

CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA.

AN ORDINANCE providing for the vacation of certain streets and alleys in the City of Omaha, Douglas County, Nebraska, such portions of said streets and alleys being described as follows:

All that part of 8th Street lying south of the south line of Seward Street, and north of the following described line, to-wit:

Beginning at a point in the east line of 8th Street produced 35 feet north of the northwest corner of Block 34; thence southwesterly on a straight line to a point in 8th Street which is 35 feet west at right angles from a point in the west line of Block 34, 180 feet south of the northwest corner of said Block; thence southwesterly along a straight line to the point of intersection of the west line of 8th Street with the northwesterly line of the public street across Block 64, conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

Also all that part of Cuming Street between the east line of 8th Street and the east line produced north of Block 328 in said city.

Also all that part of Iazard Street lying between the east line of 8th Street and the east line produced north of Block "Q" in said city.

Also all that part of the public street across Lots Two (2) and Three (3), Block Three Hundred Sixty (360) of said city as conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

Also the alley in Block Three Hundred Twenty-eight (328) of said city.

Also the alley in Block "Q" of said city.

All as indicated in blue on drawing N.D. 18868, dated November 17, 1925, and revised December 3, 1925, which is attached hereto and made a part hereof.

Also all that part of Cass Street between the east line of 8th Street and a line drawn across Cass Street at right angles thereto 500.75 feet east of the east line of 8th Street, as indicated in blue and yellow on drawing N.D. 18868, dated November 17, 1925, and revised December 3, 1925, which is attached hereto and made a part hereof.

WHEREAS, Union Pacific Railroad Company, the owner of all of the taxable foot frontage abutting upon the portions of the streets and alleys herein described, has filed with the City Clerk a petition asking for the vacation of the portions of streets and alleys herein described, and

*Approved as to form; but descriptions
discussions made not checked or verified
P. S. Walburn
City Clerk*
*Approved
City Engineer*

WHEREAS, Union Pacific Railroad Company has waived all damages that might accrue to it by reason of the vacation of such portions of said streets and alleys, and

WHEREAS, Union Pacific Railroad Company has offered to and will convey to the City of Omaha by warranty deed for a public road a strip of ground approximately sixty (60) feet wide across its property in Blocks One (1), Thirty-two (32) and Thirty-four (34); and across the vacated alleys in Blocks One (1), Thirty-two (32) and Thirty-four (34); and across vacated California Street; and across that part of Cass Street proposed to be vacated by this ordinance; which said roadway is more particularly described as follows, to-wit:

A strip, piece or parcel of land sixty (60) feet in width, being thirty (30) feet in width on either side of the following described center line:

Beginning at a point in the south line produced, west, of Block Thirty-four (34), thirty-one and six-tenths (31.6) feet west of the southwest corner of said Block; thence northeasterly fifteen (15) feet along a straight line to a point which is nineteen and five-tenths (19.5) feet west of the west line of said Block Thirty-four (34); thence northeasterly along a straight line one hundred twenty-one and four-tenths (121.4) feet to a point in the west line of said Block which is one hundred forty-nine and three-tenths (149.3) feet south of the northwest corner of said Block; thence continuing northeasterly four hundred fifty-seven (457) feet along a straight line to a point which is ninety (90) feet east of the west line of Block Thirty-two (32); thence northeasterly four hundred sixty-seven (467) feet more or less to a point in the east line of Block One (1), which is one hundred ten (110) feet southeasterly from the northeast corner of said Block when measured along the easterly line thereof; excepting, however, that portion of Lot Four (4), Block Thirty-four (34), heretofore conveyed by Union Pacific Railroad Company to City of Omaha by warranty deed dated September 18, 1924, also all that portion of Eighth (8th) Street, which are included within the above described premises,

the said strip of ground to be so conveyed being indicated in yellow on said Drawing N.D. 18868, hereinbefore referred to.

NOW, THEREFORE,

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

Section 1. That the following described portions of streets and alleys within the city limits of the City of Omaha be, and the same are hereby vacated:

All that part of 8th Street lying south of the south line of Seward Street, and north of the following described line, to-wit:

Beginning at a point in the east line of 8th Street produced 35 feet north of the northwest corner of Block 34; thence southwesterly on a straight line to a point in 8th Street which is 35 feet at right angles from a point in the west line of Block 34, 180 feet south of the northwest corner of said Block; thence southwesterly along a straight line to the point of intersection of the west line of 8th Street with the northwesterly line of the public street across Block 64, conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

Also all that part of Cuming Street between the east line of 8th Street and the east line produced north of Block 328 in said city.

Also all that part of Izerd Street lying between the east line of 8th Street and the east line produced north of Block Q in said City.

Also all that part of the public street across Lots Two (2) and Three (3), Block Three Hundred Sixty (360) of said city as conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

Also the alley in Block Three Hundred Twenty-Eight (328) of said city.

Also the alley in Block Q of said City.

All as indicated in blue on drawing N.P. 18868, dated November 17, 1925, and revised December 3, 1925, which is attached hereto and made a part hereof.

Also all that part of Cass Street between the east line of 8th Street and a line drawn across Cass Street at right angles thereto 500.75 feet east of the east line of 8th Street, as indicated in blue and yellow on drawing N.P. 18868, dated November 17, 1925, and revised December 3, 1925, which is attached hereto and made a part hereof.

Section 2. The vacation of the property herein described and the reversion thereof shall be subject to the condition and limitation that there is reserved to the City of Omaha the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; and to enter upon the premises to accomplish the above purposes at any and all times; and also the right to authorize the Metropolitan Utilities District or the City of Omaha or any public utility to construct, maintain, repair and renew, and operate now 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; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the City.

Section 3. The vacation of the property herein described shall also be subject to the condition that the Union Pacific Railroad Company shall construct and forever maintain, at the point indicated on the plat or map attached hereto, a bridge to be 24 feet wide protected by a substantial rail on each side and to carry a live load of a 15-ton truck; 10 tons of said weight to be carried by rear wheels.

Section 4. That since Union Pacific Railroad Company owns all of the property abutting on either side of the said portions of said streets and alleys hereby vacated, and has waived all damages that might accrue to it by virtue of such vacation, appraisers will not be appointed to assess and determine such damage.

Section 5. That this ordinance shall take effect and be in force from and after fifteen days after its passage.

PASSED: JAN 26 1926

James E. Dahlman
Mayor and President City Council

Attest:

James P. Hoctor
City Clerk.

INTRODUCED BY COMMISSIONER:

*Joseph Novelsky, as requested
by Committee of whole*

*Form Approved
D. B. Anderson
City Attorney*

Ord. No. 12902 J

190-8061-474 1/26

RECEIVED JAN 12 1926

Presented to Council:-

JAN 12 1926

Pub. Imps.

JAN 26 1926

Passed

James P. Hooton
City Clerk

described center line.
 Beginning at a point in the South line produced West of Block Thirty-four (34), thirty-one and six-tenths (31.6) feet West of the Southwest corner of said Block; thence Northeasterly fifteen (15) feet along a straight line to a point which is nine feet and five-tenths (9.5) feet West of the West line of said Block Thirty-four (34); thence Northeasterly along a straight line one hundred twenty-one and four-tenths (121.4) feet to a point in the West line of said Block which is one hundred forty-nine and three-tenths (149.3) feet South of the Northwest corner of said Block; thence continuing Northeasterly four hundred fifty-seven (457) feet along a straight line to a point which is ninety (90) feet east of the West line of Block Thirty-two (32); thence Northeasterly four hundred sixty-seven (467) feet more or less to a point in the East line of Block One (1), which is One Hundred Ten (110) feet South-easterly from the Northeast corner of said Block when measured along the Easterly line of Lot Four (4) herebefore referred to (34) heretofore conveyed by the City of Omaha by Warranty deed dated September 13, 1924, also all that portion of Fifth (5th) Street, which are included within the above described premises, the said strip of ground to be so conveyed being indicated in yellow on said drawing N. D. 18863, hereinbefore referred to.

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

Section 1. That the following described portions of streets and alleys within the City limits of the City of Omaha be, and the same are hereby vacated:
 All that part of Eighth Street lying South of the South line of Seward Street, and North of the following described line.

to-wit:
 Beginning at a point in the East line of Eighth Street produced 35 feet North of the Northwest corner of Block 34; thence Southwesterly on a straight line to a point in Eighth Street which is 35 feet at right angles from a point in the East line of Block 34, 130 feet South of the Northwest corner of said Block; thence Southwesterly along a straight line to the point of intersection of the West line of Eighth Street with the Northwesterly line of the public street across Block 64, conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

Also that part of Cumling Street between the East line of Eighth Street and the East line produced North of Block 328 in said city.

All that part of Izard Street lying between the East line of Eighth Street and the East line produced North of Block Q in said city.

Also all that part of the public Street across Lots two (2) and Three (3), Block Three Hundred Sixty (360) of said City as conveyed by the Union Pacific Railroad Company to the City of Omaha by quit claim deed, dated January 2, 1902.

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Section 2. The vacation of the property herein described and the reversion thereof shall be subject to the condition and limitation that there is reserved to the City of Omaha the right to maintain, operate, air and renew sewers now existing, and in the future to construct, maintain, repair and renew additional sewer sewers; and to enter upon the premises to accomplish the above purposes at any and all times; and also the right to authorize the Metropolitan Utilities District or the City of Omaha or any public utility to construct, maintain, repair and renew, and operate now 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; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the City.

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Section 4. That since Union Pacific Railroad Company owns all of the property abutting on either side of the said portions of said streets and alleys hereby vacated, and has waived all damages that might accrue to it by virtue of such vacation, appraisers will not be appointed to assess and determine such damage.

Section 5. That this ordinance shall take effect and be in force from and after fifteen days after its passage.

Passed, Jan. 26, 1926.
 JAMES C. DAHLMAN,
 Mayor and President of City Council.
 JAMES P. ROCTOR,
 City Clerk.