

POOR INSTRUMENT FILED

C-25A

CITY OF OMAHA

BOOK 641 PAGE 532

COUNCIL CHAMBER

Omaha, Nebr. September 23, 1980

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Mr. Barry Larson Company, Inc. proposes to build a Subdivision, Woodstone II, which will be located Southeast of 96th Street and Parker Street; and,

WHEREAS, Mr. Barry Larson Company, Inc. wishes to connect to Omaha's sewer system, the system of sanitary sewers to be constructed by Mr. Barry Larson Company, Inc. within the area to be developed; and,

WHEREAS, the parties wish to agree upon the manner which public improvements will be built by Mr. Barry Larson Company, Inc. and to clarify the responsibilities of the parties in building and maintaining the improvements in the subdivision; and,

WHEREAS, an Agreement has been prepared setting forth all the provisions mentioned above.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the Mayor is authorized to sign and the City Clerk is authorized to attest the Agreement between the City of Omaha and Mr. Barry Larson Company, Inc. providing for the public improvements and sewer connections to the Omaha sewer system.

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

N/18:7C6:6

By *Steve Rosenblatt*
Councilman

Adopted SEP 23 1980
Mary Ellen [Signature]
City Clerk

Approved *He [Signature]* 9/24/80
Mayor

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.

Mary Ellen [Signature]
CITY CLERK
BY

SUBDIVISION AGREEMENT

THIS SUBDIVISION AGREEMENT, made this 23 day of September, 1980, by and between BARRY LARSON CO., INC., hereinafter referred to as "Subdivider", and the CITY OF OMAHA, hereinafter referred to as "City".

WHEREAS, the Subdivider is the developer of WOODSTONE, Lots 1 through 13 inclusive, the land included within the proposed plat attached hereto as Exhibit "A" (herein referred to as the "Property"); and

WHEREAS, the Subdivider and City desire to outline how the improvements in the Property will be installed.

NOW, THEREFORE, the following is agreed between the parties hereto:

1. Water, Gas and Electrical Power. The Subdivider agrees to enter into an agreement with Metropolitan Utilities District regarding all water and gas lines extensions on the Property, and into an agreement with Omaha Public Power District for power lines to be installed in the property. Copies of all agreements with Omaha Public Power District and Metropolitan Utilities District will be provided within four months from the date of this agreement to the City.

2. Payment for the Improvements. The Subdivider shall pay for all improvements, all charges by the Metropolitan Utilities District for water and gas lines, and all charges by the Omaha Public Power District for underground electrical services or overhead power.

3. Private Improvements. The sanitary sewers, storm sewers, and pavements are to be constructed on private property except for the points of connection to the City systems in Parker Street right-of-way. The subdivider shall pay the entire cost of all the private improvements. Maintenance of private sewer systems and paving shall not become the obligation of the City or any other public subdivision.

4. Right to Connect to City Sewer System. The City hereby acknowledges that it has given the Subdivider the right to connect, subject to obtaining proper permits, its sanitary sewer system to the City sanitary sewer system.

5. Sidewalk.

6. The subdivider shall comply with all provisions of Chapter 53 of the Omaha Municipal Code unless specifically waived herein.

Sidewalks along the South side of Parker Street shall be constructed by the owner according to the following schedule:

- A. Sidewalks shall be constructed immediately abutting developed lots as soon after development as weather permits.
- B. In any event, all sidewalks shall be constructed upon the South side of Parker Street within three years of the recording of the Subdivision.

7. Binding Effect. This Subdivision Agreement shall be binding upon the parties, their respective successors, and assigns.

ATTEST: OFFICIAL OF THE CITY OF OMAHA
Mary Gallagher Cornwell
CITY CLERK

CITY OF OMAHA

BY: *he [unclear]* 9/24/80
MAYOR DATE

APPROVED AS TO FORM:

BARRY LARSON CO., INC.

[Signature]
CITY ATTORNEY

BY: *[Signature]*
BARRY LARSON, PRESIDENT

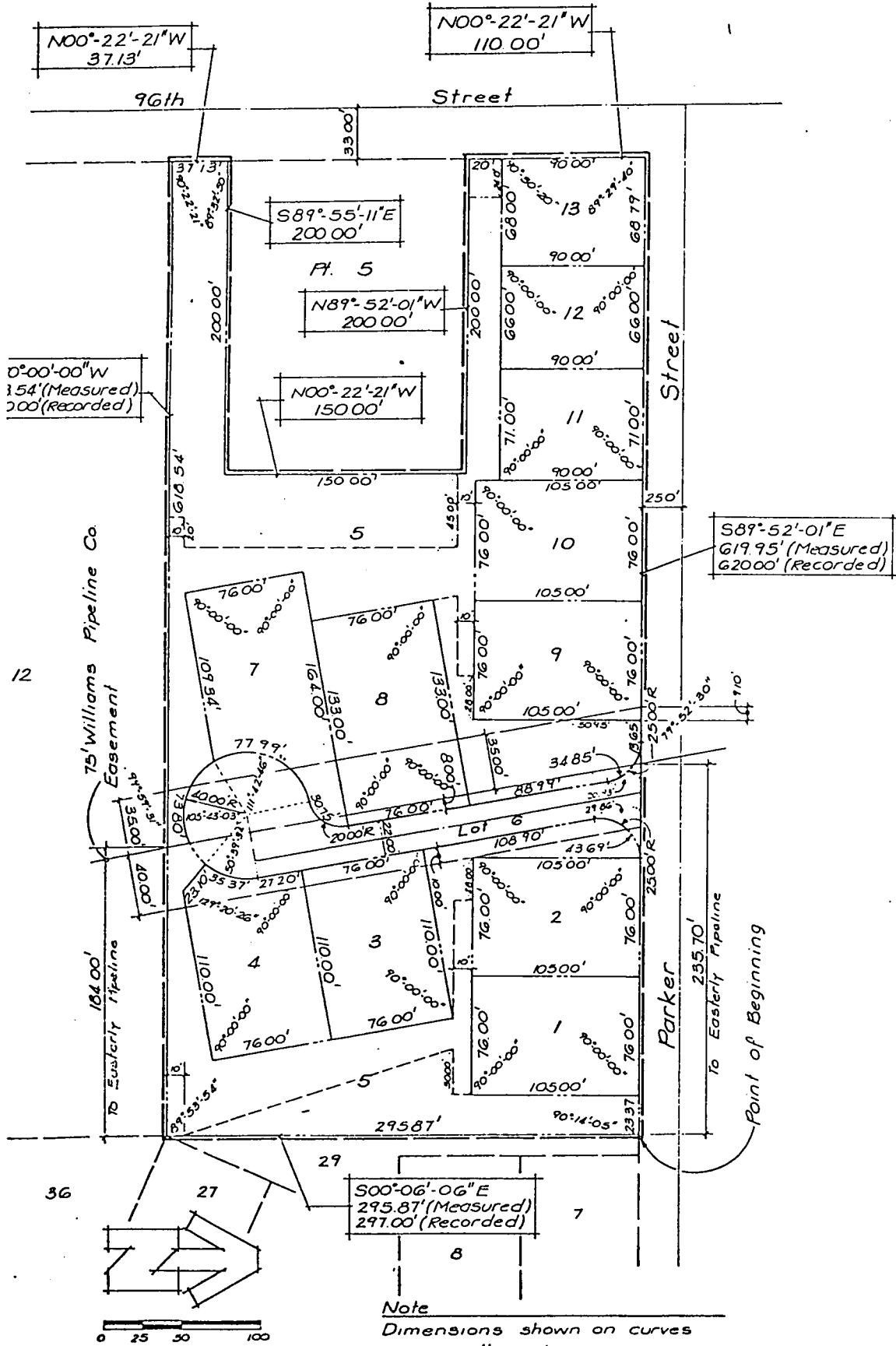
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WOODSTONE II

BOOK 641 PAGE 534

Lots 1 thru 13, inclusive

Being a replatting of part of Lot 5, Marshall & Lobeck's addition, as surveyed, plotted and recorded in Douglas County, Nebraska.



15- April

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1980 NOV -4 AM 11: 28
C. MARBLE REGISTER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 641
Page 532
of 11

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