



BK 1373 PG 363-365



MISC 2001 00673

RICHARD N. TAYLOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

Resolved

WHEREAS:

- a) This Board of Commissioners of Douglas County, Nebraska received a petition to vacate a portion of 126th Street north of Military Avenue and south of State Street as identified on Exhibit A attached hereto and incorporated herein.
- b) The Douglas County Engineer reviewed the proposed vacation and has reported no objection to the vacating provided appropriate easements are retained for any existing utilities. This vacating is contingent upon the City of Omaha approval of the final plat of Deer Creek (Lots 244 through 460 and Outlots B & C).
- c) By resolution, dated October 5, 1999, Douglas County and Sanitary Improvement District Nos. 405 (Deer Creek) and 308 (Cherry Ridge West) entered into an Agreement for the improvement of 120th Street from Military Road to State Street; Douglas County Project No. C-28(357), whereby Douglas County would be responsible for all construction and engineering costs associated with the box culvert improvements required to be constructed across 120th Street and SID 380 and 405 will be responsible for all other costs. That Agreement also obligates SID 405 to reimburse Douglas County the cost for constructing left turn lanes on Military Road at 120th and 122nd Street.
- d) The Board of Commissioners of Douglas County, Nebraska, on January 30, 2001 fixed Tuesday, February 20, 2001, at 9:00 A.M. in the Legislative Chambers of the Omaha/Douglas Civic Center as the date, time and place of the public hearing thereon.
- e) Notice of such public hearing was published once a week for three consecutive weeks in The Daily Record, a legal newspaper in Douglas County, Nebraska, and further a notice of said public hearing was mailed by certified mail, more than two weeks in advance of the hearing, to the last known address of the owners of land abutting or adjacent to the street to be vacated.
- f) A public hearing was held on February 20, 2001, at 9:00 A.M. in the Legislative Chamber of the Omaha/Douglas Civic Center, and at said hearing no objections were voiced, and at the conclusion of said hearing the Board of Commissioners determined that the public good, convenience and necessity required the vacation as requested.

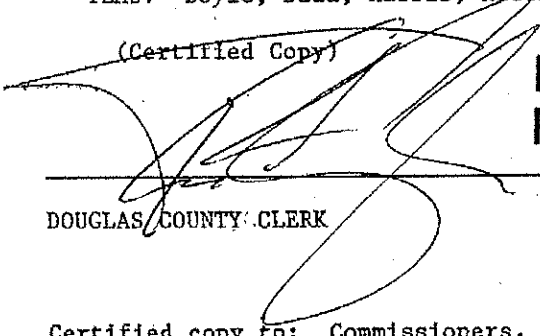
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, NEBRASKA THAT: 126th Street north of Military Avenue and south of State Street, be and is hereby vacated to conform to the described parcel of land, and that the above-described street shall revert to and become the property of those owners or their prior grantors in the proportion as was originally contributed to the public way now being vacated.

BE, it further resolved that the Engineer of Douglas County, Nebraska, be and is hereby authorized and directed to correct the records, profiles and plats accordingly and the petitioners shall file a copy of this resolution in the Office of the Register of Deeds, cost for same to be charged to the petitioners.

DATED THIS 20th DAY OF FEBRUARY, 2001.

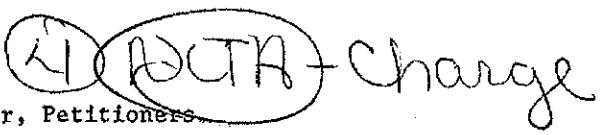
Motion by Boyle, seconded by McCallister
I move the adoption of the resolution.

ADOPTED: February 20, 2001
YEAS: Boyle, Duda, Harris, Hutchings, McCallister, Pirsch, Borgeson

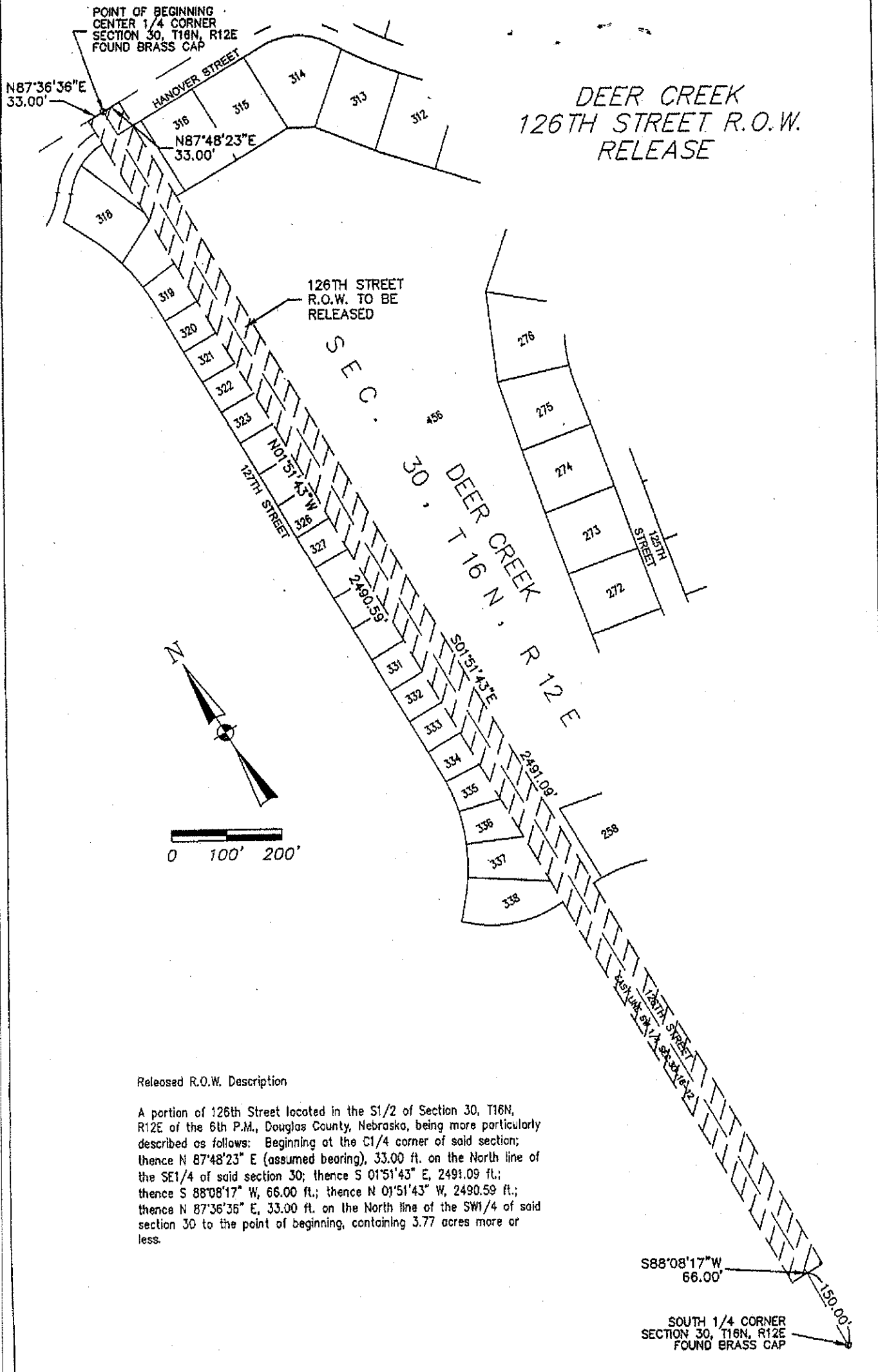
(Certified Copy)


DOUGLAS COUNTY CLERK

**IMPRINTED SEAL
REGISTER OF DEEDS**



Certified copy to: Commissioners, Engineer, Petitioners



SHEET
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126TH R.O.W. RELEASE

DEER CREEK

1/1/2009

OMAHA

NE

**KIRKHAM
MICHAEL**
CONSULTING ENGINEERS