



BK 0974 PG 716-719



MISC 1991 16303

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PAGE DOWN FOR BALANCE OF INSTRUMENT

*San Kemp Dist #214 Copy*

**CITY OF OMAHA**

BOOK **974** PAGE **716**

LEGISLATIVE CHAMBER

Omaha, Nebr..... August 6, 19 91.....

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Construction Sciences and Sanitary and Improvement District (S&ID 219) entered into a Subdivision Agreement which was approved by City Council Resolution Number 2263 on October 2, 1990 which covered the public improvements of Tranquility 2nd, a subdivision located South of Fort Street at 126th Street; and,

WHEREAS, Exhibit "B" of the Agreement needs to be amended to show a temporary cul-de-sac for 126th Street North of Park Lane Circle; and,

WHEREAS, the Subdivider and the District have requested the City include this connection in the City's future improvement project for Fort Street; and,

WHEREAS, Construction Sciences, Inc. agrees to pay \$10,800.00 as its share of the future construction costs to connect 126th Street to Fort Street; and,

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

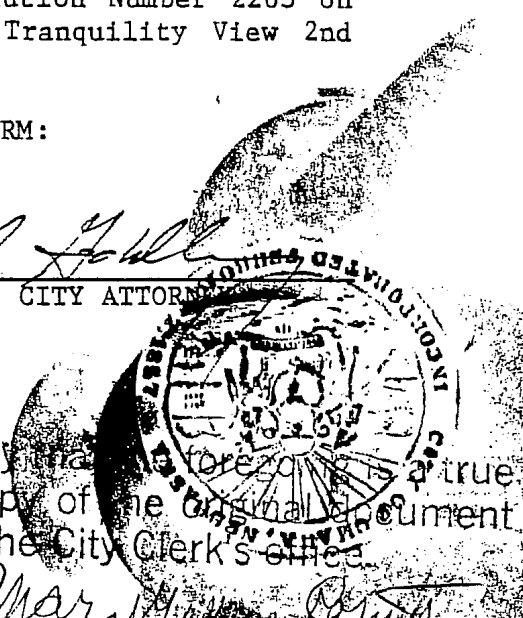
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the Amendment to the Subdivision Agreement for the City of Omaha, Sanitary and Improvement District 219 of Douglas County, Nebraska and Construction Sciences, Inc., as recommended by the Mayor, which delays the connection of 126th Street onto Fort Street is hereby approved. The Subdivision Agreement was approved by City Council Resolution Number 2263 on October 2, 1990 and covered the public improvements of Tranquility View 2nd located South of Fort Street at 126th Street.

APPROVED AS TO FORM:

*Michael A. Hall*  
ASSISTANT CITY ATTORNEY

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.



16303

RECEIVED

AUG 15 1 17 PM '91

GEORGE J. BOBLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

*Joseph L. Frouin*  
Councilmember

ed. AUG - 6 1991 7-0

*Mary Kaye...*  
City Clerk

Approved *[Signature]* 8/8/91  
Mayor

*Mary Kaye...*  
BK 974 N BY / CP / FEE CITY CLERK  
PG 76-719 N Copy DEL MN MCG 22.50  
OF NWD COMP Q F/B MC-38918

(L)

## AMENDMENT TO SUBDIVISION AGREEMENT

This Amendment to Subdivision Agreement made and entered into this 6th day of August, 1991 by and between CONSTRUCTION SCIENCES, INC. (hereinafter referred to as "Subdivider"), SANITARY AND IMPROVEMENT DISTRICT NO. 219 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").

## W I T N E S S E T H :

WHEREAS, Subdivider, District and City entered into a Subdivision Agreement dated October 4, 1990 which was approved by City via City Council Resolution 2263 on October 2, 1990 and the Mayor's signature on October 4, 1990; and

WHEREAS, Subdivider, District and City wish to amend said Subdivision Agreement in the manner as hereinafter set forth:

NOW, THEREFORE, IT IS AGREED THAT THE ABOVE DESCRIBED SUBDIVISION AGREEMENT BE AMENDED AS FOLLOWS:

1. That Exhibit "B" to Subdivision Agreement be temporarily amended in the manner as set forth on Exhibit "B" to this Amendment to Subdivision Agreement.

2. That Subdivider install a temporary turn-around on 126th Street as shown on Exhibit "B" attached hereto.

3. That Subdivider file the Temporary Construction Easement attached hereto as Exhibit "D" in favor of the City of Omaha.

4. That City shall, at such time as it deems necessary, connect 126th Street to Fort Street as Per Exhibit "B" attached hereto.

5. That Subdivider pay City the sum of \$10,800; whereupon neither subdivider nor District shall bear any responsibility nor incur any expense for such connection, including, but not limited to the grading and/or resodding of any easement area and/or the lowering of any telephone ducts presently located along Fort Street.

All other terms and conditions of said Subdivision Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, we the executing parties, by our respective, duly authorized agents, hereby enter into this Agreement effective the day and year first above written.

ATTEST:

CITY OF OMAHA

Mary Kellgren  
CITY CLERK

A. Mayo 8/5/91  
MAYOR Date

ATTEST:

SANITARY AND IMPROVEMENT DISTRICT  
NO. 219 OF DOUGLAS COUNTY, NEBRASKA

Len Leavitt  
Len Leavitt, Clerk

Kenneth Patora  
Kenneth Patora, Chairman Date

ATTEST:

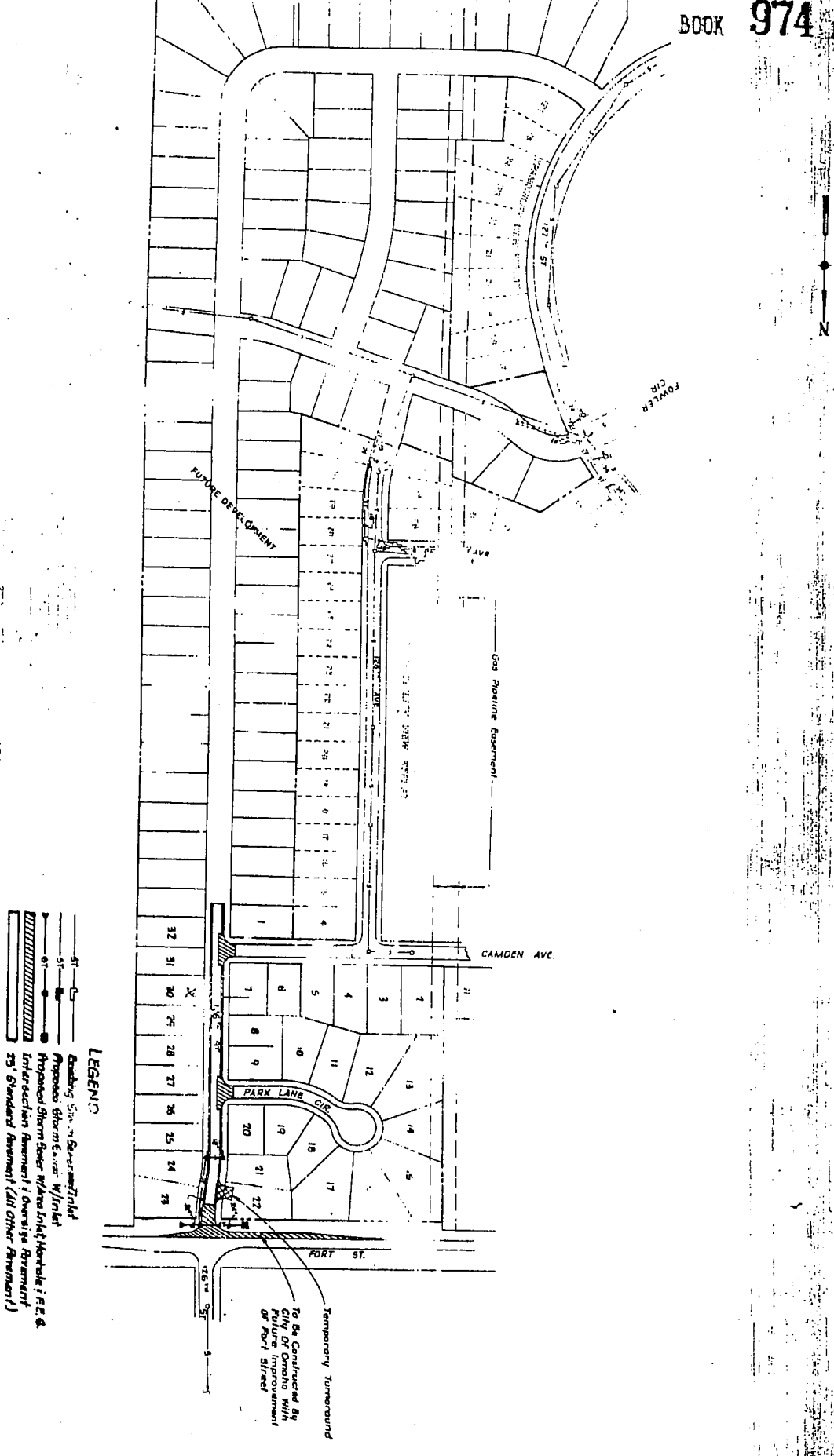
CONSTRUCTION SCIENCES, INC., a  
Nebraska corporation

Susan M. Wamungu

John J. Smith  
John J. Smith, President

APPROVED AS TO FORM:

Michael A. Kelly 7/29/91  
Assistant City Attorney Date



**LEGEND**

- 3" Gas
- 12" Storm Sewer
- 12" Water
- Proposed Storm Sewer w/Inlet
- Proposed Storm Sewer w/Inlet & Manhole (F.E.G.)
- Intersection (Arrow) (Overlaid Arrows)
- 20' Standard (All Other Arrows)

Temporary Turnaround  
To Be Conducted By  
Future Owners With  
Or Per Street

Revised 7-12-90  
Revised 7-28-90  
Revised 2-19-90

59023.1	1-18-90
7-100	
	VKH

PAVING & STORM SEWER  
**EXHIBIT "B"**

TRANQUILITY VIEW 2nd ADD.

**ELLIOTT & ASSOCIATES**



5316 SOUTH 132nd STREET • OMAHA, NE 68137 • (402) 886-0700