

41968

COVENANT, NOTICE AND ACKNOWLEDGMENT THAT PROPERTY
IS LOCATED IN AIRPORT ENVIRONS DISTRICT 1

WHEREAS, the City of Lincoln seeks to promote the public health, safety and general welfare and to encourage the most appropriate use of land; and

WHEREAS, the City of Lincoln is desirous of protecting the Lincoln Municipal Airport from encroachment by incompatible land use; and

THEREFORE, the undersigned, the owner of the property described as: See attachment A

hereby acknowledges that due to the property's proximity to the Lincoln Municipal Airport, it may be exposed to aircraft related noise and overflight impact resulting directly or indirectly from the operations of said airport, now and in the future, including but not limited to, ground and flight operations of aircraft at, over, on or in the vicinity of the said airport and regardless of whether arriving, departing, or enroute and that use of the said property may be restricted by the provisions of the Airport Environs District as adopted within the Lincoln Municipal Code.

TO HAVE AND TO HOLD this Covenant, Notice and Acknowledgment unto the City of Lincoln until and unless the said airport shall cease to be used for public airport purposes.

Owner covenants and agrees that if owner or his heirs, successors or assigns, should sell or alienate any portion of the said property, Grantor, his heirs, successors or assigns shall include in every deed or conveyance evidencing such sale or alienation a recitation that the grant is subject to the provisions of this agreement and owner shall require each grantee to include such recitation in any subsequent deed or conveyance of any property herein above described.

IT IS UNDERSTOOD AND AGREED that this Covenant, Notice and Acknowledgment shall extend to all lessees, heirs, administrators, executors, successors and assigns and that this Covenant, Notice and Acknowledgment shall be duly recorded in the applicable Register of Deeds and indexed in the grantor index under the names

P002/003

TO 14024937323

FROM REMBOLT LUDTKE ET AL

09-15-94 11:30AM

2
of the owner of record of the land affected.

This notice is given pursuant to Section 27.58.080 of the
Municipal Code of the City of Lincoln, Nebraska.

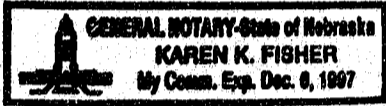
Dated this 15 day of September, 1994.

Thomas Friedman
Thomas Friedman, Owner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)
) ~~LINCOLN~~

The foregoing instrument was acknowledged before me this 15
day of Sept., 1994, by Thomas Friedman.

Karen K. Fisher
Notary Public



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ATTACHMENT A

Legal Description

Remaining Portion Lot 94 I.T.

A Tract of land out of and a part of Lot 94 I.T., situated in the Northeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and being more particularly described as follows: Beginning at the Northwest Corner of said Lot 94 I.T., said point being a 5/8 inch Rebar; THENCE: S.89°44'07"E., a distance of 686.84 feet to a 3/4 inch Iron Pipe; THENCE: S.00°43'19"W., a distance of 299.80 feet to a 3/4 inch Iron Pipe; THENCE: S.89°59'04"W., a distance of 343.28 feet to a point for a Corner; THENCE: S.00°39'44"W., a distance of 1199.57 feet to a point for a Corner on the North Right-of-Way line of the Burlington Northern Railroad; THENCE: S.86°24'58"W., a distance of 344.20 feet along and with the said North Right-of-Way line of Burlington Northern Railroad to a point for a Corner; THENCE: N.00°39'45"E., a distance of 1524.16 feet to the Point-of-Beginning and containing in all 16.698 Acres of Land, subject to any Easements, Reservations, or Restrictions of Record.

\$15.50

LANCASTER COUNTY, NEB
Dan Naltz
REGISTER OF DEEDS

SEP 23 12 37 PM '94

JB

1-4

INST. NO. 94- 41968

JOHNSON & BAKER, P.C.
ATTORNEYS AT LAW
6101 S. 58th ST., SUITE D
P.O. BOX 6759
LINCOLN, NEBRASKA 68506-6759

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