

ORDINANCE NO. 28488

AN ORDINANCE vacating Sweetwood Avenue from Harney Street to Dewey Avenue; also 25th Avenue from Harney Street to a point 317.36 feet South of Dewey Avenue; also Dewey Avenue from 26th Street East to East Right-of-Way Line of North-South Alley East of 25th Avenue (approximately 432 feet); also Alley between 24th Avenue and 25th Avenue from Dewey Avenue to a point 317.36 feet South of Dewey Avenue located in Southeast and Northeast Quarter (¼), Section 21-15-13, and providing the effective date hereof.

WHEREAS, under Section 14-375, Reissue, Revised Statutes of Nebraska, 1943, provides that the City Council may vacate a street or alley without petition upon City Planning Board recommendation; and,

WHEREAS, the Statute further provides that a Committee of Appraisers be appointed to appraise damages, if any, to property affected by the vacation; and,

WHEREAS, Resolution No. 1867 adopted June 28, 1977, appointed Jerry Hassett, Richard Takeuchi and Leo Kraft, members of the City Council, to assess damages to all property affected by the vacation; and

WHEREAS, on August 15, 1978, the Committee of Appraisers held a meeting at 1:45 p.m., in the Council Chamber of the City of Omaha; and,

WHEREAS, the Committee of Appraisers found no cause for any damages as a result of the vacation; and,

WHEREAS, the City Council finds there are no damages as a result of this vacation.

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

Section 1. That Sweetwood Avenue from Harney Street to Dewey Avenue; also 25th Avenue from Harney Street to a point 317.36 feet South of Dewey Avenue; also Dewey Avenue from 26th Street East to East Right-of-Way Line of North-South Alley East of 25th Avenue (approximately 432 feet); also Alley between 24th Avenue and 25th

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Avenue from Dewey Avenue to a point 117.36 feet South of Dewey Avenue is abutted by Sub Lot 12, Sub Lot 13, Sub Lot 15, and Sub Lot 22, all in Lot 6, Capital Addition to the City of Omaha, Lot 3, Block 4, Capital Hill Addition, Lots 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 14, all in Griffen and Isaac's Addition, Lots 1 through 9, inclusive, Sweet Subdivision, Lots 11 through 15, inclusive, Thornell's Addition, located in Southeast and Northeast Quarter (4), Section 21-15-13

be, and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation 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, also the right to authorize the Metropolitan Utilities District of the City of Omaha or any other public utility to construct, maintain, repair or renew and operate now 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; and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by the City and to enter upon the premises to accomplish the above purpose 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 this Ordinance shall take effect and be in force fifteen (15) days from and after the date of its passage. I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's office.

INTRODUCED BY COUNCILMAN:

Steve Rosenblatt

Laurie M. Denis
BY DEPUTY CITY CLERK

APPROVED BY:

Steve Rosenblatt

MAYOR OF THE CITY OF OMAHA DATE 9/11/78
ACTING

FILED SEP 19 1978

ATTENT:

Steve Rosenblatt

Laurie M. Denis
DEPUTY CITY CLERK

36 Recd

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