

CITY OF OMAHA

COUNCIL CHAMBER

BOOK 697 PAGE 156

Omaha, Nebr. August 23, 1983

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Omaha Industrial Foundation, Dale TeKolste, President, R. Steven Thompson, Secretary and Virgil J. Haggart, Jr., Trustee, to be known as Omaha Industrial Foundation No. 4, proposes to build a subdivision which will be located in an area between 139th Street and 144th Street from Lamont Street to West Center Road; and,

WHEREAS, Sanitary and Improvement District (S. & I.D.) 275 has been formed to build public improvements in this subdivision; and,

WHEREAS, the parties have previously agreed upon the manner and the extent to which public funds may be expended in connection with public improvements to be constructed within the area to be developed or serving the area to be developed and the extent to which the contemplated public improvements specially benefit property in the area to be developed and to what extent the cost of the same shall be specially assessed; and,

WHEREAS, an Amendment to the Agreement has been prepared setting forth all the provisions mentioned above; and,

WHEREAS, the Amendment provides that concrete paving of all dedicated streets including Exhibit A-1 to be 25 feet in width, and that storm sewers and related appurtenances constructed in street right-of-ways including Exhibit C-1 be approved by City prior to construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the Mayor is authorized to sign and the City Clerk is authorized to attest the Amendment to the Agreement between the City of Omaha, Sanitary and Improvement District 275 of Douglas County, Nebraska and Omaha Industrial Foundation, Dale TeKolste, President, R. Steven Thompson, Secretary and Virgil J. Haggart, Jr., Trustee, providing for the public improvements and sewer connection to the Omaha Sanitary Sewer System.

APPROVED AS TO FORM:

Michael C. Haggart
CITY ATTORNEY

509:26
By *Devinne Simon*
Councilman

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.

Adopted SEP 13 1983 6-0
Mary Kelley Brown
City Clerk

ACTING BY *Paul Martini*
DEPUTY CITY CLERK

Approved *Michael Boyle* 9/19/83
Mayor

(L)

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AMENDMENT TO SUBDIVISION AGREEMENT

WITNESSETH:

WHEREAS, Omaha Industrial Foundation (hereinafter referred to as SUBDIVIDER); Sanitary and Improvement District No. 275 of Douglas County, Nebraska (hereinafter referred to as DISTRICT); and the City of Omaha, a Municipal Corporation in the State of Nebraska (hereinafter referred to as CITY), entered into a Subdivision Agreement for the construction of public improvements within the plat (Exhibit "A") on November 7, 1978, which was amended on May 29, 1979; and

WHEREAS, the parties wish to amend Section I of said Subdivision Agreement, and the exhibits thereto.

NOW, THEREFORE, it is agreed that Subsections A and C of Section I of said Subdivision Agreement of November 7, 1978, as amended on May 29, 1979, and the exhibits thereto, shall be amended to read as follows:

SECTION I

SUBDIVIDER and DISTRICT covenant that SUBDIVIDER shall and the DISTRICT covenants that the DISTRICT will, contemporaneously with the filing of the final replat, present to the City Clerk for the benefit of the CITY, binding contracts in full force and effect calling for the timely and orderly installation of the following public improvements as provided below and according to the terms of those contracts. That the DISTRICT shall also provide and deliver to the CITY written confirmation of a binding agreement between the DISTRICT and its fiscal agent, calling for the placement of the warrants or bonds of the DISTRICT for the installation of the improvements set forth herein:

- A. Concrete paving of all streets dedicated, per the plat (Exhibit "A" and "A-1"), all of said paving to be 25 feet in width.
- B. Storm sewers, inlets, manholes, and related appurtenances constructed in street right-of-ways and easements per plat (Exhibit "A" and "A-1") plans and specifications for said sewer improvements to be approved by CITY prior to starting construction of said improvements to be located as shown on storm sewer plan prepared by Leo A. Daly Company, a copy of which is attached hereto as Exhibit "C" and "C-1".

IN WITNESS WHEREOF, we, the contracting parties, by our respective duly authorized agents, hereby enter this amendment to the Subdivision Agreement of November 6, 1978, as amended on May 29, 1979, effective this 19th day of September, 1983.

ATTEST:

Mary Kaye Corbett
City Clerk

CITY OF OMAHA

BY *Michael Boyle* 9/19/83
Mayor Date

ATTEST:

R. Steven Thompson
R. Steven Thompson

SANITARY AND IMPROVEMENT DISTRICT NO. 275 OF DOUGLAS COUNTY, NEBRASKA

BY *Frank J. Lefebvre*, Acting
Frank J. Lefebvre, Chairman

ATTEST:

OMAHA INDUSTRIAL FOUNDATION

[Signature]
Secretary

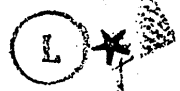
BY [Signature]
President

[Signature]
Trustee

[Signature]
Trustee

APPROVED AS TO FORM:

[Signature]
City Attorney



OMAHA INDUSTRIAL FOUNDATION
 DISTRICT NO.4
 REPLAT 1

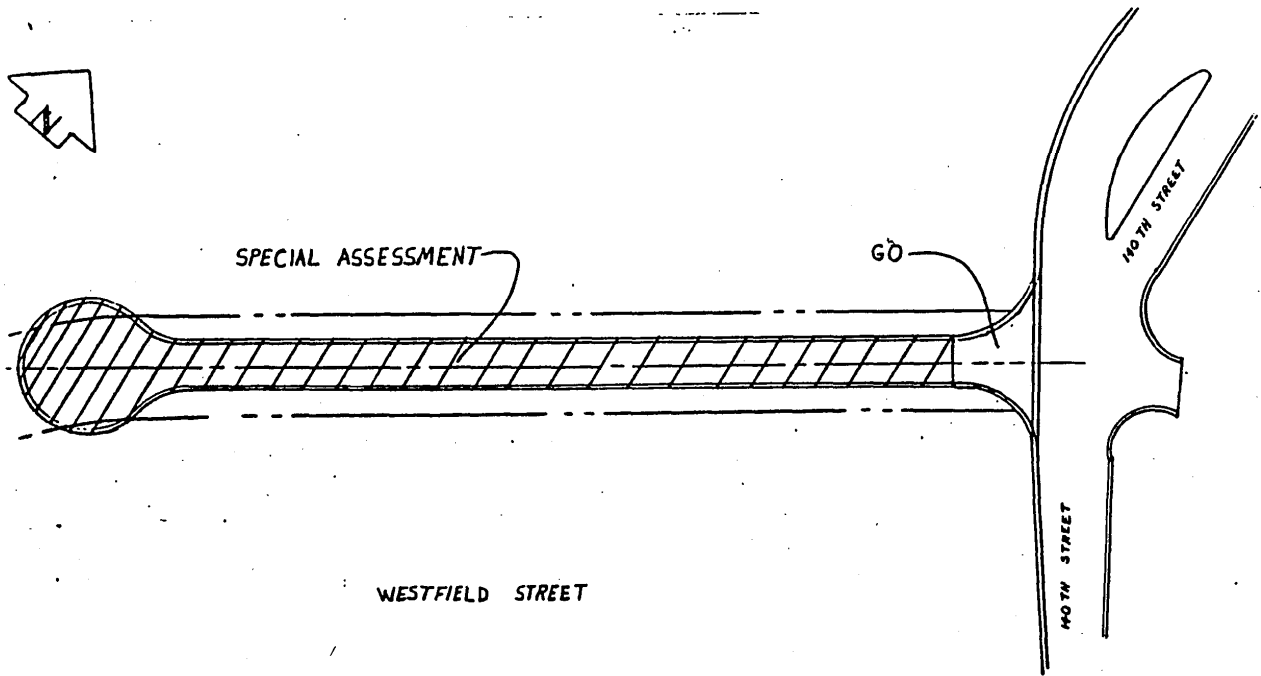
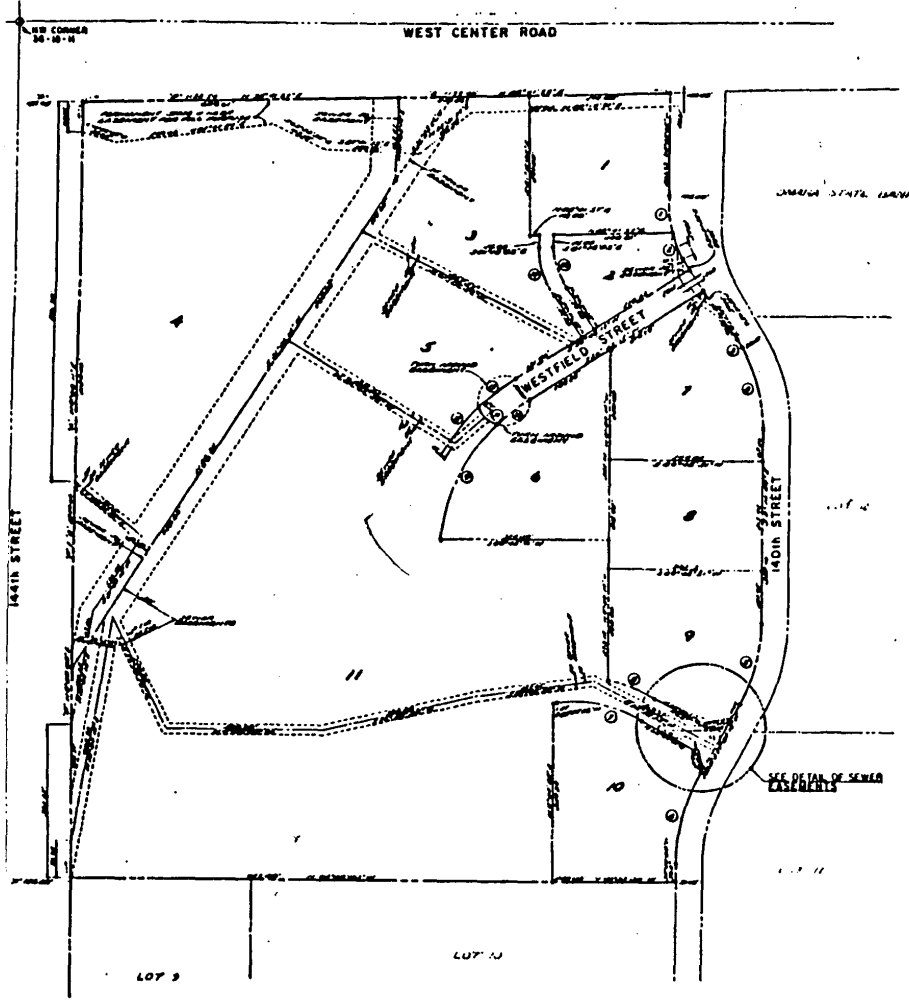


EXHIBIT A-1



STORM SEWER CONSTRUCTION 1983

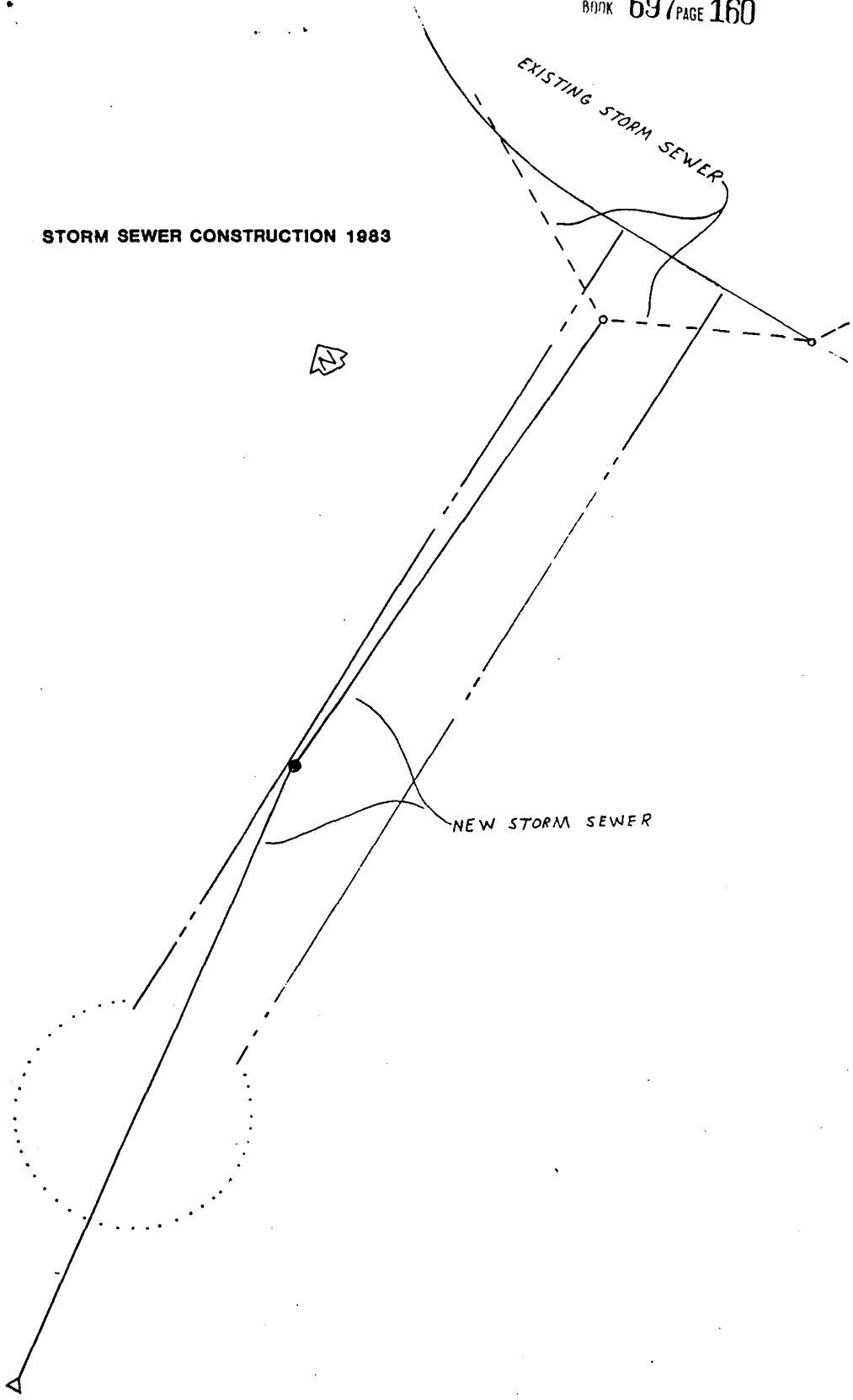


EXHIBIT C-1

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Book 697
 Page 156
 of 100

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 85A-1