

- North Oaks etc

BOARD OF COUNTY COMMISSIONERS ^{BOOK} 488 PAGE 377

DOUGLAS COUNTY, NEBRASKA

76-367-370

Resolved

77-695-696-697

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, on the 20th day of August, 1968, deemed that the public interest required the vacation of 93rd Street from Fort Street to Ellison Avenue, 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 street and to submit in writing to the County Board upon the study made and his recommendation as to the vacation thereof, and

WHEREAS, on the 28th day of August, 1968, the Highway Department Superintendent recommended to the Board of County Commissioners of Douglas County, Nebraska, as follows: "The City Planning Department has requested the vacation of 93rd Street, from Fort Street to Ellison Avenue. After making a careful study of the use being made of the above described road I recommend that it be vacated." and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska on the 3rd day of September, 1968, adopted a resolution fixing Tuesday, September 24, 1968 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 in the Daily Record, a legal newspaper in Douglas County, Nebraska, once a week for three (3) 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 Street to be vacated by mailing the same, by certified mail to the last known address of each owner more than two (2) weeks in advance of the hearing, and

WHEREAS, said Street does not lie within a township in a County operating roads on a township basis, and

WHEREAS, a public hearing was held on Tuesday, September 24, 1968 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 Street.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Nebraska, that the above described Street in Douglas County, Nebraska, 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 Street 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 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.

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

Resolved

Page 2.

BE IT FURTHER RESOLVED that the County Surveyor of Douglas County, Nebraska, 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 1st day of October, 1968.

John G. McCollister

John G. McCollister

John G. McCollister

John G. McCollister

 BOARD OF COUNTY COMMISSIONERS
 DOUGLAS COUNTY, NEBRASKA

Motion by Buglewicz; Seconded by Lynch
 I move the adoption of the resolution.
 ADOPTED: October 1, 1968
 YEAS: Buglewicz, Lynch, McCollister, Cavanaugh
 ABSENT: Hefflinger

(CERTIFIED COPY)

Walter C. Spellman

 COUNTY CLERK



