



BK 1360 PG 150-152



MISC 2000 16122

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By

RICHARD N JARVIS
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 from the City Council of Omaha a request from Benchmark Homes, Inc. to vacate a portion of 162nd Avenue, in Elk Creek Crossing, within the following described boundary in Douglas County, Nebraska, more particularly described as follows "the easterly five feet and the westerly five feet of 162nd Avenue between Sprague and Sahler Streets and the easterly five feet and the westerly five feet of 162nd Avenue for 302.00 feet south of Sprague Street".
- 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. The City of Omaha passed a resolution, February 23, 1999, approving said vacation.
- c) The Board of Commissioners of Douglas County, Nebraska, on August 29, 2000, fixed Tuesday, September 19, 2000, at 10:00 A.M. as the date, time and place of the public hearing thereon.
- d) 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.
- e) A public hearing was held on September 19, 2000, at 10:00 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: the easterly five feet and the westerly five feet of 162nd Avenue between Sprague and Sahler Streets and easterly five feet and the westerly five feet of 162nd Avenue for 302.00 feet south of Sprague 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 19th DAY OF SEPTEMBER, 2000.

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

ADOPTED: September 19, 2000
YEAS: Boyle, Duda, Harris, Hutchings, McCallister, Pirsch, Borgeson

(Certified Copy)

IMPRINTED SEAL
REGISTER OF DEEDS



CHIEF DEPUTY
DOUGLAS COUNTY CLERK

Certified copy to: Commissioners, Engineer, Petitioners

HL

Return:
Benchmark Homes
11011 "Q" Street
Omaha, 68137 Attn: Louise *V3724*

**LEGAL DESCRIPTION OF LOTS
ADJACENT TO VACATED 162ND AVENUE**

LOT 368, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 372, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 373, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 374, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 375, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 376, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 377, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 378, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 379, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 380, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 381, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 394, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

LOT 395, ELK CREEK CROSSING, A SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.