

Affects lots 20-37 BIRK  
Raven Oaks

**BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA**

434 517

**Resolved**

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, on the 23rd day of November, 1965, deemed that the public interest required the vacation of that part of County Road 211-D (also known as Sheffield Street, 54th Avenue and King Street) described as follows: Beginning at a point on the west line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, T16N, R13E, of the 6th P.M., Douglas County, Nebraska, 25.00 feet N 00° 02' 00" W of the southwest corner of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30; thence S 89° 58' 35" E, 516.82 feet; thence S 26° 01' 45" E, 736.98 feet; thence S 89° 55' 45" E, 516.31 feet to a point on the westerly curved ROW line of Mormon Bridge Road; thence northeasterly on a curve to the right along said westerly curved ROW line of Mormon Bridge Road (radius being 1587.49 feet) for an arc distance of 9.01 feet; thence N 89° 55' 45" W, 515.81 feet; thence N 26° 01' 45" W, 736.91 feet; thence N 89° 58' 35" W, 521.82 feet; thence S 00° 02' 00" E, 8.00 feet to the point of beginning. (The west line of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, assumed N 00° 02' 00" W in direction), as surveyed, platted and recorded, Douglas County, Nebraska, and by resolution on that date directed the Highway Department Superintendent to study the use being made of the aforesaid road and to submit in writing to the County Board upon the study made and his recommendation as to the vacation thereof, and

WHEREAS, on December 23rd, 1965, the Highway Department Superintendent recommended to the Board of County Commissioners of Douglas County, Nebraska, that the request for vacation of certain portions of County Road 211-D by Timberline Cooperative Association has been examined by this office, and that area of road has been determined not absolutely essential to County Highway System. Further, our investigation reveals that portions of this road at this time, encroach on certain areas of private property. It is our feeling that this will all be corrected by the Board's vacation, as per the Petitioners request. We, therefore, recommend that this request be granted, and the County Board vacate that portion of County Road 211-D, as requested, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska on the 28th day of December, 1965, adopted a resolution fixing Tuesday, January 18th, 1966 at 10:15 A.M. in the County Board Room of Douglas County, Nebraska, as the time, date and place for a public hearing thereon, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, caused such resolution to be published on the Daily Record, a legal newspaper in Douglas County, Nebraska, once a week for three consecutive weeks, and further caused copies of the resolution fixing the time, date and place of said public hearing to be served upon all of the owners of land abutting on or adjacent to the road to be vacated by mailing the same, by certified mail to the last known address of each owner more than two weeks in advance of the hearing, and

WHEREAS, said road does not lie within a township or a County intersecting roads on a township basis, and

*Handwritten signature*

**BOARD OF COUNTY COMMISSIONERS**

**DOUGLAS COUNTY, NEBRASKA**

BOOK 434 PAGE 318

**Resolved**

Page 2.

WHEREAS, a public hearing was held on Tuesday, January 18th, 1966 at 10:15 A.M., in the County Board Room of Douglas County, Nebraska, and at said time and place no objections were voiced, and at the conclusion of said hearing the Board of County Commissioners of Douglas County, Nebraska, determined that the public good required the vacation of said road.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Nebraska, that the above described Road in Douglas County, Nebraska, as surveyed, platted and recorded, be and the same is hereby vacated to conform to the plat attached hereto, marked Exhibit "A", and incorporated herein by reference; and that the above described vacated road shall revert to the owners of the adjacent real estate, one-half on each side thereof, 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 present existing or hereafter installed water mains, pole lines, conduits or 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 required, 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 County Surveyor be and is hereby authorized and directed to correct the records, profiles and plats accordingly and that a copy of this resolution be filed in the Register of Deeds office and the cost of same be charged to the petitioners.

DATED this 6th day of February, 1966.

*Daniel Chapman*  
*Joseph C. Hefflinger*  
*John J. Cavanaugh*  
*Wm. R. Milner*  
BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

Motion by McCollister; Seconded by Milner  
I move the adoption of the resolution.  
ADOPTED: February 15th, 1966.  
YEAS: Cavanaugh, Hefflinger, Milner,  
McCollister, Lynch



(CERTIFIED COPY)

*Stella Spellman*  
COUNTY CLERK