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ORDINANCE NO. 10563

AN ORDINANCE establishing the official grades of certain streets in WOODHAVEN, as an addition within the City of Lincoln, Nebraska, with reference to a datum plane herein described, and accepting and approving the plat of WOODHAVEN, as an addition within the City of Lincoln, Nebraska, filed in the office of the Planning Department of the City of Lincoln, Nebraska, upon certain conditions herein specified and providing for sureties conditioned upon the strict compliance with such conditions.

WHEREAS, Byron Reed, Inc., a corporation owner of a tract of land located in the Northwest Quarter of Section 9, Township 9 North, Range 7 East of the Sixth Principal Meridian, Lancaster County, Nebraska, being a part of Lot 15 of Irregular Tracts and more particularly described as follows: Beginning at a point being the northeast corner of said Lot 15 of Irregular Tracts (north 1/16 corner of the Northwest Quarter of Section 9, Township 9 North, Range 7 East); thence westerly along the north line of said Section on an assumed bearing of due west a distance of 659.3 feet; thence south 00° 17' east a distance of 761.3 feet; thence north 89° 43' east a distance of 382.3 feet; thence south 5° 14' east a distance of 46.1 feet; thence south 10° 16' east a distance of 69.5 feet; thence south 42° 34' east a distance of 67.4 feet; thence south 70° 43' east a distance of 67.4 feet; thence north 88° 14' east, a distance of 35.3 feet; thence north 67° 13' east a distance of 66.9 feet; thence north 49° 15' east a distance of 71.0 feet to a point on the east line of said lot; thence north 00° 17' east along said east line a distance of 869.3 feet to the point of beginning, have filed said plat in the office of the Planning Department of the City of Lincoln, Nebraska, with a request for approval and acceptance thereof, in the manner and form as by ordinance required; and

WHEREAS, it is for the convenience of the inhabitants of said City of Lincoln, Nebraska, and for the public that said plat be approved and accepted as filed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the

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City of Lincoln, Nebraska:

Section 1. That the grades of certain streets in Woodhaven, as an addition within the City of Lincoln, Nebraska, be and they hereby are established with reference to a datum plane, which is located as follows: Bench mark cut in water table at the northeast corner of City Hall Building (at 10th & "O" Streets) is 79.94 feet above datum plane.

The grades hereby established shall be uniform straight lines between adjacent points hereinafter specified in said streets and between the grade points heretofore established by ordinance in adjacent streets.

Section 2. Grade in 58th Street 190 feet south of the centerline of Pioneers Boulevard: West side 212.00; provided, however, that the grade established in this section shall be considered as the point of intersection of tangents to a vertical curve 50 feet long.

Section 3. Grade at the intersection of South 58th Street and Locust Street east: Northeast corner 212.00, Southeast corner 212.00.

Section 4. Grade at the intersection of South 58th Street and Locust Street west: Northwest corner 211.25, Southwest corner 210.98.

Section 5. Grade in South 58th Street 350 feet south of the centerline of Pioneers Boulevard: East side 211.00, West side 211.00; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 100 feet long.

Section 6. Grade at the intersection of South 58th Street and Oakridge Drive: Northeast corner 201.75, Southeast corner 200.88.

Section 7. Grade in South 58th Street 700 feet south of the centerline of Pioneers Boulevard: East side 199.75, West side 199.75; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 50 feet long.

Section 8. Grade in South 58th Street 1,100 feet south of the centerline of Pioneers Boulevard: East side 184.00, West side 184.00; provided, however, that the grades established in

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this section shall be considered as points of intersection of tangents to vertical curves 150 feet long.

Section 9. Grade in Oakridge Drive 50 feet east of the centerline of South 58th Street: North side 202.5; provided, however, that the grade established in this section shall be considered as the point of intersection of tangents to a vertical curve 70 feet long.

Section 10. Grade in Oakridge Drive 300 feet east of the centerline of South 58th Street: North side 204.00, South side 204.00; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 100 feet long.

Section 11. Grade at the intersection of Oakridge Drive and South 59th Street: Northwest corner 205.20. Northeast corner 205.85.

Section 12. Grade at the intersection of Oakridge Drive and Oakridge Circle: Southwest corner 208.96, Southeast 209.60.

Section 13. Grade in Oakridge Drive 600 feet east of the centerline of South 58th Street: North side 211.16, South side 211.16; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 120 feet long.

Section 14. Grade in Locust Street 100 feet east of the centerline of South 58th Street: North side 210.25, South side 210.25; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 100 feet long.

Section 15. Grade in Locust Street 400 feet east of the centerline of South 58th Street: North side 196.00, South side 196.00; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 280 feet long.

Section 16. Grade in South 59th Street 131.3 north of the centerline of Oakridge Drive: East side 203.50, West side 203.50; provided, however, that the grades established in this section shall be considered as points of intersection of tangents

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to vertical curves 100 feet long.

Section 17. Grade in Oakridge Circle 50 feet south of the centerline of Oakridge Drive: West side 209.86; provided, however, that the grade established in this section shall be considered as the point of intersection of tangents to a vertical curve 50 feet long.

Section 18. Grade in Oakridge Circle 169.12 feet south of the centerline of Oakridge Drive: East side 210.70, West side 210.70.

Section 19. That the plat of Woodhaven, as an addition within the City of Lincoln, Nebraska, filed in the office of the Planning Department of the City of Lincoln, Nebraska, by Byron Reed, Inc., a corporation, as owner, be and it hereby is accepted and approved, and the said owner be and it hereby is given the right to plat said Woodhaven, as an addition within the City of Lincoln, Nebraska, in accordance therewith. Such acceptance and approval are conditioned upon the following conditions:

First: That the owner above set forth shall at its own cost and expense pay for all labor, material, engineering and inspection costs in connection with the construction of sidewalks to be constructed in the sidewalk space along both sides of all included within this plat, along the east side of South 58th Street and the south side of Pioneers Boulevard adjacent to this plat, and within the walkways extending from the streets to the common open areas as shown on the preliminary plat. The construction of said sidewalks shall be completed not later than October 1, 1976.

Second: That the owner above set forth shall at its own cost and expense pay for all labor, material, engineering and inspection costs in connection with the construction of an ornamental street lighting system along all public streets within said plat and their proportionate share for an ornamental street lighting system along 58th Street adjacent to this plat, all of which shall be equivalent to standards and specifications for residential street lighting for the City of Lincoln. As an alternative, the above named owner may petition the City for the creation of an ornamental street lighting district to accomplish

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the construction of said ornamental street lighting system. The construction of said ornamental street lighting system shall be completed not later than October 1, 1974.

Third: That the owner above set forth shall at its own cost and expense pay for all labor, material, engineering and inspection costs in connection with the construction of a system of storm sewerage and drainage to serve said plat. Said system of storm sewerage and drainage shall be constructed as follows:

(a) In the open area south of Lot 16, Block 1 from 59th Street east to the east line of said Lot 16, with a paved low flow channel lining extended northeast from this point to the south line of Pioneers Boulevard.

(b) In South 58th Street from Oakridge Drive to the south limits of this plat.

The aforesaid system of storm sewerage and drainage shall be designed and constructed in conformance with "Storm Sewer Design Criteria" published by the Department of Public Works for the City of Lincoln in January, 1970, and on file in the office of the City Engineer. Construction of said system of storm sewerage and drainage shall be completed not later than September 1, 1974.

Fourth: That prior to the effective date of this ordinance, the above named owner shall enter into a written agreement with the City of Lincoln which shall provide as follows:

(a) That the sanitary sewer between Oakridge Drive and LaSalle Street be constructed by the owner with an easement through privately owned land to its connection to an existing public sanitary sewer in Heritage Heights.

(b) That the above named owner shall provide for the maintenance of all common open areas, including drainage ways, plantings, landscaping, recreational facilities, walkways, driveways and parking areas located thereon, all of which maintenance shall be performed on a permanent and continuing basis by said owners; provided, however, that said owners may be relieved and discharged from such maintenance obligations upon the creation in writing of a permanent and continuing agency of property owners within said plat, which agency shall assume such maintenance obligation. The instrument creating any such

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permanent and continuing agency shall have no force and effect until the same shall have been approved by the City Attorney.

Section 20. That the owner above set forth shall, prior to final passage of this ordinance, execute and deliver to the City of Lincoln:

(a) a bond in the sum of \$14,800.00 conditioned upon the strict compliance by the above named owner with the conditions contained in paragraph designated "First" of the next preceding section of this ordinance;

(b) a bond in the sum of \$7,300.00 conditioned upon the strict compliance by the above named owner with the conditions contained in paragraph designated "Second" of the next preceding section of this ordinance;

(c) a bond in the sum of \$6,700.00 conditioned upon the strict compliance by the above named owner with the conditions contained in paragraph designated "Third" of the next preceding section of this ordinance;

(d) the bonds required above shall be subject to the approval of the City of Lincoln, Nebraska, and shall be further conditioned that in the event the above named owner fails to comply with the conditions herein set forth within the time specified in this ordinance, the City Council shall proceed to fulfill said conditions, the cost thereof to be paid by the surety. Such work shall be performed in the manner set forth in Title 26 of the Lincoln Municipal Code, known as the Land Subdivision Ordinance, as now existing or as may hereafter be amended.

Section 21. Immediately upon the taking effect of this ordinance, the owner shall file a certified copy of this ordinance, together with the written agreement required herein in the office of the Register of Deeds of Lancaster County, Nebraska.

Section 22. That this ordinance shall take effect and be in force from and after its passage and publication according to law.

PASSED

Introduced by

W. Richard Burke

SEP 11 1972

Approved as to Form:

Charles P. Humble
BY CITY COUNCIL
Chief Assistant City Attorney

APPROVED

SEP 19 1972

C E R T I F I C A T E

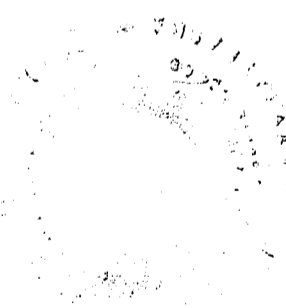
STATE OF NEBRASKA :
:
COUNTY OF LANCASTER : SS.
:
CITY OF LINCOLN :

I, M. E. Spaedt, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of Ord. 10563

as the original appears of record in my said office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 27th day of September, A.D., 19 72.

M. E. Spaedt
Deputy City Clerk.



LANCASTER COUNTY NE BR.
Ronald L. ...
REGISTER OF DEEDS

1972 SEP 27 PH 1:23

ENTERED IN
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FILED FOR RECORDING

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MICRO-FILED *mc*
GENERAL

INST. NO. 72-18228

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