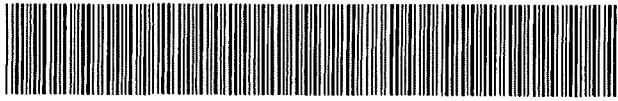




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RELEASE OF TEMPORARY CONSTRUCTION EASEMENTS

THIS RELEASE OF TEMPORARY CONSTRUCTION EASEMENTS (this "Release") is made by the City of Omaha, Nebraska.

RECITALS

WHEREAS, by that certain eminent domain proceeding styled *City of Omaha, Nebraska v. Tract No. 2 (a/k/a 1902 Davenport Street), Tract No. 13 (a/k/a 1020 Florence Boulevard), Tract No. 14 (a/k/a 1020 Florence Boulevard), Tract No. 18 (a/k/a 1019 Florence Boulevard)*; Case No. C5 No. 141 in the County Court of Douglas County, Nebraska, and Appraiser's Report, recorded in Douglas County, Nebraska, Register of Deeds on September 10, 1984, in Book 719, Pages 94-101, the City of Omaha, Nebraska (the "City"), acquired temporary construction easements for grading purposes over certain real properties, therein described as follows:

See Attached Exhibit B-3, Temporary Construction Easements; and

WHEREAS, the CITY has determined that the construction is complete and said temporary easements are no longer needed and desires hereby to release same; and,

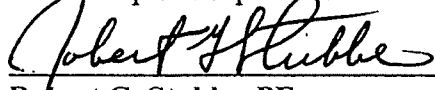
WHEREAS, the release of temporary easements will not adversely impact the City Master Plan.

NOW, THEREFORE, in accord with the provisions of Section 27-1 of the Omaha Municipal Code and in consideration of the mutual benefits to be derived by the City and the owner of the servient estate by the extinguishment of the Temporary Easements, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases all of the City's rights, title, and interests in and to the Temporary Easements, it being the intention of the parties to hereby terminate the Temporary Easements recorded in Douglas County, Nebraska, Register of Deeds on September 10, 1984, in Book 719, Pages 94-101, are approved and delivery of these releases are authorized.

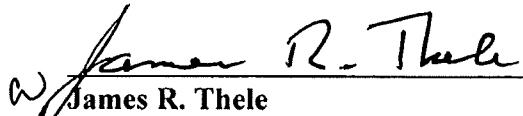
The Recitals hereinabove set forth are hereby incorporated into the body of these Releases as fully as if set forth herein in their entirety.

IN WITNESS WHEREOF, the City of Omaha, Nebraska, has executed these Releases of Temporary Construction Easements on September 23, 2016.

CITY OF OMAHA, NEBRASKA,
a Municipal Corporation

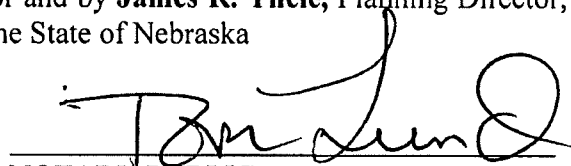


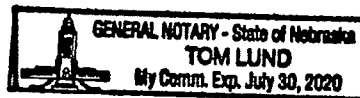
TL
Robert G. Stubbe, PE
Public Works Director


James R. Thele
Planning Director

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 23 day of September, 2016, by **Robert G. Stubbe**, Public Works Director and by **James R. Thele**, Planning Director, of the City of Omaha, a Municipal Corporation of the State of Nebraska


NOTARY PUBLIC



BOOK 719 PAGE 94

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

CITY OF OMAHA, A Municipal
Corporation,

Condemnor,

vs.

TRACT NO. 2 (a/k/a 1902 Davenport
Street)SOI WEINER, c/o MAENNER CO.;
APCOA INC., Lessee;
CHARLES SEDERSTROM, JR., Trustee
AMERICAN SAVINGS CO., BeneficiaryTRACT NO. 13 (a/k/a 1020 Florence
Boulevard

MICKLIN LUMBER CO., INC.,

TRACT NO. 14 (a/k/a 1020 Florence
Boulevard,MICKLIN LUMBER CO., A Nebraska
Corporation,TRACT NO. 15 (a/k/a Approximately
1020 Florence BoulevardMICKLIN LUMBER CO., A Nebraska
Corporation,TRACT NO. 18 (a/k/a 1019 Florence
Boulevard,MICKLIN HOLDING CO., INC., A
Nebraska Corporation,

Condemnees.

DOC. C5

NO. 141

APPRAISER'S REPORT

COME NOW the undersigned appraisers, being duly appointed, qualified, and acting appraisers in the above-entitled matter, do hereby make and file this report showing to the court that:

1. The undersigned H. James Grove and Daniel W. Ryberg, on the 6th day of July, 1984, each took and subscribed an oath to support the Constitution of the United States and of the

State of Nebraska and to faithfully and impartially discharge their duties as required by law. And that the undersigned appraiser, David Peters, was sworn in on the 24th day of July, 1984.

2. On the 27th day of July, 1984, the undersigned appraisers carefully inspected and viewed the real estate described in the caption herein and heard all parties that appeared that such viewing. Those appearing on each of the tracts involved herein on behalf of the City were Charles K. Bunger, Jack M. Borgmeyer, and Erwin Hieber.

3. Relative to Tract No. 2 described in Exhibit "A", attached hereto and incorporated herein, the only person appearing was a Mr. Kilgore on behalf of APCOA, INC., Lessee.

4. Relative to Tracts 14, 15, and 18 which is described in Exhibit "B", attached hereto and incorporated herein, the only person appearing was Mr. Dick Martin, President of Micklin Lumber.

5. After the aforescribed inspection and viewing, the appraisers met on the 27th day of July, 1984, at which time the appraisers received evidence from all of the above-described individual parties relative to the amount of damages that will be sustained by the parties of interest. Each person mentioned above appeared.

6. Other than the condemnor, none of the interested parties presented any evidence that was relative as to the amount of damages except that which the condemnor presented or stipulated to.

7. The amount of damages sustained by the action herein is hereby found and assessed as follows:

TRACT NO. 2 - Temporary Construction Easement, as set forth in Exhibit "A" attached hereto and incorporated herein.

Award	\$702.00
Distribution	
Sol Weiner	\$702.00
Maenner Co.	
Apcoa, Inc., Lessee	-0-
Charles Sederstrom, Jr.	
Trustee	-0-
American Savings Co.,	
Beneficiary	-0-
	<u>\$702.00</u>

8. The amount of damages sustained by the action herein is hereby found and assessed as follows:

TRACT NO. 13 - Temporary Construction Easement, as set forth in Exhibit "B", attached hereto and incorporated herein.

Award \$ 15.00
Distribution:
Micklin Lumber Co., Inc. \$15.00

9. The amount of damages sustained by the action herein is hereby found and assessed as follows:

TRACT NO. 14 - Temporary Construction Easement, as set forth in Exhibit "B", attached hereto and incorporated herein.

Award \$ 83.00
Distribution:
Micklin Lumber Co., \$83.00
a Nebraska Corporation

10. The amount of damages sustained by the action herein is hereby found and assessed as follows:

TRACT NO. 15 - Land Acquisition, as set forth in Exhibit "B", attached hereto and incorporated herein.

Award \$ 15.00
Distribution:
Micklin Lumber Co.,
a Nebraska Corporation \$15.00

11. The amount of damages sustained by the action herein is hereby found and assessed as follows:

TRACT NO. 18 - Temporary Construction Easement, as set forth in Exhibit "B", attached hereto and incorporated herein.

Award \$333.00
Distribution:
Micklin Holding Company, Inc. \$333.00

NOW THEREFORE, the undersigned appraisers do hereby find and assess the damages as set forth in Paragraph 7 herein.

Dated this 5 day of September, 1984.

APPRAISERS:

David Peters
David Peters
5010 Dodge Street
Omaha, Nebraska

Daniel W. Ryberg
Daniel W. Ryberg
1258 So. 119th Court
Omaha, Nebraska 68144

H. James Grove
H. James Grove
512 Grain Exchange Building
Omaha, Nebraska 68102

FILED
IN COUNTY COURT
DOUGLAS COUNTY, NEBRASKA

SEP 10 1984

DEAN HADORN, CLERK

✓ TRACT NO. 2 (a/k/a 1902 Davenport Street)LEGAL DESCRIPTION OF TRACT:

All of Lot 8, Block 53, Original City of Omaha, as surveyed, and lithographed, except such part thereof as may have been taken for street or highway purposes, and all the interest of the grantors in a part of vacated 19th Street adjoining the conveyed, premises on the East.

TEMPORARY CONSTRUCTION EASEMENT:

A temporary construction easement being a part of Lot 8, Block 53, original City of Omaha and a part of a 14 feet wide strip of vacated Florence Boulevard right-of-way adjoining said Lot 8 to the East, more particularly described as follows:

Beginning at a point 14 feet East of the Southeast corner of said Lot 8, said point being the intersection of the North right-of-way line of Davenport Street and the West right-of-way line of Florence Boulevard; thence Westerly along said North right-of-way line of Davenport Street, a distance of 30.00 feet; thence Northerly a distance of 5.00 feet; thence Easterly, on a line parallel to and 5.00 feet North of the North right-of-way line of Davenport Street, a distance of 20.00 feet; thence Northerly, on a line parallel to and 10.00 feet West of said West right-of-way line of Florence Boulevard, a distance of 25.00 feet; thence Easterly a distance of 10.00 feet to a point on said West right-of-way line of Florence Boulevard; thence Southerly, along said West right-of-way of Florence Boulevard, a distance of 30.00 feet to the Point of Beginning.

✓ TRACT NO. 13 (a/k/a 1020 Florence Boulevard)LEGAL DESCRIPTION OF TRACT:

Lot 8, Block 195½, Original City of Omaha, together with a 14 feet wide strip of vacated Florence Boulevard right-of-way lying adjacent to and East of said Lot 8, and together with a 10 feet wide strip of Izard Street right-of-way lying adjacent to and South of said Lot 8, all in Douglas County, Nebraska.

TEMPORARY CONSTRUCTION EASEMENT:

A temporary construction easement being a part of a 10 feet wide strip of vacated Izard Street right-of-way lying adjacent to and immediately South of Lot 8, Block 195½, Original City of Omaha, more particularly described as follows:

Beginning at a point located 14.00 feet East and 10.00 feet South of the Southeast corner of said Lot 8, said point being the intersection of the West right-of-way line of Florence Boulevard and the North right-of-way line of Izard Street; thence Westerly, along said North right-of-way line of Izard Street, a distance of 5.00 feet; thence Northeasterly, a distance of 7.07 feet to a point on said West right-of-way line of Florence Boulevard; thence Southerly, along said West right-of-way line of Florence Boulevard, a distance of 5.00 feet to the Point of Beginning.

✓ Said tract contains 12.50 square feet, more or less.

✓ TRACT NO. 14 (a/k/a 1020 Florence Boulevard)LEGAL DESCRIPTION OF TRACT:

All of Lot 1, and the West 14' of vacated Florence Boulevard right-of-way, Block 195½, Original City of Omaha, Douglas County, Nebraska.

TEMPORARY CONSTRUCTION EASEMENT:

A temporary construction easement being a part of Lot 1, Block 195½, Original City of Omaha and a part of a 14 feet wide strip of vacated Florence Boulevard right-of-way adjoining said Lot 1 to the East, more particularly described as follows:

EXHIBIT "B"-3

Page 1 out of 3

Beginning at a point 14 feet East of the Northeast corner of said Lot 1, said point being the intersection of the South right-of-way line of Nicholas Street and the West right-of-way line of Florence Boulevard; thence Southerly, along said West right-of-way line of Florence Boulevard, a distance of 132.00 feet to a point being 14 feet East of the Southeast corner of said Lot 1; thence Westerly a distance of 5.00 feet; thence Northerly, on a line parallel to and 5.00 feet West of the West right-of-way line of Florence Boulevard, a distance of 132.00 feet to a point on said South right-of-way line of Nicholas Street; thence Easterly, along said South right-of-way line of Nicholas Street, a distance of 5.00 feet to the Point of Beginning.

✓ Said tract contains 660.00 square feet, more or less.

TRACT NO. 15 (a/k/a approximately 1020 Florence Boulevard)

LEGAL DESCRIPTION OF TRACT:

Lot 8, Block 183½, together with portions of Nicholas Street and 19th Street vacated, adjoining on the East and South in the Original City of Omaha, Douglas County, Nebraska.

LAND ACQUISITION:

A tract of land located in a 17 feet wide strip of vacated Florence Boulevard adjoining the East side of Lot 8, Block 183½, and a 38 feet wide strip of vacated Nicholas Street adjoining the South side of Lot 8, Block 183½ all in the Original City of Omaha, Douglas County, Nebraska, more particularly described as follows:

Beginning at a point located 17 feet East and 38 feet South of the Southeast corner of said Lot 8, said point being the intersection of the West right-of-way line of Florence Boulevard and the North right-of-way line of Nicholas Street; thence Westerly along the existing North right-of-way line of Nicholas Street a distance of 5.00 feet; thence Northeasterly a distance of 7.07 feet to a point on East right-of-way line of Florence Boulevard; thence Southerly along said East right-of-way line of Florence Boulevard a distance of 5.00 feet to the Point of Beginning.

✓ Said tract contains 12.50 square feet.

TRACT NO. 18 (a/k/a 1019 Florence Boulevard)

LEGAL DESCRIPTION OF TRACT:

Lot 4, Block 196½, and 14' wide strip of vacated Florence Boulevard right-of-way adjoining Lot 4 to the West, Original City of Omaha, Douglas County, Nebraska.

EXHIBIT "B"-3

Page 2 out of 3

TEMPORARY CONSTRUCTION EASEMENT:

A temporary construction easement being a part of Lot 4, Block 1964, Original City of Omaha, and a part of a 14 feet wide strip of vacated Florence Boulevard right-of-way adjoining said Lot 4 to the West, more particularly described as follows:

Beginning at a point 14 feet West of the Northwest corner of said Lot 4, said point being the intersection of the South right-of-way line of Nicholas Street and the East right-of-way line of Florence Boulevard; thence Easterly, along said South right-of-way line of Nicholas Street, a distance of 20.00 feet to a point being 5.00 feet East of the Northwest corner of said Lot 4; thence Southerly, on a line parallel to and 6.00 feet East of the West line of said Lot 4, a distance of 132.00 feet, to a point on the South line of said Lot 4; thence Westerly, along said South line of Lot 4 and extension, a distance of 20.00 feet to a point on said East right-of-way line of Florence Boulevard, a distance of 132.00 feet to the Point of Beginning.

Said tract contains 2,640.00 square feet, more or less.

FILED
IN COUNTY COURT
DOUGLAS COUNTY, NEBRASKA

SEP 10 1984

DEAN HADORN, CLERK

COUNTY COURT
DOUGLAS COUNTY
DEAN HADORN, CLERK
OMAHA, NEBR.

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } ss.

I, Dean Hadorn, Clerk of the County Court of Douglas County, Nebraska, do hereby certify that I have compared the foregoing copy of.....

"APPRAISER'S REPORT" in re:

CITY OF OMAHA, A Municipal Corporation, Condemner -vs-

SOL WEINER, c/o Maenner Co., et al., Condemnees.

in the matter of--- Condemnation Docket C5 - Page 141

with the original record thereof, now remaining in said court; that the same is a correct transcript thereof, and of the whole of said original record, that I have the legal custody and control of said original record; that said court is a court of record, has a seal, and that said seal is hereto affixed; and that the foregoing attestation is in due form, according to the laws of the State of Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Omaha, this 10th day of September, A. D. 19 84

DEAN HADORN, Clerk of the County Court

By

John A. Dwyer

Deputy

Form No. 14-3M-8-83 3

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