containing 80,230 square feet, more or less.

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LEGAL DESCRIPTION "INGRESS / EGRESS EASEMENT"

The Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as
and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North
Street and South of "J" Street and being more particularly described as follows:

Beginning at the point of intersection of the North line of said "L" Street and the West line of said
Circle; thence S 89° 52' 00" E (assumed bearing), a distance of 29.88 feet to the point of
beginning; thence N 07° 55' 18" E, a distance of 306.01 feet; thence N 04° 15' 39" E, a distance of
37 feet; thence S 88° 56' 09" E, a distance of 25.04 feet; thence S 04° 15' 39" W, a distance of
37 feet; thence S 07° 55' 18" W, a distance of 303.39 feet; thence N 89° 52' 00" W, a distance of
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STREET SURVEY
DESCRIPTIONS.

PROJECT NO. 3921 SK DATE 10/21/97 BOOK 160 PAGE 35
DRAWN M. J. OEHME CHECKED M. R. KAUFF

Beginning at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence S 00° 02' 00" W, along said West line, a distance of 476.65 feet to the point of intersection of the West line of said 70th Circle and the South line of said "J" Street; thence S 54° 41' 52" E, a distance of 108.66 feet; thence S 88° 56' 09" E, a distance of 25.06 feet to a point on the centerline of an existing traversable way extended North; thence S 04° 15' 39" W, along said centerline, a distance of 387.77 feet to an angle point in said centerline; thence S 07° 55' 18" W, along said centerline, a distance of 26.90 feet; thence S 89° 58' 00" W, a distance of 80.94 feet to the point of beginning, containing 43,390 square feet, more or less.

**LEGAL DESCRIPTION
"PARCEL B"**

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Beginning at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence N 00° 02' 00" W (assumed bearing) along the West line of said 70th Circle, a distance of 275.00 feet; thence N 89° 58' 00" E, a distance of 80.94 feet to a point on the centerline of an existing traversable way; thence S 07° 55' 18" W, along said centerline, a distance of 277.80 feet; thence N 89° 52' 00" W, a distance of 42.49 feet to the point of beginning, containing 16,976 square feet, more or less.

**LEGAL DESCRIPTION
"PARCEL C"**

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Commencing at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence S 89° 52' 00" E (assumed bearing), a distance of 42.49 feet to a point on the centerline of an existing traversable way and the point of beginning; thence N 07° 55' 18" E, along said centerline, a distance of 302.80 feet; thence S 89° 52' 00" E, a distance of 30.78 feet to a point on the East line of said 70th Circle; thence S 09° 23' 00" W, along said East line, a distance of 303.96 feet to the point of intersection of the East line of said 70th Circle and the North line of said "L" Street; thence N 89° 52' 00" W, a distance of 22.96 feet to the point of beginning, containing 8,062 square feet, more or less.

**LEGAL DESCRIPTION
"PARCEL D"**

Part of the Northwest 1/4 of Section 1, Township 14 North, Range 12 East of the 6th P.M. as surveyed and recorded in Douglas County, Nebraska, described as that part of 70th Circle lying North of "L" Street and South of "J" Street and being more particularly described as follows:

Commencing at the point of intersection of the North line of said "L" Street and the West line of said 70th Circle; thence S 89° 52' 00" E (assumed bearing), a distance of 42.49 feet to a point on the centerline of an existing traversable way; thence N 07° 55' 18" E, along said centerline, a distance of 302.80 feet to the point of beginning; thence continuing N 07° 55' 18" E, along said centerline, a distance of 1.90 feet to an angle point in said centerline; thence N 04° 15' 39" E, along said centerline, a distance of 387.77 feet; thence S 88° 56' 09" E, a distance of 30.24 feet to the point of intersection of the South line of said "J" Street and the East line of said 70th Circle; thence S 04° 13' 00" W, along said East line, a distance of 369.09 feet; thence N 89° 52' 00" W, a distance of 1.43 feet; thence S 00° 08' 00" E, along said East line, a distance of 20.00 feet; thence N 89° 52' 00" W, a distance of 30.78 feet to the point of beginning, containing 11,802 square feet, more or less.

THIS PROPERTY IS SUBJECT TO EASEMENTS
AND RIGHTS-OF-WAY OF RECORD

DATE RECEIVED: _____

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO. _____

Signature of Land Surveyor

Date: 11-5-97 Reg. No. PLS 286

IMPRINTED SEAL
REGISTER OF DEEDS

35 SCALE AS SHOWN
SHEET 1 OF 1

REVISIONS