



05015866

\$20.50

2005 MAR 24 P 3:20

LANCASTER COUNTY, NE

INST. NO 2005

015866



EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Ridge Development Company, a Nebraska corporation and Southview, Inc., a Nebraska corporation (collectively "Grantor"), record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, duly paid, the receipt whereof is hereby acknowledged, hereby grants a permanent easement and right to the City of Lincoln, Nebraska, a municipal corporation, herein called "Grantee", for its benefit and the benefit of the public, a permanent easement (hereinafter "Permanent Easement") over, through and across a portion of Grantor's property to construct, reconstruct, inspect, repair, maintain, operate and replace a trail and appurtenances thereto belonging subject to the following conditions:

- A. The easement area for the Permanent Easement is described on Exhibit "A", which is attached hereto and incorporated herein by this reference.
- B. Grantee shall have the duty and responsibility to maintain and repair the easement area of the Permanent Easement at its own cost and expense, once the bike path (trail) is constructed, and no responsibility thereof shall accrue to the Grantor.
- C. Grantor shall have the right to enter and use the surface of the easement area of the Permanent Easement prior to the City's construction of a trail thereon; provided that, such entry and use shall not involve (i) a permanent fill, cut, or excavation above or below existing grade, (ii) the construction thereon of permanent buildings or structures, or (iii) any driveway or vehicular crossing thereon, without the prior written authorization of the City.
- D. The Permanent Easement shall run with the land and shall be binding upon all persons having or acquiring any rights, title or interest therein or any portions thereof and upon their respective successors and assigns in interest.
- E. Grantor covenants that it is the owner of the Permanent Easement premises and has legal right, title, and capacity to grant the Permanent Easement contained herein, subject to easements, covenants, and restrictions of record.

IN WITNESS WHEREOF, this Easement has been executed on this 9 day of March, 2005.

RIDGE DEVELOPMENT COMPANY, a
Nebraska corporation

By: Thomas E. White
Thomas E. White
President of Development

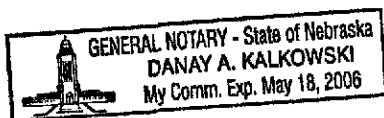
By: John C. Brager
John C. Brager
President of Construction

SOUTHVIEW, INC., a Nebraska corporation

By: [Signature]
John F. Schleich, Vice President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

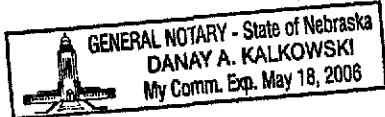
The foregoing was acknowledged before me this 8 day of March, 2005, by Thomas E. White, President of Development of **Ridge Development Company**, a Nebraska corporation, on behalf of the corporation.



[Signature: Danay A. Kalkowski]
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

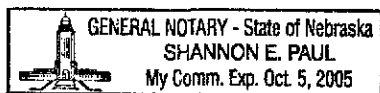
The foregoing was acknowledged before me this 8 day of March, 2005, by John C. Brager, President of Construction of **Ridge Development Company**, a Nebraska corporation, on behalf of the corporation.



[Signature: Danay A. Kalkowski]
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 9 day of March, 2005, by John F. Schleich, Vice President of **Southview, Inc.**, a Nebraska corporation, on behalf of the corporation.



[Signature: Shannon E. Paul]
Notary Public

**LEGAL DESCRIPTION
TRAIL EASEMENT**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF THE REMAINING PORTION OF OUTLOT "F" PINE LAKE HEIGHTS SOUTH 7TH ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID REMAINING PORTION OF OUTLOT "F", SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE NORTH ALONG A WEST LINE OF SAID REMAINING PORTION OF OUTLOT "F", SAID LINE BEING A EAST LINE OF SOUTH 37TH STREET RIGHT-OF-WAY ON AN ASSUMED BEARING OF NORTH 01 DEGREES 54 MINUTES 20 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE SOUTH 88 DEGREES 05 MINUTES 40 SECONDS EAST ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID REMAINING PORTION OF OUTLOT "F", A DISTANCE OF 872.28 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEAST LINE OF SAID REMAINING PORTION OF OUTLOT "F", THENCE SOUTH 45 DEGREES 59 MINUTES 58 SECONDS WEST ALONG THE SOUTHEAST LINE OF SAID REMAINING PORTION OF OUTLOT "F", SAID LINE BEING A NORTHWEST LINE OF YANKEE HILL ROAD RIGHT-OF-WAY, A DISTANCE OF 13.92 FEET TO A SOUTHEAST CORNER OF SAID REMAINING PORTION OF OUTLOT "F", THENCE NORTH 88 DEGREES 05 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID REMAINING PORTION OF OUTLOT "F", SAID LINE BEING A NORTH LINE OF YANKEE HILL ROAD RIGHT-OF-WAY, SAID LINE BEING 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 862.59 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 8,674.31 SQUARE FEET OR 0.1991 ACRES, MORE OR LESS.

January 26, 2005

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Exhibit "A"

