

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

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Resolved

WHEREAS:

a) As part of right-of-way negotiations for the improvement of Curtis Avenue from 56th Street to 51st Street, known as Douglas County Project No. C-28(148), recommendation was made to this Board that excess street right-of-way northwest of 51st Street and Curtis Avenue in Cottonwood Heights Addition be vacated.

b) The Douglas County Surveyor-Engineer made a study of the use being made of the above-described property and under the date of April 8, 1980, recommended that the excess street right-of-way be vacated.

c) The Board of Commissioners of Douglas County, Nebraska, on April 15, 1980, fixed Tuesday, May 6, 1980, at 10:00 A.M., in the Legislative Chamber of the Omaha-Douglas Civic Center as the date, time and place for a public hearing thereon.

d) Notice of such public hearing was published once a week for three consecutive weeks in the Daily Record, a legal newspaper in Douglas County, Nebraska, and further a notice of said public hearing was mailed by certified mail, more than two weeks in advance of the hearing, to the last known address of the owners of land abutting or adjacent to the property to be vacated.

e) Said subdivision does not lie within a township in a county operating roads on a township basis.

f) On March 18, 1980, the City Council of the City of Omaha, Nebraska, adopted a resolution recommending the vacation.

g) A public hearing was held on May 6, 1980, at 10:00 A.M., in the Legislative Chamber of the Omaha-Douglas Civic Center, and at said hearing no objections were voiced, and at the conclusion of said hearing the Board of Commissioners determined that the public good, convenience and necessity required the vacation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Douglas County, Nebraska, that the following excess street right-of-way be and is hereby vacated to conform to the plat attached hereto:

Part of Cottonwood Heights Addition as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as:

Parcel A

Beginning at the Southeast corner of Lot 1, Block 4; thence Southwesterly along the Northwesterly right-of-way line of Forest Lawn Avenue on a 246.48 foot radius curve to the right, 115.1 feet to a point of tangency; thence South 89° 55' East, 111.1 feet; thence North 00° 05' West, 27.6 feet to the point of beginning.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

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Resolved

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Parcel B

Beginning at the Northeast corner of Lot 4, Block 4; thence Southwesterly along the Westerly right-of-way line of Forest Lawn Avenue on a 246.48 foot radius curve to the right, 271.4 feet to the Southeast corner of Lot 1, Block 4; thence South 00° 05' East, 27.6 feet; thence South 89° 55' East, 135.0 feet; thence North 00° 05' West, along a line 40.0 feet West of and parallel with the centerline of 51st Street to the point of beginning.

BE IT FURTHER RESOLVED that the above-described Parcel A shall revert to and become the property of the now adjacent owner, Robert L. Meyers, owner of Lot 1, Block 4, Cottonwood Heights, and the above-described Parcel B shall revert to and become the property of the now adjacent owner, Jaro Z. Jizba, owner of Lots 2, 3 and 4, Block 4, Cottonwood Heights, subject to the condition and limitation that there is reserved to the Metropolitan Utilities District of the City of Omaha, the Omaha Public Power District, Northwestern Bell Telephone Company, or any other public utilities, the right to construct, maintain, repair, renew, and operate presently 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 owners; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the county; and to enter upon the premises to accomplish the above purpose at any and all times.

BE IT FURTHER RESOLVED that the Surveyor-Engineer of Douglas County, Nebraska, be and is hereby authorized and directed to correct the records, profiles and plats accordingly and to file a copy of this resolution in the Office of the Register of Deeds.

DATED this 13th day of May, 1980.

[Handwritten signatures of Board of County Commissioners]

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Motion by Buglewicz; Seconded by Albert
I move the adoption of the resolution.
ADOPTED: May 13, 1980
YBAS: Lynch, Buglewicz, Albert,
Green, Fellman

DOUGLAS COUNTY, NEBRASKA
(CERTIFIED COPY)
[Signature]
COUNTY CLERK

Certified Copy to: County Clerk,
County Commissioners, Robert L. Meyers,
Jaro Z. Jizba, Surveyor, M.U.D., OPPD,
City Clerk, Northwestern Bell Telephone Co.
City Planning, Assessor, Public Works Dept.

POOR INSTRUMENT FILED

To The Office of
County Surveyor and Engineer

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LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description PART OF COTTONWOOD HEIGHTS ADDITION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

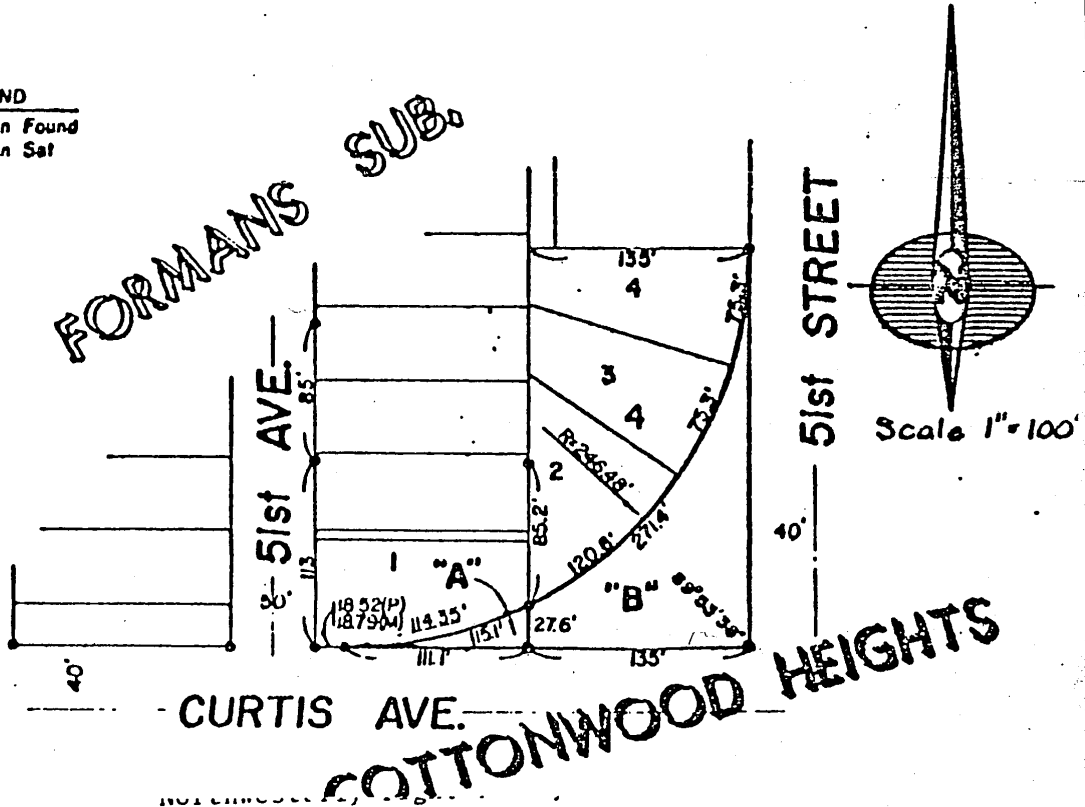
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 4; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY R.O.W. LINE OF FOREST LAWN AVENUE ON A 246.48 FOOT RADIUS CURVE TO THE RIGHT, 115.1 FEET TO A POINT OF TANGENCY; THENCE S. 89° 55' E., 111.1 FEET; THENCE N. 00° 05' W., 27.6 FEET TO THE POINT OF BEGINNING.

PARCEL B

BEGINNING AT THE NORTHEAST CORNER OF LOT 4, BLOCK 4; THENCE SOUTHWESTERLY ALONG THE WESTERLY R.O.W. LINE OF FOREST LAWN AVENUE ON A 246.48 FOOT RADIUS CURVE TO THE RIGHT, 271.4 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 4; THENCE S. 00° 05' E., 27.6 FEET; THENCE S. 89° 55' E., 135.0 FEET; THENCE N. 00° 05' W., ALONG A LINE 40.0 FEET WEST OF AND PARALLEL WITH THE CENTERLINE OF 51ST STREET TO THE POINT OF BEGINNING.

LEGEND

- Pin Found
- Pin Set



115 Nail

RECEIVED
1984 FEB 21 AM 11:53
C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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Fee 17.00
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67A-63