

ORDINANCE NO. 13766

An Ordinance declaring the necessity of appropriating an easement over, upon and through Tax Lot 5 in the Southwest 1/4 of Section 9-14-13, for the purpose of constructing, repairing and maintaining ~~sewer~~ ^{Storm Sewer No. 1011} of the City of Omaha, and providing for the appointment of three disinterested freeholders of said city, to assess the damages to the owners of and persons interested in property over, upon and through which an easement is proposed to be appropriated.

*Appropriated to the City of Omaha
for the purpose of
maintaining*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That it is proper and necessary, and it is hereby declared proper and necessary to appropriate an easement over, upon and through Tax Lot 5 in the Southwest 1/4, Section 9-14-13 for the use of the City of Omaha for the purpose of constructing, repairing and maintaining ~~sewer~~ ^{Storm Sewer No. 1011} of the City of Omaha; said easement to be five feet on each side of the following described center-line and through the following property, to-wit: Tax Lot 5 in the Southwest 1/4, Section 9-14-13.

Beginning at a point on the North property line of Jefferson Street 472.5 feet West of the West property line of 30th Street, said point being also on the South line of Tax Lot 5, Section 9-14-13; thence North, and parallel to the West property line of 30th Street between Jefferson Street and "Y" Street, 620 feet to the point of curve; thence continuing on a curve to the right, whose radius is 131.11 feet and whose central angle is 41°-43', 95.46 feet to the end of the curve 707.32 feet North of the South line of Tax Lot 5, Section 9-14-13 and 439.23 feet West of West property line of 30th Street; thence continuing on a straight line in a northeasterly direction 59.86 feet to a point 752.0 feet North of the South line of Tax Lot 5, Section 9-14-13 and 399.39 feet West of the West property line of 30th Street.

Section 2. That the City Council appoint three disinterested freeholders of the City of Omaha to assess the damages to the owners of and persons interested in the property over, upon and through which an easement is appropriated.

Section 3. That this ordinance shall take effect and be in force after fifteen days from and after its passage.

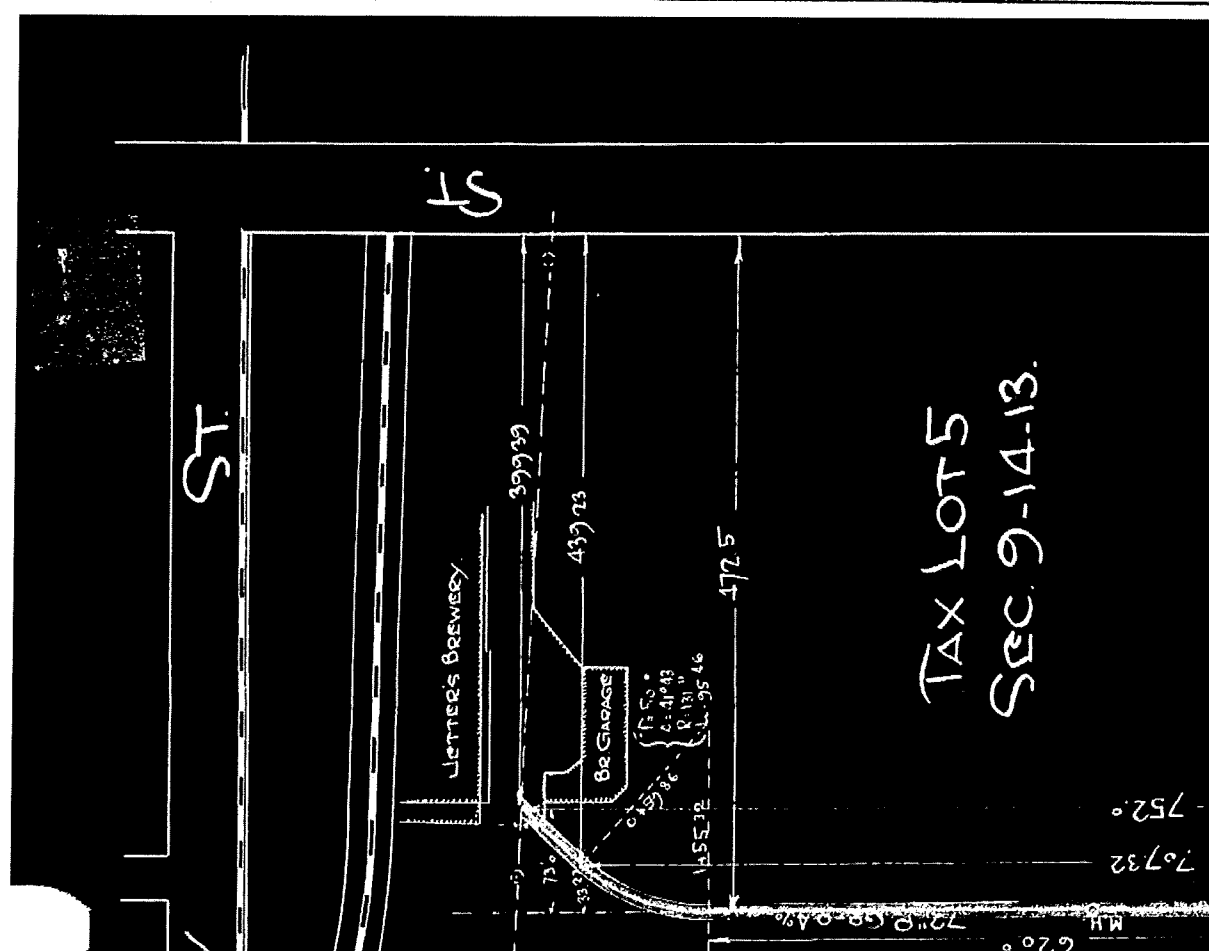
PASSED JUL 30 1929

James E. Dahlman
CITY COUNCIL

James O. Koster
CITY CLERK

DESCRIPTION OF EASEMENT.

BEGINNING AT A PT. ON THE NORTH PROPERTY LINE OF JEFFERSON ST 47.25 FT. WEST OF THE WEST PROPERTY LINE OF 30TH ST. SAID POINT BEING ALSO ON THE SOUTH LINE OF TAX LOT 5, SECTION 9-14-13; THENCE NORTH AND PARALLEL TO THE WEST PROPERTY LINE OF 30TH STREET BETWEEN JEFFERSON STREET AND Y ST. 620 FEET TO THE POINT OF CURVE; THENCE CONTINUING ON A CURVE TO THE RIGHT WHOSE RADIUS IS 1311 FEET AND WHOSE CENTRAL ANGLE IS $41^{\circ} 43' 95.46$ FEET TO THE END OF THE CURVE 707.32 FEET NORTH OF THE SOUTH LINE OF TAX LOT 5, SECTION 9-14-13. AND 439.23 FT. WEST OF WEST PROPERTY LINE OF 30TH STREET, THENCE CONTINUING ON A STRAIGHT LINE IN A NORTHEASTERLY DIRECTION 59.86 FEET TO A PT. 752.0 FEET NORTH OF THE SOUTH LINE OF TAX LOT 5, SECTION 9-14-13 AND 399.79 FT. WEST OF THE WEST PROPERTY LINE OF 30TH ST.
 EASEMENT TO CONSIST OF A STRIP OF LAND 5' ON EACH SIDE OF CENTER LINE OF SEWER AS DESCRIBED ABOVE.

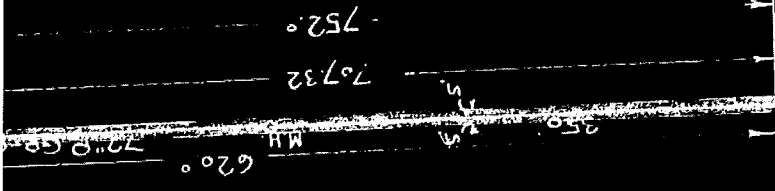


TAX LOT 5
 SEC. 9-14-13.

OF 30TH ST.
EASEMENT TO CONSIST OF A STRIP OF LAND 5' ON EACH SIDE OF
CENTER LINE OF SEWER AS DESCRIBED ABOVE.

TAX LOT 5
SEC. 9-14-13.

30TH



JEFFERSON ST.



RT. OF WAY THROUGH TAX LOT 5 SEC. 9-14-13.
FOR STORM SEWER NO. 974

OFFICE OF CITY ENGR. OMAHA, NEBR.
MAY 27-29. SCALE 1"=100'

84 ✓ 2890 ✓
ORDINANCE NO. 13706

An Ordinance declaring the necessity of appropriating an easement over, upon and through Tax Lot 5 in the Southwest 1/4 of Section 9-14-13, for the purpose of constructing, repairing and maintaining a main sewer ~~in~~ City of Omaha, and providing for the appointment of three disinterested freeholders of said city, etc.

Introduced by:
James Koehler

*Bill
Bulletin
Pub. Imp.
C. Amos
Reg. of Road
Mayor*

RECEIVED JUL 16 1929
Presented to Council:-
JUL 16 1929
Pub. Imps.
JUL 30 1929
Passes

James P. Hoctor
City Clerk

Prepared by <i>C. Swetala</i>	<i>7/16/29</i>
Form & E. <i>W. H. Thompson</i>	<i>7/16/29</i>
Approved <i>James Koehler</i>	<i>7/16/29</i>
City Engineer	

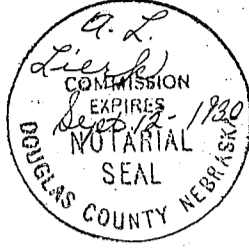
MISCELLANEOUS RECORD, No. 88

266296-OMAHA-PRINTING-CO., OMAHA

to be his own voluntary act and deed and the voluntary act and deed of said Company.

Witness my hand and affixed seal the day aforesaid.

A. L. Lierk,
Notary Public.



State of Nebraska)
County of Douglas) SS.

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County, the 29th day of August, A. D. 1929, at 3:10 o'clock P. M.

Harry Pearce,

Register of Deeds.

Compared by B&R

1. Grant of Easement.)
Magic City Realty Co.) KNOW ALL MEN BY THESE PRESENTS: That Magic City Realty Company,
to) in consideration of the sum of One Dollar and the several covenants and
City of Omaha) agreements hereinafter set out, does hereby grant, convey and confirm
unto the City of Omaha an easement and the right to construct and

maintain a main sewer of such dimensions as the City of Omaha may find and determine to be necessary, over, upon and through Tax Lot Five (5) in the South-west quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Fourteen (14), North, Range Thirteen (13) East of the 6th Principal Meridian; the center line of which said sewer is more fully described as follows:

Beginning at a point on the North property line of Jefferson Street 472.5 feet West of the West property line of 30th Street, said point being also on the South Line of Tax Lot 5, Section 9-14-13; thence North, and parallel to the West property line of 30th Street between Jefferson Street and "Y" Street, 620 feet to the point of curve; thence continuing on a curve to the right, whose radius is 131.11 feet and whose central angle is 41°-43', 95.46 feet to the end of the curve 707.32 feet North of the South line of Tax Lot 5, Section 9-14-13 and 439.23 feet West of West property line of 30th Street; thence continuing on a straight line in a northeasterly direction 59.86 feet to a point 752.0 feet North of the South line of Tax Lot 5, Section 9-14-13 and 399.39 feet West of the West property line of 30th Street.

The further considerations hereinabove referred to are as follows:

1. The condition that if any changes, repairs or alterations are necessary to be made at any time, or if any portion of said sewer or the whole thereof shall be reconstructed after the lots into which said property may be hereafter divided are filled or improved, the said City of Omaha shall pay to the owner or owners of such lot or lots any and all damages that may be occasioned by the repairing, altering or reconstruction of said sewer or occasioned by the failure of the said City of Omaha to keep said sewer in repair or occasioned by the failure of the said City of Omaha to construct said sewer of such size and dimensions and in such manner as to perform the work and services for which said sewer shall have been constructed; the damages that may be occasioned to include damage to crops, vines, gardens and lawns, but such description of damages shall not be considered exclusive of any and all other damages that may be occasioned to the owners of said lot or lots by the City of Omaha, its agents or employees, due to or growing out of the construction of the sewer aforesaid.

2. The said City of Omaha further agrees to give to the grantor herein without charge or expense such storm water connections with said sewer as the said grantor may desire, and also

MISCELLANEOUS RECORD, No. 88

one sanitary connection with said sewer at such point as the grantor shall designate.

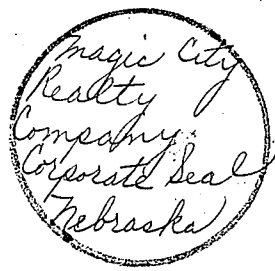
3. The grantee hereby further agrees that for any additional sanitary connections required by the grantor, permits to construct same will be issued at a cost not to exceed One Dollar (\$1.00) per lineal front foot, and permit will be issued for each 40 feet if desired by the grantor.

4. The City of Omaha hereby agrees to hold the grantor herein harmless from any loss or liability growing out of the claim of any person or persons whomsoever for damages alleged to be suffered by reason of the construction or repair of said sewer on the premises above described.

IN WITNESS WHEREOF, the Magic City Realty Company has caused these presents to be signed by its president and attested by its Secretary, and its corporate seal affixed, as of this 22nd day of August, 1929.

In The presence Of:

Otto J. Steffen



MAGIC CITY REALTY COMPANY,

By Bertha Jetter, President

Attest: Henry John Jetter,

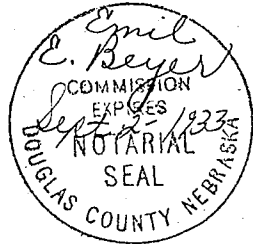
State of Nebraska,)
)SS.
Douglas County.)

On this 22nd day of August, 1929, before me, a Notary Public in and for the county aforesaid, personally came the above named Bertha Jetter, President and Henry John Jetter, Secretary, of the Magic City Realty Company, who are personally known to me to be the identical persons whose names are affixed to the above instrument as president and secretary of said corporation, and they acknowledged the instrument to be their voluntary act and deed, and the voluntary act and deed of said corporation.

WITNESS my hand and official seal at Omaha in said County, the date aforesaid.

Received, Aug. 27, 1929
Presented to Council:
Aug. 27, 1929.
Approved
James P. Hactor, City Clerk.
Approved, Aug. 27, 1929.

Mayor and President of City Council.



Emil E. Beyer,
Notary Public.

Attest:

James P. Hactor, City Clerk.

State of Nebraska,)
)SS.
County of Douglas)

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County, the 30th day of August, A. D. 1929, at 8:45 o'clock A. M.

Harry Pearce,

Register of Deeds.

Compared by B&R

2. Certified Copy of Decree. }
Christian Pederson }
 } vs. }
Jean Petersen, et al }

BE IT REMEMBERED, That in the District Court in and for the County of Douglas in the Fourth Judicial District of Nebraska, at the May 1929 Term of said Court, begun and held in the city of Omaha in said County and State on the 6th day of

May, 1929 and on a day thereof, to-wit: On the 28th day of August in the year of Our Lord One Thousand Nine Hundred and Twenty- Nine. Present Honorable W. G. Hastings Judge presiding, Charles B. McDonald Sheriff and Robert Smith Clerk; a certain Decree was rendered and entered of record