

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2006 - 08015

2006 MAR -8 P 2:48

Glenn J. Dowling
REGISTER OF DEEDS

COUNTER PM C.E. OK
VERIFY PM D.E. OK
PROOF PM
FEES \$ 21.50
CHECK# _____
CHG BTAN CASH _____
REFUND _____ CREDIT _____
SHORT _____ NDR _____

RELEASE OF LANDSCAPE EASEMENT

This Release of Easement is executed this 8th day of March, 2006

RECITALS:

1. Sanitary and Improvement District No. 218, was the beneficiary of a landscape easement on Lot 3, Southport East, a subdivision in Sarpy County, Nebraska as dedicated on the plat recorded as instrument 2001-30162 (the "Plat") in the Sarpy County Register of Deeds office.

2. The City of LaVista, Nebraska (the "City") annexed the property located within Southport East, and is now the beneficiary of the dedicated landscape easement.

3. Lot 3 and Lot 4 of Southport East have been replatted as Lots 1, 2 and 3, Southport East Replat Three, a subdivision in Sarpy County, Nebraska and recorded as Instrument No. 2006-04149 ("Replat 3"). The current property owner is Port Starboard, L.L.C. (the "Owner").

4. The City and the Owner desire the release the original landscape easement dedicated in the Plat.

5. A 50' landscape easement was created in Southport East Replat Three to replace the original landscape easement created in the Plat. Said replacement 50' landscape easement shall continue in full force and effect.

NOW THEREFORE, the City and the Owner, each on behalf of itself, its successors and assigns, hereby fully and irrevocably releases and terminates the landscape easement dedicated on instrument number 2001-30162, as of the date first written above.

Port Starboard, L.L.C.
a Nebraska limited liability company

By: *Tucker B. Magid*

Tucker B. Magid, Managing Member

By: Starboard South, L.L.C., a Nebraska limited liability company
Managing Member

By: *Trenton B. Magid*

Trenton B. Magid, Manager Member

08015

BTAN

A

City of La Vista, Nebraska

By: Donna Kiley 3/8/06
Mayor Date

Attest:
By: Rita M. Ramirez 3/8/06
City Clerk Date



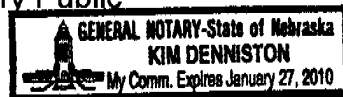
Approved as to form:

By: Thomas J. McKern 3/7/06
City Attorney Date

STATE OF NEBRASKA)
COUNTY OF SARPY)SS

The foregoing instrument was acknowledged before me this 8th day of March 2006 by Trenton B. Magid, Manager Member of Starboard South, L.L.C., a Nebraska limited liability company, managing member of Port Starboard, L.L.C., a Nebraska limited liability company. Trenton B. Magid is personally known or identified to me by satisfactory evidence to be same person executing this Release.

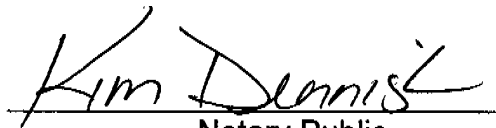
Kim Denniston
Notary Public



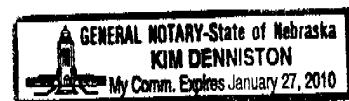
B

STATE OF NEBRASKA)
COUNTY OF SARPY)SS

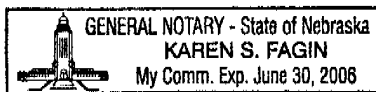
The foregoing instrument was acknowledged before me this 8th day of March 2006 by Tucker B. Magid, an individual, managing member of Port Starboard, L.L.C., a Nebraska limited liability company. Tucker B. Magid is personally known or identified to me by satisfactory evidence to be same person executing this Release.

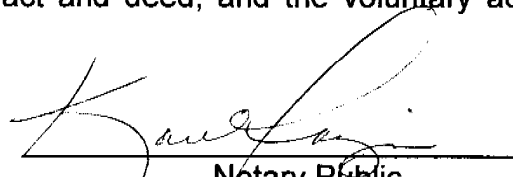

Notary Public

STATE OF NEBRASKA)
COUNTY OF SARPY)



The foregoing instrument was acknowledged before me this 8th day of March 2006 by Douglas Kindig the Mayor of the City of La Vista and the identical person whose name is affixed to the foregoing and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said City.



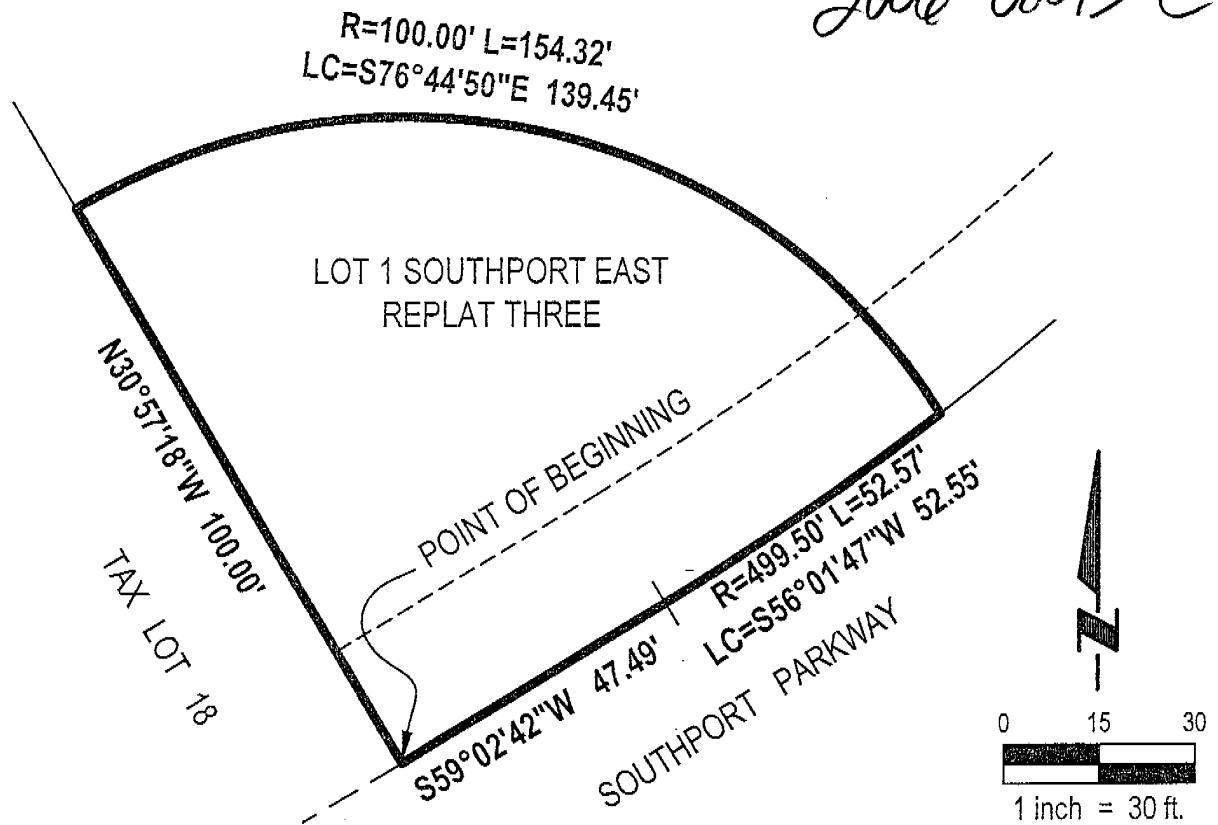

Notary Public

WHEN RECORDED RETURN TO:

CITY OF LA VISTA
8116 PARK VIEW BLVD.
LA VISTA, NEBRASKA 68128-2198

EXHIBIT "A"

2006-08015 C



LEGAL DESCRIPTION

A PERMANENT LANDSCAPE EASEMENT GRANTED TO THE CITY OF LA VISTA, TO BE RELEASED, LOCATED IN LOT 1, SOUTHPORT EAST REPLAT THREE, A SUBDIVISION LOCATED IN THE SE 1/4 OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, SOUTHPORT EAST REPLAT THREE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF TAX LOT 18, A TAX LOT LOCATED IN SAID SE 1/4 OF SECTION 18; THENCE $N30^{\circ}57'18''W$ (ASSUMED BEARING) ALONG THE WESTERLY LINE OF SAID LOT 1, SOUTHPORT EAST REPLAT THREE, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID TAX LOT 18, A DISTANCE OF 100.00 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, A DISTANCE OF 154.32 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS $S76^{\circ}44'50''E$, A DISTANCE OF 139.45 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1, SOUTHPORT EAST REPLAT THREE, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHPORT PARKWAY; THENCE SOUTHWESTERLY ALONG SAID EASTERLY LINE OF LOT 1, SOUTHPORT EAST REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTHPORT PARKWAY ON A CURVE TO THE RIGHT, WITH A RADIUS OF 499.50 FEET, A DISTANCE OF 52.57 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS $S56^{\circ}01'47''W$, A DISTANCE OF 52.55 FEET; THENCE $S59^{\circ}02'42''W$ ALONG SAID EASTERLY LINE OF LOT 1, SOUTHPORT EAST REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTHPORT PARKWAY, A DISTANCE OF 47.49 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT LANDSCAPE EASEMENT GRANTED TO THE CITY OF LA VISTA, TO BE RELEASED CONTAINS AN AREA OF 7,806 SQUARE FEET OR 0.179 ACRES, MORE OR LESS.



E&A CONSULTING GROUP, INC.

ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700

Drawn by: BJW

Chkd by: WAC, 2-28-06

Chkd by: _____

Job No.: 2000030.18

Date: 02/27/06

PERMANENT LANDSCAPE EASEMENT
GRANTED TO THE CITY OF LA VISTA,
TO BE RELEASED
LOT 1, SOUTHPORT EAST
LA VISTA, NEBRASKA