

# BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

BOOK 408 PAGE 115

## Resolved

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, on the 17th day of December, 1963, deemed that the public interest required the vacation of County Road #129D, west from County Road #104 to the Platte River, as surveyed, platted and recorded, Douglas County, Nebraska, and by resolution on that date directed the Highway Department Superintendent to study the use being made of the aforesaid road and to submit in writing to the County Board upon the study made and his recommendation as to the vacation thereof, and

WHEREAS, on December 18th, 1963, the Highway Department Superintendent recommended to the Board of County Commissioners of Douglas County, Nebraska, that "With reference to the request of Jesse D. Cranny seeking the vacation of County Road #129D, we have made an investigation and find that inasmuch as the Valley Feed Yards, Inc., sole owners of the property involved, has granted Douglas County perpetual ingress and egress over a strip of land parallel to the Union Pacific Railroad right-of-way, extending from County Road #104 to the Platte River, all in Section 2, Township 15 North, Range 9 East of the 6th P.M., we recommend the vacation of County Road #129D.", and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska on the 23rd day of December, 1963, adopted a resolution fixing Tuesday, January 21st, 1964, in the County Board Room of Douglas County, Nebraska, as the time, date and place for a public hearing thereon, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, caused such resolution to be published in the Douglas County Gazette, a legal newspaper in Douglas County, Nebraska, once a week for three (3) consecutive weeks, and further caused copies of the resolution fixing the time, date and place of said public hearing to be served upon all of the owners of land abutting on or adjacent to the road to be vacated by mailing the same, by certified mail to the last known address of each owner more than two (2) weeks in advance of the hearing, and

WHEREAS, said road does not lie within a township in a County operating roads on a township basis, and

WHEREAS, a public hearing was held on Tuesday, January 21st, 1964 at 10:15 A.M., in the County Board Room of Douglas County, Nebraska, and at said time and place no objections were voiced, and at the conclusion of said hearing the Board of County Commissioners of Douglas County, Nebraska, determined that the public good required the vacation of said road.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Nebraska, that County Road #129D, west from County Road #104 to the Platte River, as surveyed, platted and recorded, Douglas County, Nebraska, be and the same is hereby vacated to conform to the plat attached hereto, marked Exhibit "A", and incorporated herein by reference; and that the above described vacated road shall revert to the owners of the adjacent real estate, one-half on each side thereof, subject to the condition and limitation that there is reserved to the Metropolitan Utilities District of the City of Omaha, the Omaha Public Power District, Northwestern Bell Telephone Company or any other public utilities the right to construct, maintain, repair, renew and operate present 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 owners; and the right so reserved shall also include such lateral connections or branch lines as may be ordered, desired or permitted by the County; and to enter upon the premises to accomplish the above purpose at any and all times.

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DOUGLAS COUNTY, NEBRASKA

Resolved

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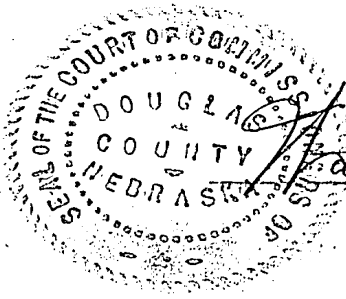
BE IT FURTHER RESOLVED that the County Surveyor be and is hereby authorized and directed to correct the records, profiles and plats accordingly and that a copy of this resolution be filed in the Register of Deeds office and the cost of same be charged to the petitioners.

DATED this 28th day of January, 1964.

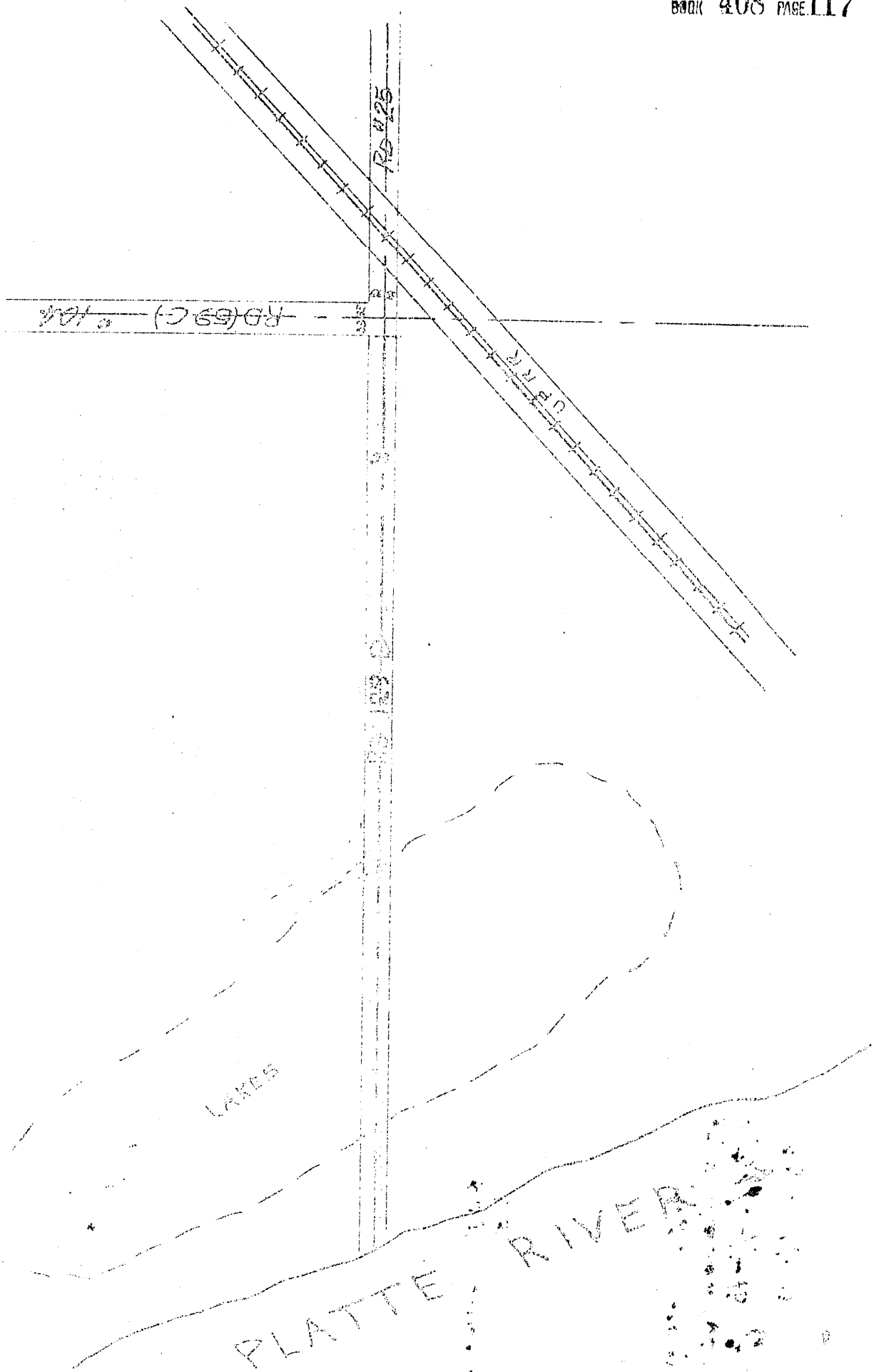
*Joseph J. Cavanaugh*  
*Ralph O. Hefflinger*  
*Wm. B. Milner*  
*Daniel O. Lynch*  
*Leonard Bergman*  
BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

Motion by Hefflinger; Seconded by Lynch  
I move the adoption of the resolution.  
ADOPTED: January 28th, 1964.  
YEAS: Bergman, Hefflinger, Lynch,  
Milner, Cavanaugh

(CERTIFIED COPY)



*Patente Spellman*  
COUNTY CLERK



*9*  
*msd*

THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DELAWARE COUNTY, ALABAMA

1064 JAN 31 PM 12 13

RECEIVED

THE STATE OF ALABAMA

Deputy

Entered in the office of the Register of Deeds of said County of Delaware, Alabama

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*Thomas J. O'Connor*  
REGISTER OF DEEDS

Deputy

*R.D. O'Connor*

*513 Thomas J. O'Connor*

*344-16-9 600*

*35-16-9*