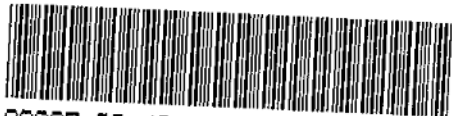




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RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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CERTIFICATION

I, Cheryl K. Eckerman, City Clerk of the City of Elkhorn, Nebraska, hereby certify that the attached is a true and correct copy of the City of Elkhorn, Ordinance No. 397, which was passed and adopted on June 8, 1999.

Cheryl K. Eckerman

CHERYL K. ECKERMAN, CITY CLERK
CITY OF ELKHORN, NEBRASKA

(SEAL)



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PROCEEDINGS AND PASSAGE OF ORDINANCE NO. 397:

The Mayor and City Council of the City of Elkhorn, Nebraska, met in regular session on June 8, 1999, at 7:00 p.m., in the City Hall, and passed the following described ordinance:

ORDINANCE NO. 397

AN ORDINANCE TO VACATE A PORTION OF ELM STREET IN THE CITY OF ELKHORN.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ELKHORN, DOUGLAS COUNTY, NEBRASKA:

WHEREAS, it appears desirable and for the public good and the best interests of the City of Elkhorn, that an Ordinance be passed vacating a portion of Elm Street in the City of Elkhorn; and

WHEREAS, a petition has been filed by the owner of all of the property abutting Elm Street, requesting the vacation of a portion of Elm Street and waiving any claim from damages resulting from the vacation of a portion of Elm Street.

Section 1. That portion of Elm Street hereinafter described, is hereby vacated:

That part of Elm Street which is situated to the south of the south line of the Chappell Addition to the City of Elkhorn, Nebraska, and which is located in that part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the southeast corner of the Chappell Addition to the City of Elkhorn; thence southerly a distance of 345.8 feet to a point 90.3 feet west of the east line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$; then south parallel with said east line a distance of 16.9 feet to a point 90.3 feet west and 74.0 feet north of the southeast corner of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence west parallel with the south line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 491.6 feet; thence north parallel with the east line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$, a distance of 363.4 feet to the south line of said Chappell Addition; thence east on said south line of said Chappell Addition, a distance of 519.9 feet to the place of beginning, subject to right-of-way easements and condemnations of record by the State of Nebraska Department of Roads.

Bearings in the above description are based on a legal description in an "Annexation and Street Dedication Plan" dated July 12, 1971 by Bernard J. Minarck and Halen L. Minarck, a copy of which is attached hereto and incorporated herein by reference.

Section 2. The aforesaid vacated portion of Elm Street shall revert to the owners of all of the real estate abutting the aforesaid portion of Elm Street.

Said Ordinance was then read by title and thereafter Council member Witt moved for final passage of the Ordinance, which motion was seconded by Council member Howe. The Mayor then stated the question was "Shall Ordinance No. 397 be passed and adopted?" Upon roll call vote, the following Council members voted YEA: all

The following voted NAY: none

The passage and adoption of said Ordinance having been concurred by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor in the presence of the Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

PASSED AND APPROVED this 8 day of June, 1999.



Phillip E. Klein
MAYOR

ATTEST:

Cheryl K. Edelman
CITY CLERK

