

24456

**PETITION TO VACATE PUBLIC WAY**  
with  
**RELEASE AND WAIVER OF RIGHTS AND TITLE,**  
**AND QUIT CLAIM DEED TO CITY OF LINCOLN**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA:**

The undersigned property owner(s) hereby ask and petition you to vacate the following street, alley, or other public way, commonly known as: (Example: Blank Street from 1st to 2nd St. or East-west alley, from the north line of 1st Street to the south line of 2nd Street)

See Exhibit "A" attached

In the City of Lincoln, Nebraska, the CITY OF LINCOLN, NEBRASKA, to reserve and retain in said street, alley, or other public way such title, rights, easements, and privileges as it may deem necessary. In consideration of the vacation of the above-described street, alley, or other public way, we, and each of us, for ourselves, our heirs, personal representatives, successors, and assigns, hereby waive and release any and all claims, causes of action, title, rights, and demands of every nature, known or unknown, which may accrue to us, or which we now have, or which we may hereafter have as a result of or resulting from such vacation of said street, alley, or other public way; and hereby remise and forever quit claim unto the City of Lincoln, Nebraska, and to its successors and assigns forever, all right, title, interest, estate, and demand, both at law and in equity, of, in, and to all of said street, alley, or other public way, together with all and singular the hereditaments thereunto belonging.

**TO HAVE AND TO HOLD** the above-described street, alley, or other public way unto the City of Lincoln, Nebraska, and to its successors and assigns, so that none of the undersigned, nor any person in his, her, their, or its name(s) or behalf shall or will hereafter claim or demand any right or title to the said premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

The undersigned hereby represent(s) that he, she, they, or it is (are) the owner(s) of the following described property in Lincoln, Lancaster County, Nebraska, abutting on said street, alley, or other public way, legally described to wit: (Legal description from deed or abstract)

See Exhibit "B" attached

DATED this 1st day of June, 1987.

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

By: Richard B. Taylor  
Richard B. Taylor, Assistant Vice-President

Lisa M. Fanzelli  
Assistant Secretary

(Individual(s) acknowledgment):

STATE OF \_\_\_\_\_ )  
COUNTY) ss:

Before me, a notary public qualified for said county, personally came \_\_\_\_\_

known to me to be the identical person(s) who signed the foregoing instrument, and acknowledged the execution thereof to be his, her, or their voluntary act and deed for the purposes therein set forth, and acknowledged that he, she, or they signed the foregoing instruments with the view of having said City of Lincoln vacate said street, alley, or other public way, and the City of Lincoln reserving and retaining in said street, alley, or other public way such title, rights, and privileges as it may deem necessary, together with a waiver and release of any and all claims, causes of action, title, rights, demands, and quit claim.

WITNESS my hand and notarial seal on \_\_\_\_\_, 19\_\_\_\_.

Notary Public

My Commission expires: \_\_\_\_\_

(Corporate Acknowledgment - OVER)

NEBRASKA DOCUMENTARY  
STAMP TAX  
JUL 20 1987  
\$ EXEMPT BY JD

REFERRED  
JUN 8 1987  
Jew



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That part of the North-South alley in Block 10, in North Lincoln Addition, located in the Northeast Quarter (NE1/4) of Section 23, Township 10 North, Range 8 East of the 6th P.M., in the City of Lincoln, in Lancaster County, Nebraska, and more particularly described as follows:

Commencing from the Northeast corner of Lot 12, of said Block 10, said point also being the TRUE POINT OF BEGINNING; thence on an assumed bearing of N. 89°57'22" E., a distance of 16.00 feet, to the Northwest corner of Lot 1, of said Block 10; thence S. 00°00'15" W., along the West line of Lots 1, 2 and 3, of said Block 10, a distance of 106.22 feet; thence S. 42°24'08" W., a distance of 23.73 feet, to a point on the East line of Lot 10, of said Block 10; thence N. 00°00'15" E., along the East line of Lots 10, 11 and 12, of said Block 10, a distance of 123.73 feet, to the TRUE POINT OF BEGINNING.

**EXHIBIT "A"**

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A tract of land located in the East Half (E1/2) of Section 23, Township 10 North, Range 6 East of the 6th P.M., in the City of Lincoln, in Lancaster County, Nebraska, and more particularly described as follows:

Commencing from the intersection of "S" Street and 8th Street; thence, on an assumed bearing of N. 00°00'00" E., along the centerline of said 8th Street, a distance of 60.00 feet, to a point on the North right-of-way line of said "S" Street; thence N. 89°58'41" W., along the North right-of-way line of said "S" Street, a distance of 17.00 feet, said point being the TRUE POINT OF BEGINNING; thence N. 00°00'00" E., along a line 17.00 feet West of and parallel to the centerline of said 8th Street, a distance of 728.48 feet, to a point of curvature; thence on a curve to the right whose radius is 716.78 feet, a central angle of 55°03'36" and an arc distance of 688.81 feet, to a point on the South right-of-way line of the Burlington Northern Railroad; thence N. 55°03'37" E., along said Burlington right-of-way, a distance of 1,148.10 feet, to the intersection of the centerline of 11th Street and said Burlington right-of-way; thence S. 00°01'40" W., along the centerline of said 11th Street, a distance of 65.00 feet; thence S. 63°20'12" W., a distance of 67.14 feet, to a point on the West right-of-way line of said 11th Street, said point also being 60.00 feet Southerly of and parallel to said Burlington right-of-way; thence S. 55°03'37" W., along a line 60.00 feet Southerly of and parallel to said Burlington right-of-way, a distance of 564.41 feet; thence S. 42°24'08" W., along a line which intersects the North line of Lot 1, Block 10, of North Lincoln Addition, said point of intersection being 45.00 feet West of the Northeast corner of said Lot 1, a distance of 260.00 feet, to a point of curvature; thence on a curve to the left whose arc intersects the South line of Lot 7 of said Block 10, said point of intersection being 10.04 feet East of the Southwest corner of said Lot 7, whose radius is 716.80 feet, a central angle of 40°04'18" and an arc distance of 530.48 feet, to a point 16.00 feet West of the centerline of 9th Street; thence S. 00°00'17" E., along a line which is 16.00 feet West of and parallel to the centerline of 9th Street, a distance of 357.08 feet; thence N. 89°59'52" W., a distance of 10.00 feet, to a point of curvature; thence on a curve to the right whose initial tangent bears S. 00°00'17" E., whose radius is 448.40 feet, a central angle of 07°59'55", and an arc distance of 62.60 feet; thence S. 08°00'04" W., a distance of 158.00 feet, to a point of curvature; thence on a curve to the right whose radius is 60.00 feet, a central angle of 41°43'50", and an arc distance of 43.70 feet; thence S. 49°43'53" W., a distance of 11.50 feet, to a point of curvature; thence on a curve to the left whose radius is 66.66 feet, a central angle of 49°42'14", and an arc distance of 69.40 feet; thence S. 00°00'08" W., a distance of 212.54 feet, to a point on the North right-of-way line of "S" Street; thence N. 89°58'41" W., along the North right-of-way line of said "S" Street, a distance of 317.08 feet, to the TRUE POINT OF BEGINNING.

# EXHIBIT B

CERTIFICATE

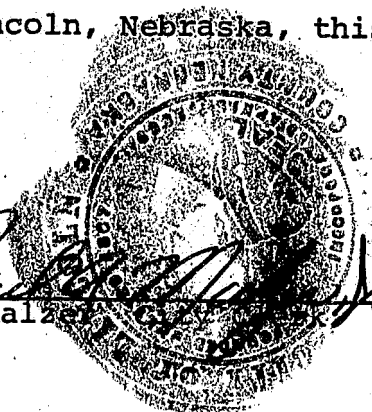
STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) SS.  
CITY OF LINCOLN )

I Paul A. Malzer, Jr. City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of a petition to vacate public way and a quit claim deed to City of Lincoln signed by the Chicago and Northwestern Transportation Company.

as the original appears of record in my said office and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 20th day of July, A.D., 19 87.

*Paul A. Malzer, Jr.*  
Paul Malzer



1-16  
1-21  
1-19  
1-63  
1-61  
2-222  
2-234  
2-235 J.F.  
2-211  
2-227  
2-169 INDEXED  
MICRO-FILED  
GENERAL

LANCASTER COUNTY NEBR.  
*Dan Jelts*  
REGISTER OF DEEDS

\$3250

1987 JUL 20 AM 11:39  
ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD

INST. NO. 87 24456

Ch amt \$39.50  
City Clerk