



July 14, 1998

City of Omaha
Hal Daub, Mayor

RECEIVED

22 JUL - 2 AM 10 27

277

21

Public Works Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 601
Omaha, Nebraska 68183-0601
(402) 444-5220
Telefax (402) 444-5248

Don W. Elliott, P.E.
Public Works Director

Honorable President

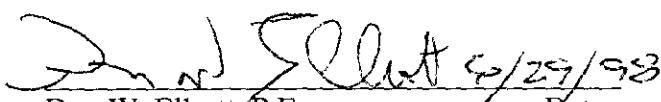
and Members of the City Council,

Transmitted herewith is an Ordinance amending Ordinance No 34548, passed May 19, 1998. An error was made in Section 1 of this Ordinance describing the land adjacent to the vacated right-of-way area. The description of the right-of-way being vacated was accurately described.

The attached Amending Ordinance corrects this error, the Public Works Department requests your consideration and approval of this Ordinance.

Sincerely,

Referred to City Council for Consideration



Don W. Elliott, P.E.
Director

Date



Mayor's Office/Title

Date

P \PW1\7812 SKZ



ORDINANCE NO 34624

AN ORDINANCE to amend Section 1 of Ordinance No 34548, passed May 19, 1998, to repeal
Section 1 of Ordinance No 34548 as heretofore existing, and to provide the effective date
hereof

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

Section 1 That Section 1 of Ordinance No 34548, passed May 19, 1998, is amended to read
as follows

"Section 1 That Dewey Avenue from 42nd Street to 44th Street, abutted by
the East 64 5 feet of vacated 44th Street, Lots 14 through 16, Block 11, Briggs Place,
Lots 1 through 4, Block 2, Ralph Place, all of the West portion of Block 2, Ralph
Place, vacated 43rd Avenue, and Lots 1 through 6, Block 1, McCormick's 2nd
Addition, located in the Southwest Quarter Section 20-15-13, and the Northwest
Quarter Section 20-15-13, be, and hereby is, vacated And that without further act
of the City, title to the vacated right-of-way shall pass to the abutting owners on
either side of the centerline thereof, the vacating of the property herein described, and
the reversion thereof, pursuant to applicable law, shall be subject to the conditions
and limitations 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 also the right to authorize
the public utilities and cable television systems to construct, maintain, repair or
renew and operate now or hereafter installed water mains and gas mains, pole lines,
conduits, electrical transmission lines, sound and signal transmission lines and other



ORDINANCE NO 34624
PAGE 2

similar services and equipment and appurtenances 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 connection or branch lines as may be ordered, desired or permitted by the City or such other utilities and to enter upon the premises to accomplish the above purposes at any and all times All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person "

Section 2 That Section 1 of Ordinance No 34548 heretofore existing is repealed

Section 3 That this Ordinance shall be in full force and take effect upon the date of its passage

INTRODUCED BY COUNCILMEMBER

Frank Brown

PASSED JUL 28 1998 5-0

ATTEST

Buster Brown 7/31/98
CITY CLERK OF THE CITY OF OMAHA DATE

APPROVED BY

Hal Daeb 7/31/98
MAYOR OF THE CITY OF OMAHA

DATE

APPROVED AS TO FORM

Jeff Johnson 6-29
ASSISTANT CITY ATTORNEY DATE

P:\PW1\7813 SKZ



ORDINANCE NO. 34624

AN ORDINANCE to amend Section 1 of Ordinance No. 34548, passed May 19, 1998; to repeal Section 1 of Ordinance No. 34548 as heretofore existing; and to provide the effective date hereof. (Vacating Dewey Avenue from 42nd to 44th Streets)

2/1/1998
PRESENTED TO COUNCIL

PUBLICATIONS

PUB'N. OF HEARING

Date 7-17-98

PUB'N. OF ORDINANCE

Date 8-7-98

✓ Q.P.W.

1st Reading JUL 14 1998 - Hearing
7/21/98

Hearing JUL 21 1998 - Over to
7/28/98

Final Reading JUL 28 1998
Passed 5-0

BUSTER BROWN
CITY CLERK

"NOTICE TO PUBLIC"

The following Ordinance has been set for
City Council Hearing **July 21 1998** at 2:00
o'clock P.M. in the Legislative Chambers
Omaha/Douglas Civic Center 1819 Farnam
Street at which hearing all persons
interested may be heard
AN ORDINANCE to amend Section 1 of
Ordinance No 34548, passed May 19 1998
to repeal Section 1 of Ordinance No 34548
as heretofore existing and to provide the
effective date hereof

BE IT ORDAINED BY THE CITY COUNCIL

OF THE CITY OF OMAHA

Section 1 That Section 1 of Ordinance
No 34548 passed May 19 1998 is

amended to read as follows

"Section 1 That Dewey Avenue from
42nd Street to 44th Street abutting by the
East 64 5 feet of vacated 44th Street Lots 14
through 16 Block 11 Brings Place Lots 1
through 4 Block 2 Ralph Place all of the
West portion of Block 2 Ralph Place vacated
43rd Avenue and Lots 1 through 6 Block 1
McCormick's 2nd Addition located in the
Southwest Quarter Section 20 15 13, and the
Northwest Quarter Section 20 15 13 be and

hereby is vacated And that without further
act of the City title to the vacated right-of-
way shall pass to the abutting owners on
either side of the centerline thereof, the
vacating of the property herein described,
and the reversion thereof pursuant to
the applicable law shall be subject to the
conditions and limitations that there is
reserved to the City of Omaha the right to
maintain operate repair and renew sewers
now existing therefrom and in the future to
construct maintain repair and renew
additional or other sewers and also the right
to authorize the public utilities and cable
television systems to construct maintain
repair or renew and operate now or
hereafter installed water mains and gas
mains pole lines conduit electrical
transmission lines sound and signal
transmission lines and other similar services
and equipment and appurtenance 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 connection or
branch lines as may be ordered desired or
permitted by the City of such other utilities
buildings walls fences drives and walks
may be damaged or removed as necessary
in the exercise of the rights herein reserved
all times All vegetation upon the premises,
including but not limited to trees bushes
and crops and all structures upon the
premises including but not limited to
buildings walls fences drives and walks
without compensation to any person."

BUSTER BROWN

City Clerk

7 17 98

"NOTICE TO PUBLIC"

ORDINANCE NO 34624

AN ORDINANCE to amend Section 1 of
Ordinance No 34548 passed May 19 1998
to repeal Section 1 of Ordinance No 34548
to repeat Section 1 of Ordinance No 34548
as heretofore existing and to provide the
effective date hereof

(vacating Dewey Avenue from 42nd to
44th Streets)

SUMMARY

AN ORDINANCE to amend Section 1 of
Ordinance No 34548 passed May 19 1998,
to repeal Section 1 of Ordinance No 34548
to repeat Section 1 of Ordinance No 34548
as heretofore existing and to provide the
effective date hereof

(vacating Dewey Avenue from 42nd to
44th Streets)

PASSED July 28, 1998, 5 0

APPROVED BY

HAL DAUB
MAYOR OF THE
CITY OF OMAHA

BUSTER BROWN
City Clerk

8-7-98