

CITY OF OMAHA

BOOK 694 PAGE 393

COUNCIL CHAMBER

Omaha, Nebr. July 12, 1983

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Ambrose-Kornfeld Development Associates, Ltd., a Colorado Limited Partnership, proposes to build a Subdivision, Crossroads Plaza, which will be located on the northwest corner of 76th and Dodge Streets; and,

WHEREAS, Ambrose-Kornfeld Development Associates, Ltd., a Colorado Limited Partnership, wishes to connect to Omaha's sewer system, the system of sanitary sewers to be constructed by Ambrose-Kornfeld Development Associates, Ltd., a Colorado Limited Partnership, within the area to be developed; and,

WHEREAS, the parties wish to agree upon the manner which public improvements will be built by Ambrose-Kornfeld Development Associates, Ltd., a Colorado Limited Partnership, and to clarify the responsibilities of the parties in building and maintaining the improvements in the subdivision; and,

WHEREAS, a 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 Mayor is authorized to sign and the City Clerk is authorized to attest the Subdivision Agreement between the City of Omaha and Ambrose-Kornfeld Development Associates, Ltd., a Colorado Limited Partnership, providing for the public improvements and sewer connections to the Omaha sewer system.

APPROVED AS TO FORM:

[Signature]
ASSISTANT CITY ATTORNEY

PWC/12:5C8:22

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.

[Signature]

Councilman

[Signature]
CITY CLERK

BY

ADOPTED JUL 26 1983 7-0

[Signature]
City Clerk

Approved *[Signature]* 7/29/83
Mayor



This Subdivision Agreement, made this 21st day of July, 1983 by and between Ambrose-Kornfeld Development Associates, Ltd., a Colorado limited partnership, (hereinafter referred to as "SUBDIVIDER"), and the CITY OF OMAHA (hereinafter referred to as "CITY").

WHEREAS, the Subdivider is the owner of the land shown on the proposed plat attached hereto as Exhibit "A" (hereinafter referred to as "PROPERTY"); and,

WHEREAS, the Subdivider proposes to build public improvements on the property; and,

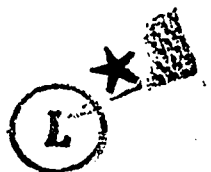
WHEREAS, the Subdivider wishes to connect the system of sanitary sewers to be constructed within the property to the sewer system of the City of Omaha; and,

WHEREAS, the Subdivider and City desire to agree on the method for the installation and allocation of expenses for public improvements to be constructed in the property.

NOW, THEREFORE, in consideration of the above the following is agreed between the parties hereto:

1. Public improvements. Attached hereto as Exhibit "A" and incorporated herein by reference are plats showing the public improvements to be installed on the property, i.e. relocating a sanitary outfall sewer (hereinafter referred to as "IMPROVEMENTS"). All improvements must receive the approval of the Public Works Department of the City prior to construction.
2. Water, gas, and electrical power. The Subdivider agrees to enter into an Agreement with the Metropolitan Utilities District regarding all water and gas line extensions on the property, and into an Agreement with the Omaha Public Power District for power lines to be installed on the property. Copies of all Agreements with the Metropolitan Utilities District and the Omaha Public Power District will be provided to City within four months from the date of this Agreement.
3. Installation of improvements. The Subdivider agrees to commence the timely and orderly installation of the improvements following execution of this Agreement, pursuant to Section 53-9 of the Omaha Municipal Code.
4. Payment for improvements. The Subdivider shall pay the cost of the improvements, except for * to be contributed by the City, as well as all charges by the Metropolitan Utilities District for water and gas line installation and charges by the Omaha Public Power District for underground electrical service or overhead power installations.
5. Sidewalks. Sidewalks along 76th Street and Dodge Street abutting the property shall be constructed by the Subdivider in conjunction with the private improvements on the site.
6. Right to connect to City sewer system. The City hereby acknowledges that it has given the subdivider the right to connect the sanitary sewer system of the property to the City sanitary sewer system, subject to obtaining proper permits and paying the regular fees.

* City's share to be the difference between the cost of 30" R.C.P. and 24" R.C.P. The amount of this difference will be determined by taking alternate bids - the base bid being 24" R.C.P. and the alternate bid 30" R.C.P.



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

ATTEST:

Mary Gilligan Corney
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FROM:

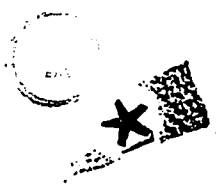
Paul Johnson
CITY ATTORNEY

CITY OF OMAHA

Michael Boyle 7/29/83
MAYOR

SUBDIVIDER: AMBROSE-KORNFELD
DEVELOPMENT ASSOCIATES, LTD.

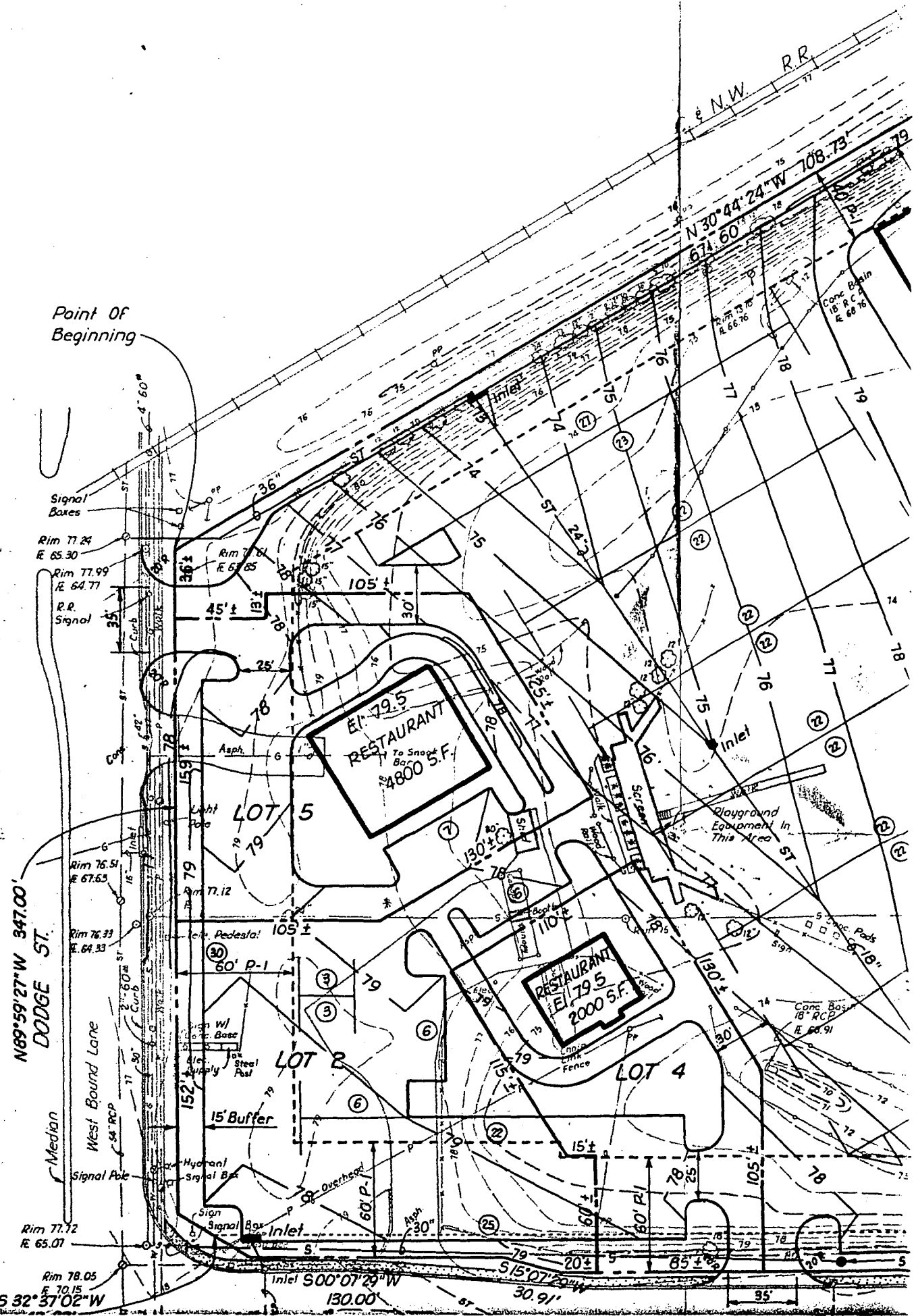
By: *Irwin H. Kornfeld*
Irwin H. Kornfeld, a General Partner



POOR INSTRUMENT FILED



Point of Beginning



$N 69^{\circ} 59' 27'' W$ 347.00'
DODGE ST.

Rim 78.05
E 70.15
 $S 32^{\circ} 37' 02'' W$

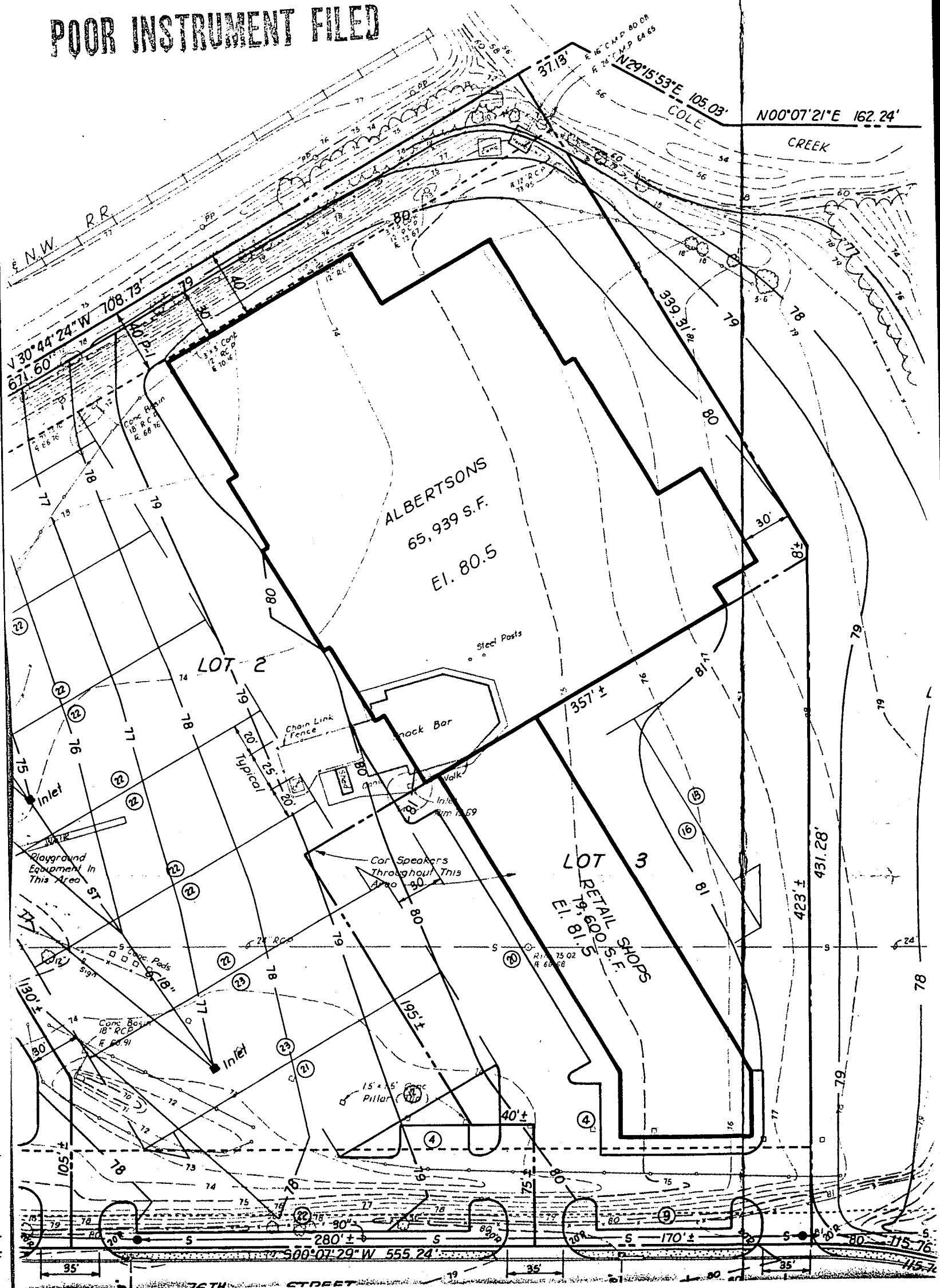
Inlet $S 00^{\circ} 07' 29'' W$
130.00'

$S 15^{\circ} 07' 29'' W$
30.91'

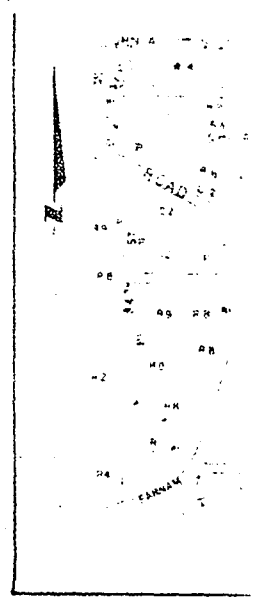
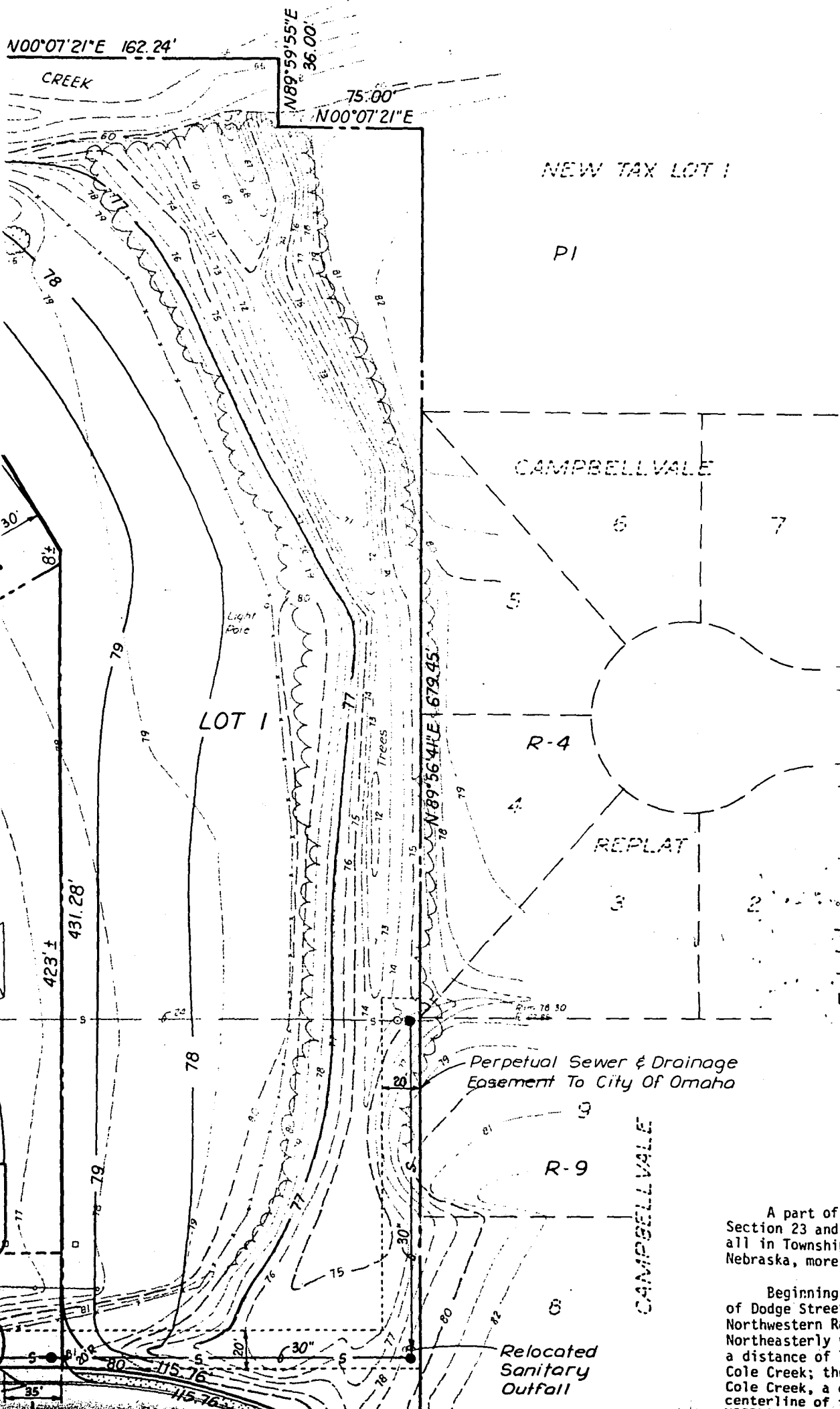
85'

$N 30^{\circ} 44' 24'' W$ 708.73'
671.60'
79
18
15
12
9
6
3
2
1
130.00'
117
115
113
111
109
107
105
103
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1

POOR INSTRUMENT FILED



POOR INSTRUMENT FILED

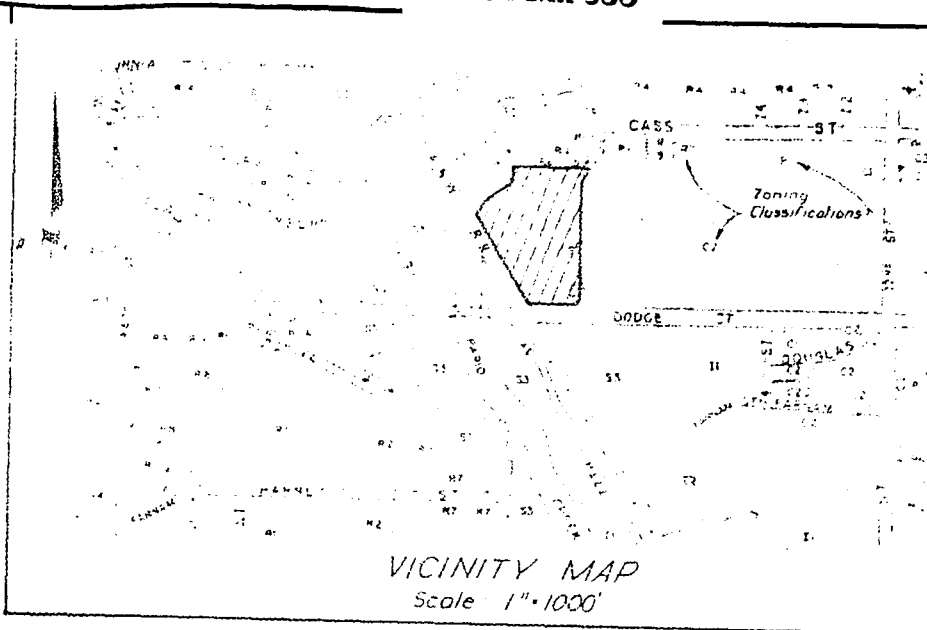


- LEGEND**
- S - Sanitary Sewer
 - ST - Storm Sewer
 - PP - Power Pole
 - (Symbol) - Trees
 - W - Water Main
 - P - Power Main
 - X - Fence (Wood)
 - 78 - Existing Contour
 - G - Gas Main
 - *
 - Wood Post
 - 78 - Proposed Contour
 - S - Proposed Sanitary Sewer
 - ST - Proposed Storm Sewer
 - (Symbol) - Proposed

**LEGAL DESCRIPTION
BOUNDARY SURVEY**

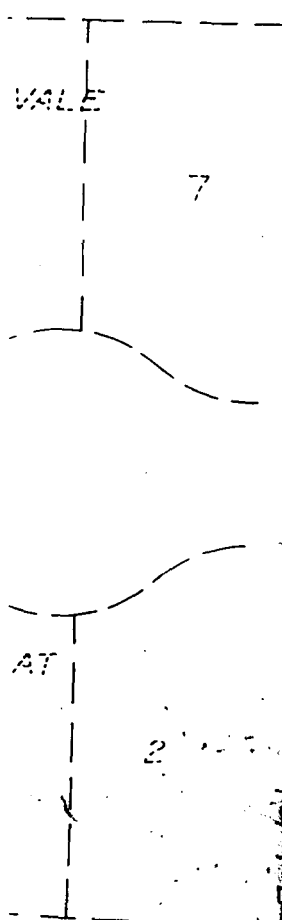
A part of New Tax Lot 1, located in the Section 23 and part of the NW 1/4 of the NE all in Township 15 North, Range 12 East of Nebraska, more particularly described as follows:

Beginning at the point of intersection of Dodge Street and the Northeastly right Northwestern Railroad; thence N30°44'24"W (Northeastly right-of-way line of the Chicago & North Western Railroad) a distance of 708.73 feet to a point on the Cole Creek; thence N29°15'53"E, along said Cole Creek, a distance of 105.03 feet; thence centerline of the channel of Cole Creek, a N89°59'55"E a distance of 35.00 feet; thence



X LOT 1

POOR INSTRUMENT FILED



- LEGEND**
- S— Sanitary Sewer & Manhole
 - ST— Storm Sewer & Manhole
 - P— Power Pole W/ Guy Wire
 - Trees
 - W— Water Main & Manhole
 - P— Power Manhole
 - X— Fence (Wood)
 - 78— Existing Contours
 - G— Gas Main
 - * Bushes
 - Wood Posts W/ Cable
 - 78— Proposed Contours
 - S— Proposed Sanitary Sewer
 - ST— Proposed Storm Sewer
 - Proposed Sidewalk

rainage
Omaha

**LEGAL DESCRIPTION
BOUNDARY SURVEY**

A part of New Tax Lot 1, located in the NE 1/4 of the NW 1/4 of Section 23 and part of the NW 1/4 of the NE 1/4 of said Section 23, all in Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the North right-of-way line of Dodge Street and the Northeasterly right-of-way line of the Chicago and Northwestern Railroad; thence N30°44'24"W (assumed bearing), along said Northeasterly right-of-way line of the Chicago and Northwestern Railroad, a distance of 708.73 feet to a point on the centerline of the channel of Cole Creek; thence N29°15'53"E, along said centerline of the channel of Cole Creek, a distance of 105.03 feet; thence N00°07'21"E, along said centerline of the channel of Cole Creek, a distance of 162.24 feet; thence N89°59'55"E, a distance of 36.00 feet; thence



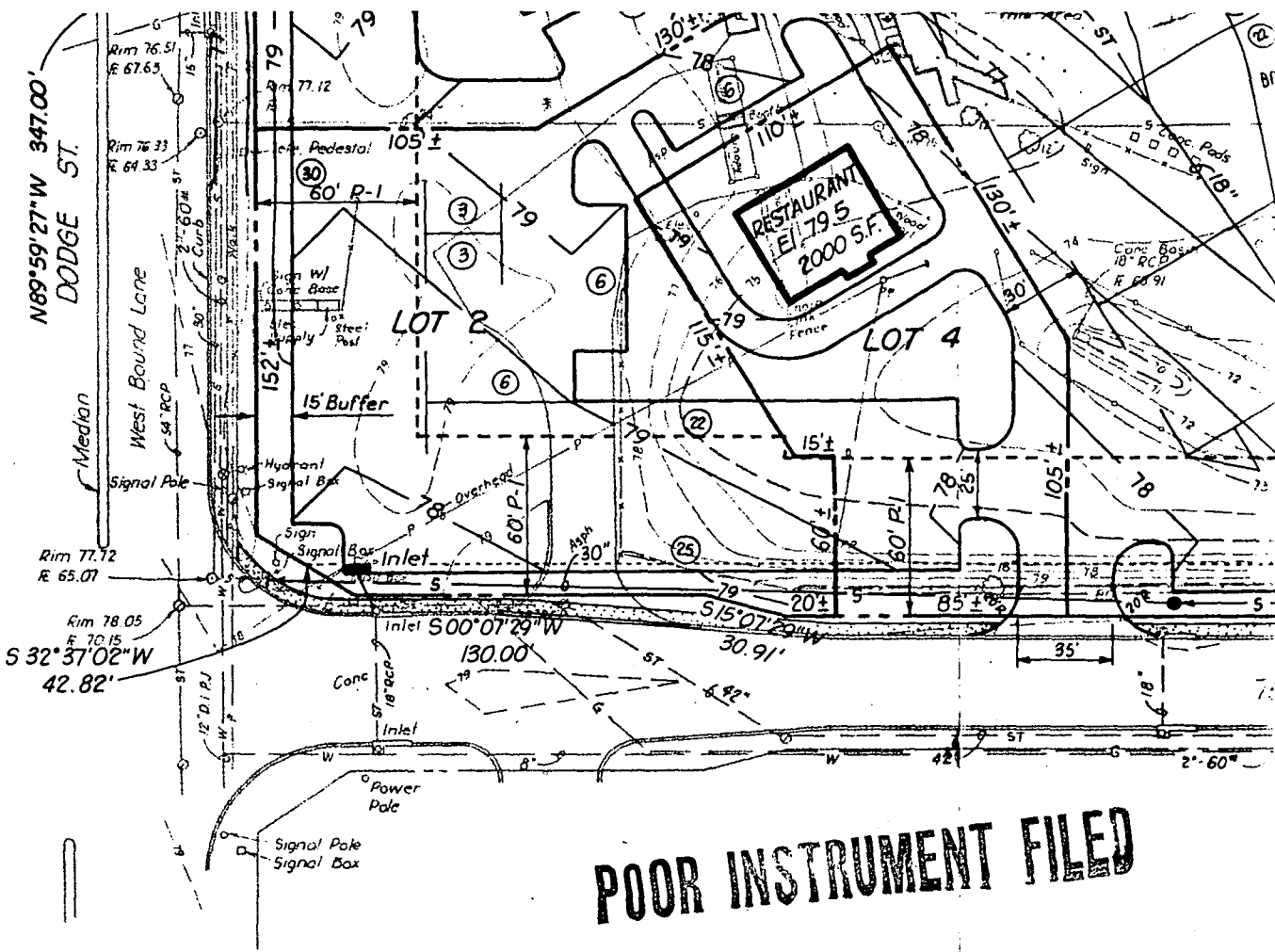
ELLIOTT & ASSOCIATES

5316 SOUTH 132nd STREET • OMAHA, NE. 68137 • (402) 895-4700

CROSSROADS PLAZA

76th & DODGE STREET
OMAHA, NEBRASKA

PLAT
IN

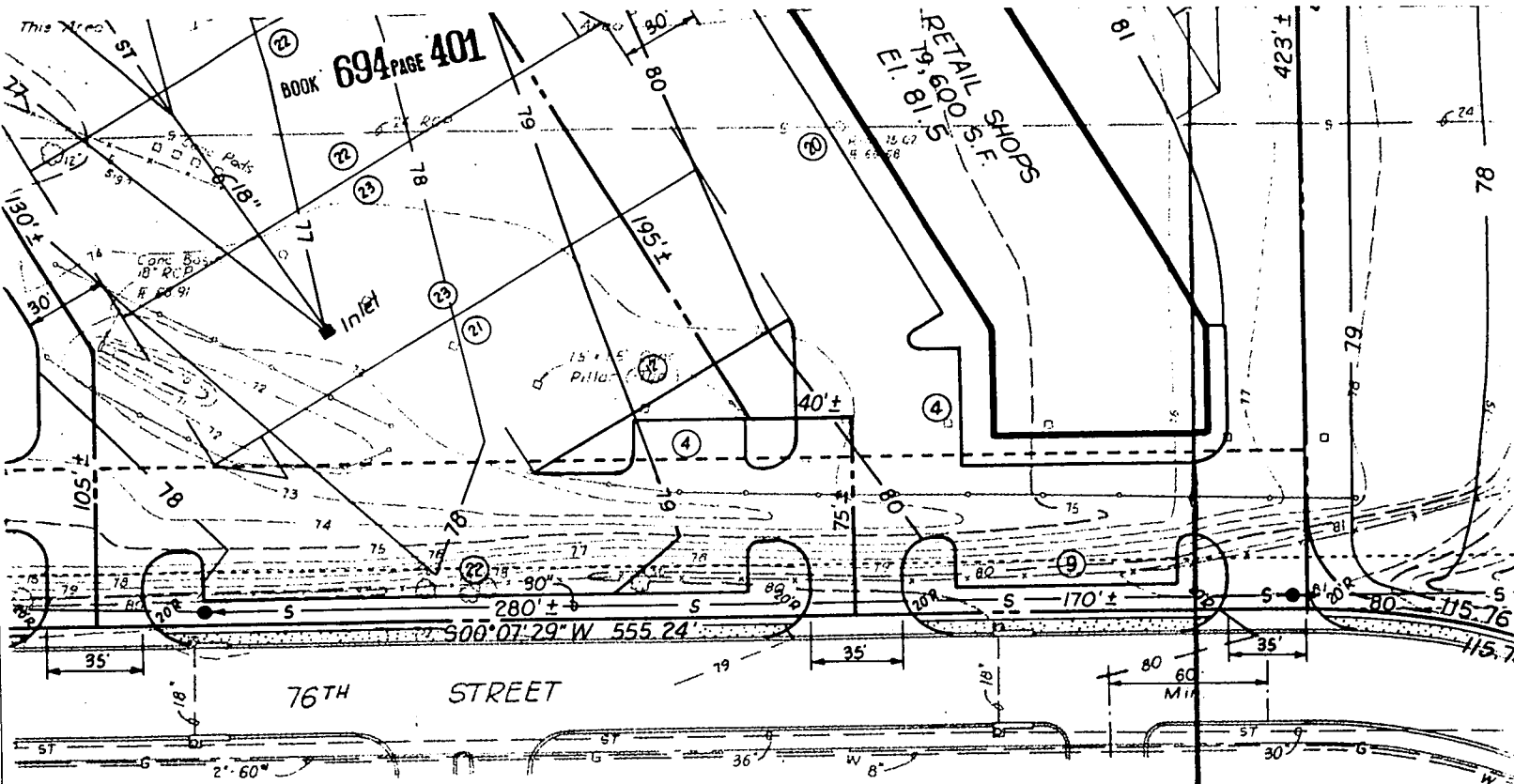


POOR INSTRUMENT FILED

- BENCH MARK**
1. Top Nut On Fire Hydrant @
NW Cor. Of 76th & Dodge.
City Datum 81.10
 2. U.S.G.S. Brass Cap On NE
Wingwall Of Dodge St.
Bridge Over Papia Creek.
U.S.G.S. Datum 1040.87
City Datum 78.83

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RETAIL SHOPS
E.I. 81.5
19,600 S.F.



POOR INSTRUMENT FILED

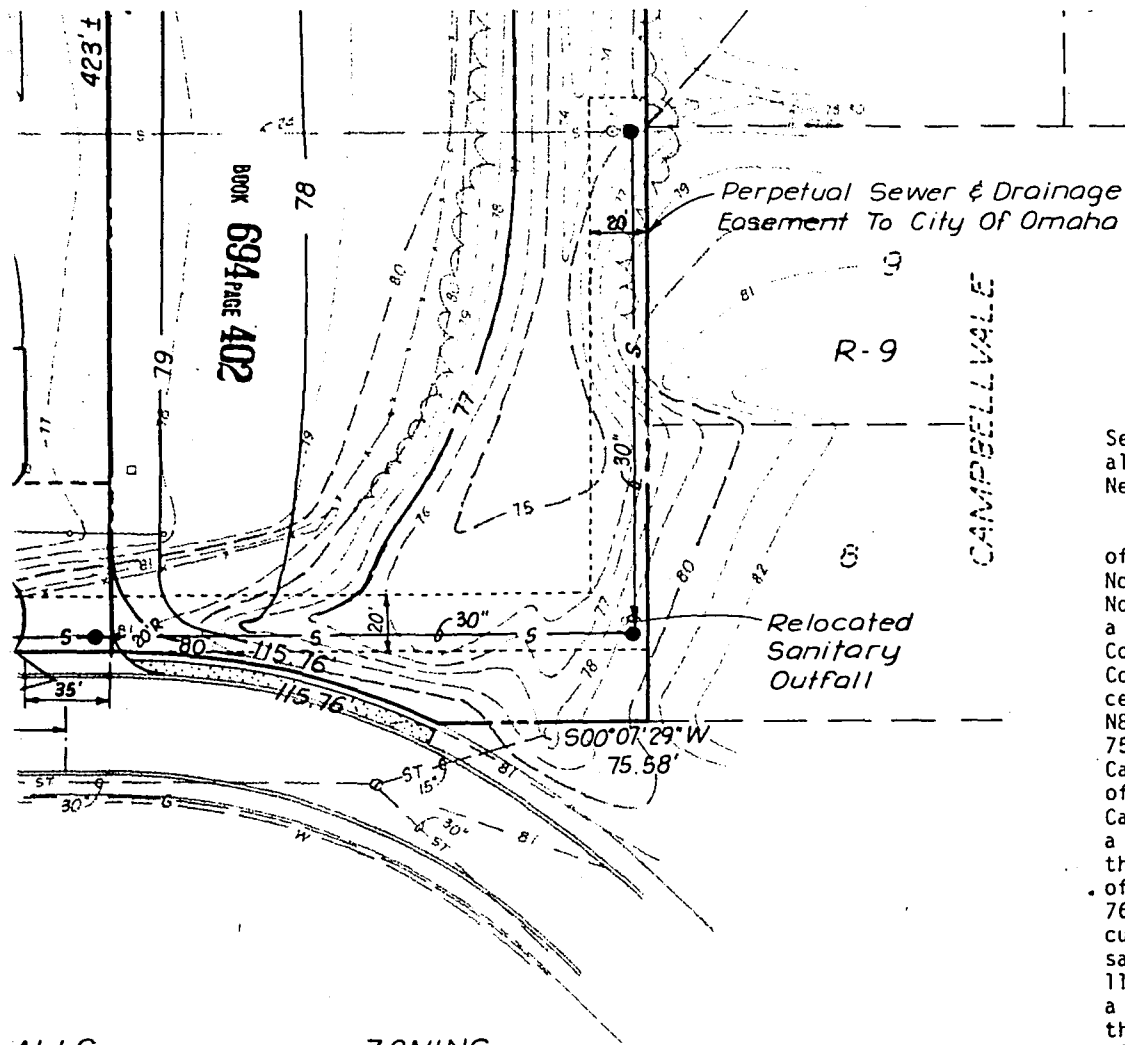
PARKING STALLS
523 Total

BUILDING SQ. FT.
92,339 S.F. Total

LOT SIZES

- LOT 1 - 152,950 S.F. ±
- LOT 2 - 282,100 S.F. ±
- LOT 3 - 83,850 S.F. ±
- LOT 4 - 20,000 S.F. ±
- LOT 5 - 30,000 S.F. ±

POOR INSTRUMENT FILED



— S — Proposed
 — ST — Proposed
 [Hatched Box] Proposed

LEGAL DESCRIPTION
BOUNDARY SURVEY

A part of New Tax Lot 1, located in the Section 23 and part of the NW 1/4 of the NE all in Township 15 North, Range 12 East of Nebraska, more particularly described as follows:

Beginning at the point of intersection of Dodge Street and the Northeasterly right Northwestern Railroad; thence N30°44'24"W (Northeasterly right-of-way line of the Chicago) a distance of 708.73 feet to a point on the Cole Creek; thence N29°15'53"E, along said Cole Creek, a distance of 105.03 feet; thence centerline of the channel of Cole Creek, a N89°59'55"E, a distance of 36.00 feet; thence 75.00 feet to a point on the Westerly exterior of Campbellvale Replat and Campbellvale, subdivision of the NE 1/4 of Section 23; thence N89°56' Campbellvale Replat and Campbellvale, and thence a distance of 679.45 feet to the Southeast corner of Dodge Street; thence S00°07'29"W, a distance of 75.58 feet to the right-of-way line of 76th Street; thence, along said 76th Street, on the following described curve to the left with a radius of 263.73 feet and a central angle of 114.83 degrees, said curve having a long chord which bears N114°48'30"W, a distance of 114.83 feet; thence S00°07'29"W, a distance of 30.91 feet; thence S00°07'29"W, a distance of 30.91 feet; thence S32°37'02"W, a distance of 42.82 feet to the right-of-way line of Dodge Street; thence N89°56'55"E, along said right-of-way line of Dodge Street, a distance of 708.73 feet to the point of Beginning.

Said tract of land contains an area of

4LLS

ZONING
Existing S-3
Proposed C-1

2. FT.
total

DEVELOPER
Ambrose-Kornfeld Land Company
650 17TH St
Denver, Colorado 80202

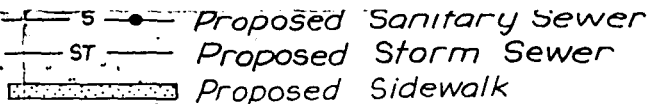
50 S.F. ±
30 S.F. ±
50 S.F. ±
30 S.F. ±
30 S.F. ±

RECEIVED

1983 AUG -8 AM 11:47

C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 694



 Proposed Sanitary Sewer

 Proposed Storm Sewer

 Proposed Sidewalk

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Drainage of Omaha

LEGAL DESCRIPTION
BOUNDARY SURVEY

A part of New Tax Lot 1, located in the NE 1/4 of the NW 1/4 of the Section 23 and part of the NW 1/4 of the NE 1/4 of said Section 23, all in Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

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Said tract of land contains an area of 13.059 acres, more or less.

CROSSRC
76th & D
OMAHA

PRELIMINARY PLAT
& SITE PLAN

PROJECT NO. 82042	SCALE 1" = 50'
SHEET 1 OF 1	DATE 3-15-83
	DRAWN BY H.R.H.

Revised 5-24-83
 Revised 4-12-83
 Revised 4-6-83

RECEIVED
 1983 AUG -8 AM 11: 47
 C. HAROLD OSTLER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

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 23-5-12
 23-75-12

EXHIBIT "A"

Book #281