

RESOLUTION NO. R90- 114

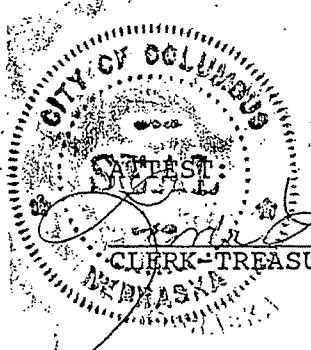
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE AND ACCEPT THAT EASEMENT AGREEMENT FOR ROADWAY AND UTILITY EASEMENTS AS DESCRIBED IN THAT DOCUMENT, ATTACHED HERETO, AND EXECUTED BY WAL-MART STORE, INC.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA that the easements granted pursuant to the Easement, which is attached hereto, from Wal-Mart Stores, Inc., to the City of Columbus for roadway and utility easements as described therein should be and hereby is accepted and approved.

INTRODUCED BY COUNCILPERSON: *Robert H. King*

PASSED AND ADOPTED THIS 17th DAY OF December, 1990.

Sam J. Mann
MAYOR



James S. Walters
CLERK-TREASURER

(CITY OF COLUMBUS, NEBRASKA SEAL)

(Continued on next page)

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Wal-Mart Stores, Inc., hereinafter referred to as "Wal-Mart," for and in the consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, has this day granted, bargained, conveyed and sold on to the City of Columbus, Nebraska, a municipal corporation of the State of Nebraska, a perpetual easement and right-of-way over and across and under the following described real property located in Columbus, Platte County, Nebraska, to wit:

A roadway easement described as follows, to wit:

A roadway easement 30 feet wide, commencing at the southeast corner of Lot 1, Block A, Randall 3rd Addition to the City of Columbus, Platte County, Nebraska and on the north right of way line of 23rd Street in said City; thence N 00 00'00" E a distance of 585.17 feet along the east line of said Lot 1 to the point or place of beginning;

Thence N 89 54'05" W a distance of 988.90 feet to the west line of Lot 2, Block A, Randall 3rd Addition to said City; thence N 00 05'16" W a distance of 30.00 feet to the centerline of said 25th Street; thence S 89 54'05" E a distance of 988.95 feet along the centerline of said 25th Street; thence S 00 00'00" W a distance of 30.00 feet to the point or place of beginning.

Containing 0.68 acres more or less.

A 10' utility easement described as follows:

A utility easement 10 feet wide beginning at the southwest corner of Lot 2, Block A, Randall 3rd Addition to the City of Columbus, Platte County, Nebraska and on the north right-of-way line of 23rd Street in said City; thence N 00 05'16" W a distance of 586.42 feet along the west line of said Lot 2 to the south right-of-way line of 25th Street in said City; thence S 89 54'05" E a distance of 10.00 feet along the south right-of-way line of said 25th Street; thence S 00 05'16" E a distance of 586.41 feet to the north right-of-way line of said 23rd Street and the south line of said Lot 2; thence N 89 58'25" W a distance of 10.00 feet along said Lot 2 to the point or place of beginning.

Containing 0.13 acres more or less.

A 10' utility easement described as follows, to wit:

(Continued on next page)

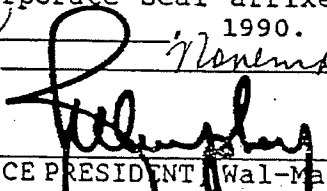
A utility easement 10 feet wide beginning at the southeast corner of Lot 1, Block A, Randall 3rd Addition to the City of Columbus, Platte County, Nebraska and on the north right-of-way line of 23rd Street in said City; thence N 89 58'25" W a distance of 10.00 feet along the south line of said Lot 1 and the north right-of-way line of said 23rd Street; thence N 00 00'00" E a distance of 585.18 feet to the south right-of-way line of 25th Street in said City; thence S 89 54'05" E a distance of 10.00 feet along the south right-of-way line of said 25th Street to the east line of said Lot 1; thence S 00 00'00" W a distance of 585.17 feet along the east line of said Lot 1 to the north right-of-way of said 23rd Street and the south line of said Lot 1 to the point of beginning.

Containing 0.13 acres more or less.

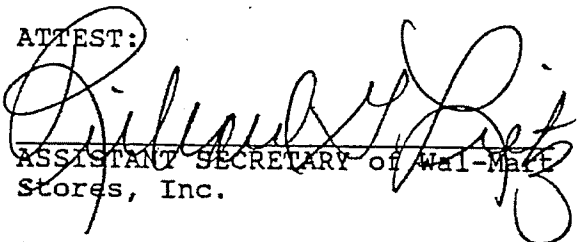
All of said easements are hereby granted to the City of Columbus, Nebraska with the right of ingress and egress to and from the same for the purpose of surveying, laying out, constructing, maintaining, repairing, and operating the said public utilities and public roadway, including those acts incident to and deemed necessary by the City of Columbus, Nebraska.

The same is hereby conveyed perpetually and shall be deemed to run with the land.

IN WITNESS WHEREOF, above said Corporation has caused this instrument to be signed by its Vice President and attested by its Assistant Secretary with the Corporate Seal affixed hereto this 16th day of November, 1990. Signed and delivered this 16th day of November, 1990.


VICE PRESIDENT Wal-Mart Stores, Inc.

ATTEST:


ASSISTANT SECRETARY of Wal-Mart Stores, Inc.

CERTIFICATION

Linda Walters, City Clerk of the City of Columbus, Nebraska, hereby certify that the above and foregoing is a true, full and correct copy of an easement agreement adopted by the Council of the City of Columbus, Nebraska at a meeting held according to law at Columbus, Nebraska on the 17th day of December, 1990 and the same appears on file and of record in this office. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 18th day of December 1990.

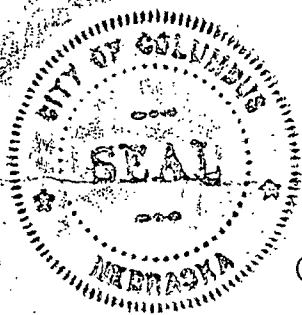

City Clerk-Treasurer

(CITY OF COLUMBUS, NEBRASKA SEAL)

CERTIFICATION

I, Linda L. Walters, City Clerk-Treasurer of the City of Columbus, Nebraska, hereby certify the attached is a true and accurate reproduction of Resolution No. R90-114 adopted by the Council of the City of Columbus, Nebraska at a meeting held according to law in Columbus, Nebraska, on the 17th day of December, 19 90, as the same appears on file and on record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this 18th day of December, 19 90.



Linda L. Walters
City Clerk-Treasurer
City of Columbus, Nebraska

(CITY OF COLUMBUS, NEBRASKA SEAL)



STATE OF NEBRASKA } S.S.
Platte County
Entered in Numerical Index and Filed
for Record in the Recorder's Office of
said County this 18th day of December
A.D. 1990 at 12:21 o'clock P.M.
Recorded in Book 82 of Misc.
Page 409 thereof.

Dorrene R. Henderson
Register of Deeds

Fee \$20.50
Del-City Clerk
City