

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

BOOK 452 PAGE 547

Resolved

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, on the 27th day of June, 1967, deemed that the public interest required the vacation of part of the right-of-way for Fremont and Myrtle Streets, at their intersection vacated, and request that Fremont Street between Sherwood Avenue and Myrtle Street be narrowed to the minimum required width of forty feet and Myrtle Street between Sherwood Avenue and Fremont Street be narrowed to the minimum required width of forty feet, 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 streets and to submit in writing to the County Board upon the study made and his recommendation as to the vacation thereof, and

WHEREAS, on the 17th day of July, 1967, the Highway Department Superintendent recommended to the Board of County Commissioners of Douglas County, Nebraska, as follows: "Said study has been made, and we recommend the request be granted as described and as follows: That part of Fremont and Myrtle Streets; said streets being platted Streets in the Village of Irvington, in Section 34-16-12. Fremont Street vacation to be the north-east and Southwest 13 feet, from Sherwood Street to Myrtle Street, and the Myrtle Street vacation to be the north and south 10 feet, from Sherwood Street west to the Chicago & Northwestern Right-of-way. Fremont Street will be reduced from 66 feet in width to 40 feet; and Myrtle Street reduced from 60 feet to 40 feet." and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska on the 18th day of July, 1967, adopted a resolution fixing Tuesday, August 8, 1967 at 10:15 A.M., 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 Daily Record, 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 Streets 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 Streets do not lie within a township in a County operating roads on a township basis, and

WHEREAS, a public hearing was held on Tuesday, August 8, 1967 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 Streets.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Nebraska, that the above described Streets in Douglas County, Nebraska, be and the same are hereby vacated to conform to the plat attached hereto, marked Exhibit "A", and incorporated herein by reference; and that the above described vacated Streets 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.

Resolved

BE IT FURTHER RESOLVED that the County Surveyor of Douglas County, Nebraska, 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 15th day of August, 1967.

John J. Cavanaugh

Ralph A. Hefflinger

James C. Lynch

Robert C. McCollister

Robert J. Buglewicz

 BOARD OF COUNTY COMMISSIONERS
 DOUGLAS COUNTY, NEBRASKA

Motion by McCollister; Seconded by Hefflinger

I move the adoption of the resolution.

ADOPTED: August 15th, 1967.

YEAS: Buglewicz, Hefflinger, Lynch, McCollister, Cavanaugh

(CERTIFIED COPY)
Robert J. Buglewicz

 COUNTY CLERK
 DOUGLAS COUNTY, NEBRASKA

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Muel

THOMAS J. O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1967 AUG 24 AM 9 56

RECEIVED

THE STATE OF NEBRASKA } ss.
Douglas County
Entered in Numerical Index and filed
for Record in the office of the Register of
Deeds of said County and recorded in
Book 452 of Muel

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(48122)

Thomas J. O'Connor
Register of Deeds

By _____ Deputy
MAIL *Gene L. Jensen*
Box 51 - *Lincoln, Nebraska*

N. _____ G.P.N.P.G.
Postmaster 30-64... Feb 6
34-16-12
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