



MISC 2005009244



JAN 25 2005 14:54 P 3

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE



1/25/2005 14:54:30.68
2005009244

Recording information above

FILE# _____ NECWO-506 _____

PARTIAL RELEASE OF EASEMENT

WHEREAS QWEST has a permanent easement by virtue of the Plat and Dedication and Declaration of Covenants of Village Point Replat 2, a Subdivision, over, upon, above, along, under, in and across the following described property:

LOTS 1 AND 2, VILLAGE POINTE REPLAT TWO, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF SECTION 21, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M. DOUGLAS COUNTY NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, VILLAGE POINTE REPLAT TWO, SAID POINT ALSO BEING ON THE SOUTH LINE OF OUTLOT "A", VILLAGE POINTE REPLAT TWO; THENCE S00°25'03"W ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 1, VILLAGE POINTE REPLAT TWO, SAID LINE ALSO BEING THE NORTHERLY LINE OF LOT 3, SAID VILLAGE POINTE REPLAT TWO, A DISTANCE OF 36.83 FEET TO THE POINT OF BEGINNING; THENCE S75°47'28"E, A DISTANCE OF 119.93 FEET; THENCE N84°26'45"E, A DISTANCE OF 156.48 FEET; THENCE S00°24'2"W, A DISTANCE OF 216.54 FEET; THENCE N89°49'28"W, A DISTANCE OF 272.18 FEET TO A POINT ON SAID WEST LINE OF LOT 1, VILLAGE POINTE REPLAT TWO, SAID LINE ALSO BEING SAID NORTHERLY LINE OF LOT 3, VILLAGE POINTE REPLAT TWO; THENCE N00°25'03"E ALONG SAID WEST LINE OF LOT 1, VILLAGE POINTE REPLAT TWO, SAID LINE ALSO BEING SAID NORTHERLY LINE OF LOT 3, VILLAGE POINTE REPLAT TWO, A DISTANCE OF 10.00 FEET; THENCE S89°49'28"E, A DISTANCE OF 262.17 FEET; THENCE N00°24'02"E, A DISTANCE OF 200.51 FEET; THENCE S84°26'45"W, A DISTANCE OF 146.78 FEET; THENCE N75°47'28"W, A DISTANCE OF 119.58 FEET TO A POINT ON SAID WEST LINE OF LOT 1, VILLAGE POINTE REPLAT TWO, SAID LINE ALSO BEING SAID WESTERLY LINE OF LOT 3, VILLAGE POINTE REPLAT TWO; THENCE N00°25'03"E ALONG SAID WEST LINE OF LOT 1, VILLAGE POINTE REPLAT TWO, SAID LINE ALSO BEING SAID NORTHERLY LINE OF LOT 3, VILLAGE POINTE REPLAT TWO, A DISTANCE OF 5.15 FEET TO THE POINT OF BEGINNING.

SAID O.P.P.D., QWEST AND CABLE COMPANY EASEMENT TO BE VACATED CONTAINS AN AREA OF 6, 114 SQUARE FEET OR 0.140 ACRES, MORE OR LESS, EXCEPTING THE EASEMENT AREA PERTAINING TO ANY EXISTING FACILITIES THAT ARE LOCATED IN ANY PART OF SAID EASEMENT TO BE VACATED. THE EASEMENT RIGHTS WILL BE GRANDFATHERED FOR THOSE EXISTING QWEST FACILITIES (SEE EXHIBIT A ATTACHED).

Said Plat and Dedication filed for record as Instrument #2004035111 in the office of the Register of Deeds, Douglas County, Nebraska.

KNOW ALL BY THESE PRESENT: that QWEST CORPORATION, a Colorado Corporation (F.K.A. US WEST COMMUNICATIONS, INC., AND NORTHWESTERN BELL), whose address is 1801 California St., Suite 5200, Denver, CO 80202, hereinafter called the "Company", for and in consideration of \$ 1.00 and other good and valuable consideration, does hereby release that portion of easement on property described by virtue of the Plat and Dedication of Village Pointe Replat Two, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska, over, upon, along and above the following described property:

(See attached Exhibit "A" for sketch and description of easement area to be released.)

Executed this 19th day of JANUARY, 2005

QWEST CORPORATION
A COLORADO CORPORATION

BY: Kimberly R. Jirovsky
TITLE: KIMBERLY R. JIROVSKY, DESIGN ENGINEER

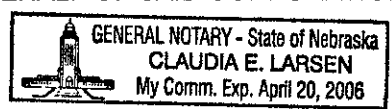
mix
F 3/2

FEE 16.00 FB 6840344
BKP _____ C/O _____ COMP CA
DEL _____ SCAN _____ FV _____

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19TH DAY OF JANUARY, 2005, BY _____ Kimberly R. Jirovsky, Design Engineer _____ FOR QWEST CORPORATION, A COLORADO CORPORATION, ON BEHALF OF SAID CORPORATION.



Claudia E. Larsen
Notary Public

Return to:
(S&A)
E & A Consulting Group
12001 Q Street
Omaha, NE 68137
Attention: Heather

EXHIBIT "A"

LEGAL DESCRIPTION - O.P.P.D., QWEST AND CABLE COMPANY EASEMENT TO BE VACATED

AN O.P.P.D., QWEST AND CABLE COMPANY EASEMENT TO BE VACATED, LOCATED IN LOTS 1 AND 2, VILLAGE POINTE REPLAT TWO, A SUBDIVISION LOCATED IN THE NORTH 1/2 OF SECTION 21, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PAGE 2 OF 2

SEE PAGE 1 OF 2 FOR DRAWING



E&A CONSULTING GROUP, INC.
ENGINEERS • PLANNERS • SURVEYORS
12901 Q STREET, CLAWSON NE 68137 PHONE: (402) 815-4700

Drawn by: EDF Chkd by: WAC 1-14-05 Chkd by: _____
Job No.: 2001221.17 Date: 12/7/04 Book No.: _____

EASEMENT TO BE VACATED
LOTS 1 AND 2, VILLAGE POINTE
REPLAT TWO
DOUGLAS COUNTY, NEBRASKA