



BK 0851 PG 526



MISC 1988 09365

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INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

Resolved

BOOK 851 PAGE 526

WHEREAS:

616
851 N 83-~~595~~ C/O
526-577 DEL 14 MCWC
OF Missoua COMP DW F/B VI-34200

a) This Board of Commissioners of Douglas County, Nebraska, received a request to vacate a portion of the streets and lots in Valley Farms 1st Addition, Douglas County, Nebraska, more particularly described in Exhibit "A" attached hereto.

b) The Douglas County Engineer made a study of the use being made of the above described property and under the date of May 17, 1988, reported that he had no objection to the vacating as requested.

c) On April 5, 1988, the City Council of the City of Valley, Nebraska, adopted a resolution approving the said vacation of a portion of the streets and lots in Valley Farms 1st Addition, in Douglas County, Nebraska, as described in said Exhibit "A".

d) The Board of Commissioners of Douglas County, Nebraska, on May 17, 1988, fixed Tuesday, June 7, 1988, at 10:00 A.M. in the Legislative Chamber of the Omaha-Douglas Civic Center, as the date, time and place for a public hearing on the proposed vacating.

e) Notice of such public hearing was published according to the statutes of the State of Nebraska in The Daily Record, a legal newspaper in Douglas County, and notice of said public hearing was mailed by certified mail to the last known address of the owners of land abutting or adjacent to the portions of the lots and streets to be vacated.

f) A public hearing was held on June 7, 1988, 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 vacating as requested.

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, NEBRASKA, that Parcel 1, Lots 1 through 4 and Lot 83 and the adjoining Craig Street and the adjoining 286th Street from the Northwest corner of Lot 61 to the North end of 286th Street, all in Valley Farms 1st Addition in the West 1/2 of Section 25, T16N, R9E of the 6th P.M., Douglas County, Nebraska, and more particularly described as follows:

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Beginning at the Northerly Corner of Lot 5, Valley Farms 1st Addition; thence S 52°00' E along the Northeasterly line of said Lot 5 for 100.00 feet; thence N 37°52' E along the Northwesterly line of 286th Street for 40.0 feet; thence S 52°00' E for 150.0 feet to the Easterly corner of Lot 61; thence N 37°52' E for 250.0 feet; thence N 52°00' W for 90.0 feet; thence S 37°52' W for 20.0 feet; thence N 52°00' W for 160.0 feet; thence S 37°52' W for 270.0 feet to the point of beginning and containing 1.453 acres, more or less.

Parcel 2, Lots 32 through 41 and the adjoining 284th Avenue Circle. Lots 42 through 51 and the adjoining 284th Circle. Lots 71 through 82 and Lots 52 through 60 and the adjoining Potter Street from the Northerly corner of Lot 31 to the Easterly end of Potter Street, all in Valley Farms 1st Addition in the West 1/2 of Section 25, T16N, R9E of the 6th P.M., Douglas County Nebraska, and more particularly described as follows:

Beginning at the Northerly corner of Lot 31, Valley Farms 1st Addition; thence S 52°00' E along the Northeasterly line of said Lot 31 for 100.0 feet; thence S 38°00' W for 487.5 feet to the Southerly corner of Lot 27; thence S 52°00' E for 500.0 feet; thence N 38°00' E for 387.5 feet; thence S 52°00' E for 356.3 feet; thence on a 290.0' radius curve to the left for an arc distance of 479.7 feet, (having

a chord length of 426.85' and bearing of N 80°36'54"E); thence N 56° 46'12" W for 290.0 feet; thence S 53°29' W for 32.1 feet; thence N 52° 00'W for 900.0 feet to the Easterly corner of Lot 70; thence S 38°00'W along the Southeasterly line of Lot 70 for 100.0 feet; thence N 52°00' W along the Southwesterly line of Lot 70 for 50.0 feet; thence S 38°00'W along the Southeasterly line of 285th Circle for 60.0 feet to the point of beginning and containing 11.40 acres, more or less.

Parcel 3, Southeasterly 85 feet of Lot 4 and all of Lot 5 in Block 11 and the adjoining frontage road, all in Valley Farms 1st Addition in the West 1/2 of Section 25, T16N, R9E of the 6th P.M., Douglas County, Nebraska, and more particularly described as follows:

From the Northerly corner of Lot 4, Block 11 of Valley Farms 1st Addition; thence S 51°59'30" E along the Northeasterly line of said Lot 4 for 165.0 feet to the point of beginning; thence S 38°00'W and parallel with the Northwesterly line of said Lot 4 for 330.0 feet to the Northeasterly R.O.W. line of Highway 275; thence S 51°59'30" E along the Northeasterly R.O.W. line of Highway 275 for 210.0 feet; thence N 38°00' E for 330.0 feet; thence 51°59'30" W for 210.0 feet to the point of beginning and containing 1.591. acres, more or less;

all be and are hereby vacated to conform to the plat attached hereto; and that the above described portions of streets shall revert to and become the property of those owners or the prior grantors in the same proportion as was originally contributed to the public way now being vacated, subject to the condition and limitation that there is reserved to the Omaha Public Power District, Northwestern Bell Telephone Company, the City of Valley, or any other public utilities, the right to construct, maintain, repair, renew and operate presently 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 service to 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 purposes at any and all times.

BE IT FURTHER RESOLVED THAT the County Engineer be and hereby is authorized and directed to correct the records, profiles and plats accordingly and that the petitioner shall file a copy of this resolution in the Office of the Register of Deeds, cost for same to be charged to the petitioner.

DATED this 7th day of June, 1988.

Motion by Kelley, seconded by Green.

I move the adoption of the resolution

ADOPTED: June 7, 1988

YEAS: Rosenblatt, Green, Kelley
McCollister, Albert

(CERTIFIED COPY)

COUNTY CLERK

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Certified copy to: County Clerk
County Commissioners, Surveyor,
Dennis Koley, LeRoy Trofholz,
MUD Legal Department, OPPD Legal
Department, Northwestern Bell Legal
Department, City Clerk of Valley,
Darrel Dangberg & Associates