

C-25A

BOOK 869 PAGE 665
CITY OF OMAHA

COUNCIL CHAMBER

Omaha, Nebr. April 13, 1982

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Oakbrook, Inc. proposes to build a Subdivision, RAVEN OAKS REPLAT 111, which will be located Southwest of 50th Street and Raven Oaks Drive; and,

WHEREAS, Oakbrook, Inc. wishes to connect to Omaha's sewer system, the system of sanitary sewers to be constructed by Oakbrook, Inc. within the area to be developed; and,

WHEREAS, the parties wish to agree upon the manner which public improvements will be built by Oakbrook, Inc. and to clarify the responsibilities of the parties in building and maintaining the improvements in the subdivision; and,

WHEREAS, an Agreement has been prepared setting forth all the provisions mentioned above.

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 Agreement between the City of Omaha and Oakbrook, Inc. providing for the public improvements and sewer connections to the Omaha sewer system.

APPROVED AS TO FORM:

[Signature]
ASSISTANT CITY ATTORNEY

PWC/12:7C11:38

Bernie Simon

By _____ 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 APR 13 1982 G-D

Mary Gallagher
City Clerk

Mary Gallagher
CITY CLERK

Approved *Michael Boyle* 4/15/82
Mayor

BY _____

SUBDIVISION AGREEMENT

THIS SUBDIVISION AGREEMENT, made this 13th April, 1982 by and between OAKBROOK, INC., hereinafter referred to as "Subdivider" and the CITY OF OMAHA, hereinafter referred to as "City".

WHEREAS, the Subdivider is the Developer of Raven Oaks Replat III, Lots 1 thru 12 inclusive, the land included within the proposed plat attached hereto as Exhibit "A" (herein referred to as the "Property"); and

WHEREAS, the Subdivider and City desire to outline how the improvements in the Property will be installed,

NOW, THEREFORE, the following is agreed between the parties hereto:

1. Water, Gas and Electrical Power. The Subdivider agrees to enter into an agreement with Metropolitan Utilities District regarding all water and gas lines extensions on the Property, and into an agreement with Omaha Public Power District for power lines to be installed in the property. Copies of all agreements with Omaha Public Power District and Metropolitan Utilities District will be provided to the City.

2. Payment for the Improvements. The Subdivider shall pay for all charges by the Metropolitan Utilities District for water and gas lines, and all charges by the Omaha Public Power District for underground electrical services or overhead power.

3. Private Improvements. The sanitary sewers, and pavements are to be constructed on private property. The subdivider shall pay the entire cost of all the private improvements. Maintenance of the private sanitary sewer system and the maintenance of all pavement and snow removal shall not become the obligation of the City of Omaha or any other public subdivision.

4. The subdivider agrees to construct sidewalks on the South side of Raven Oaks Drive adjacent to Lots 5 thru 9 inclusive when said Lots 5 thru 9 inclusive are built upon.

5. Right to Connect to City Sewer System. The City hereby acknowledges that it has given the Subdivider the right to connect, subject to obtaining proper permits, its sanitary sewer system to the City sanitary sewer system.

6. The subdivider agrees to provide easements to the Omaha Public Power District, Northwestern Bell Telephone Company and any company granted a franchise to provide a cable television system, all easements to be for the purposes set forth in Section 53-11 (c) of the Omaha Municipal Code. The requirements of Section 53-11 (c) are hereby waived for the reason that the terrain of property is of a rough and unusual nature with a covering of trees.

7. Binding Effect. This Subdivision Agreement shall be binding upon the parties, their respective successors, and assigns.

ATTEST: OMAHA

Mary Harvey Pavey
CITY CLERK

APPROVED AS TO FORM

Joseph P. Menn
CITY ATTORNEY

12/8/81

CITY OF OMAHA

BY: *Michael Boyle*
MAYOR

DATE *4/15/82*

Carol R. Galt
OAKBROOK, INC. - Vice Pres.



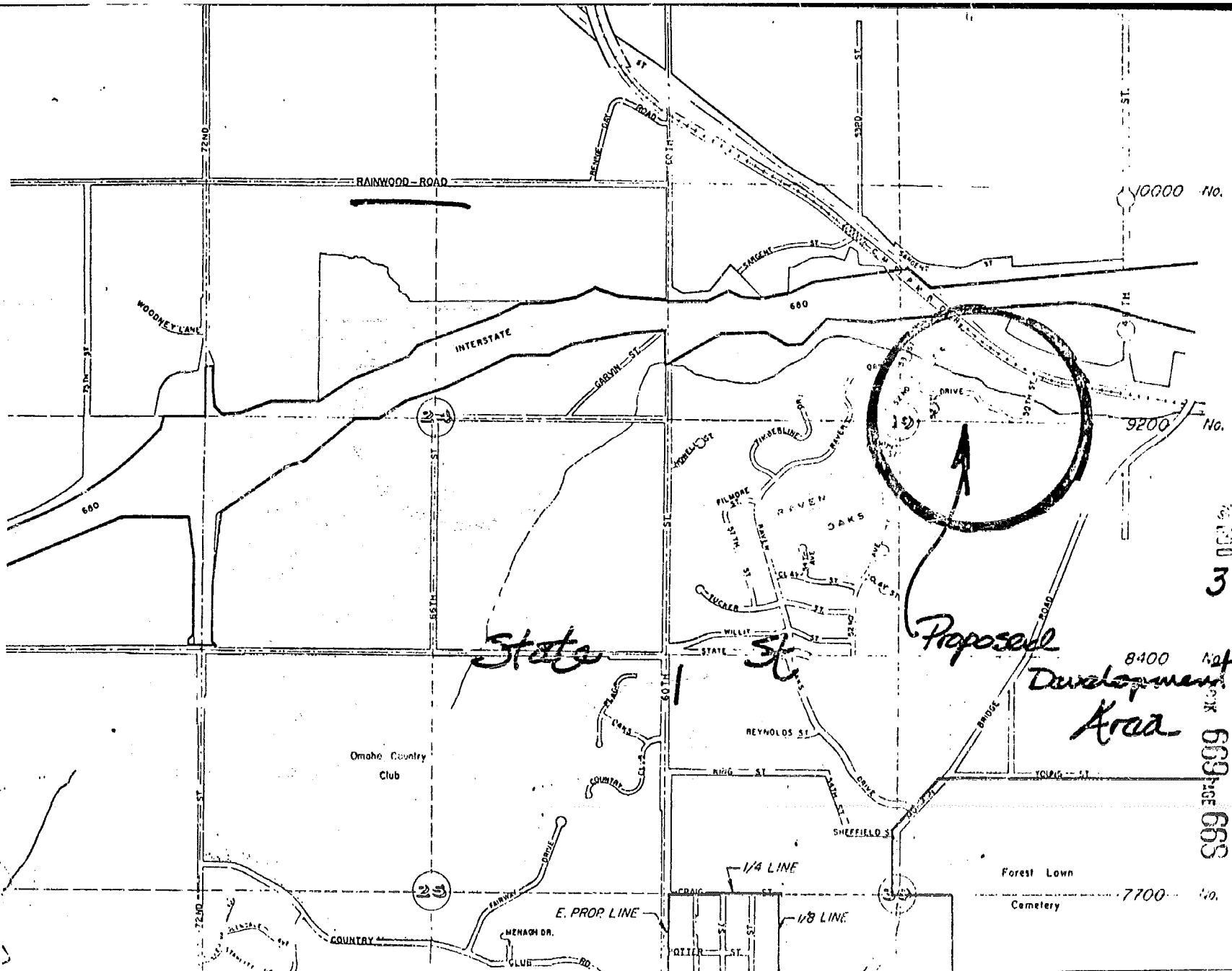
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