

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That OTTO GASPAR

herein called "Grantor", whether one or more, owner of certain real property described as:

for and in consideration of the sum of one dollar and other  
valuable consideration (\$1.00),  
duly paid, the receipt whereof is hereby acknowledged, does hereby GRANT,  
REMISE and RELINQUISH unto the CITY OF LINCOLN, NEBRASKA, a municipal corpora-  
tion, its successors and assigns, herein called "Grantee", the RIGHT, PRIVILEGE  
and EASEMENT to construct, reconstruct, maintain, operate, repair, and replace  
municipal utilities, including sanitary sewers, storm sewers, water service,  
and electrical lines under, over and through the following described real prop-  
erty, to-wit:

AN EASEMENT LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST  
QUARTER (SE $\frac{1}{4}$ , NW $\frac{1}{4}$ ) OF SECTION 21, TOWNSHIP 10' NORTH, RANGE 7  
EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE  
PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST  
CORNER OF SAID SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , THENCE WESTERLY ALONG THE SOUTH  
LINE OF SAID SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , ON AN ASSUMED BEARING OF N90°00'00"W A DISTANCE  
OF 82.20' TO THE CENTERLINE OF THE MISSOURI PACIFIC RAILROAD  
RIGHT-OF-WAY, THENCE N55°24'00"W ALONG THE CENTERLINE OF SAID  
RAILROAD RIGHT-OF-WAY A DISTANCE OF 210.31', THENCE N34°36'00"E  
A DISTANCE OF 50.00', TO THE NORTH LINE OF SAID RAILROAD  
RIGHT-OF-WAY SAID POINT BEING THE TRUE POINT OF BEGINNING OF  
A THIRTY FOOT (30') EASEMENT, THENCE CONTINUING N34°36'00"E  
ALONG THE CENTERLINE OF SAID EASEMENT A DISTANCE OF 38.85' TO  
A POINT OF CURVATURE, THENCE ON A CURVE TO THE LEFT WHOSE CENTRAL  
ANGLE IS 34°36'00" AND WHOSE RADIUS IS 100.00' AN ARC LENGTH  
OF 60.39' TO A POINT OF TANGENCY, THENCE N0°00'00"E A DISTANCE  
OF 196.10' TO A POINT OF CURVATURE, THENCE ON A CURVE TO THE  
LEFT WHOSE CENTRAL ANGLE IS 30°00'00" AND WHOSE RADIUS IS 150.00'  
AN ARC LENGTH OF 78.54' TO A POINT OF TANGENCY, THENCE N30°00'00"W  
A DISTANCE OF 6.45' TO THE POINT OF TERMINATION. SAID EASEMENT  
CONTAINS 0.262 ACRES MORE OR LESS.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and  
assigns, so long as such municipal utilities shall be maintained, together with  
the right of ingress and egress to said property from the public streets, for  
the purpose of constructing, reconstructing, inspecting, repairing, maintain-  
ing, operating, and replacing any of said utilities and appurtenances thereto,  
located thereon, in whole or in part, at the will of the Grantee, it being the  
intention of the parties hereto that Grantor is hereby granting the uses herein  
specified without divesting Grantor of title and ownership of the rights to use  
and enjoy the above described property for any purpose except the construction  
thereon of permanent buildings, subject only to the right of Grantee to use the  
same for purposes herein expressed, and subject to any prior leases or ease-  
ments of record heretofore granted to other parties.

25550

This instrument, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 28<sup>th</sup> day of July, 1987.

Otto Gargan  
By Kyle Depp Attorney in Fact

STATE OF Nebraska )  
COUNTY OF Lancaster ) SS:



On July 28<sup>th</sup>, 1987, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came Kyle Depp

to me known to be the identical person(s), whose name(s) is (are) affixed to the foregoing instrument and acknowledged the execution thereof to be his, her, or their voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

Sandy K. Lunik  
Notary Public

My Commission Expires: 8-16-90

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came \_\_\_\_\_, known to me to be the President of \_\_\_\_\_

\_\_\_\_\_ a corporation, and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

Witness my hand and notarial seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that Otto Gaspar has made, constituted and appointed, and by these presents, does make, constitute and appoint Kyle Deppe his true and lawful attorney for his name, place and stead giving and granting unto said Kyle Deppe full power and authority to enter into and execute easements over and across land located in Lincoln, Lancaster County, Nebraska, more particularly described on Exhibit "A" attached hereto and made a part hereof as if fully set forth, which easement shall, after subdivision, be known as Chateau Meadows Development, and which easements are a requirement of the City of Lincoln, County of Lancaster, State of Nebraska, under and pursuant to Special Permit No. 1174A and Resolution No. A-71383.

Power Atty. is Xerox copy

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 26 day of June, 1987.

Otto Gaspar  
OTTO GASPAR

Cheryl Kempton  
WITNESS

STATE OF NEBRASKA )  
  ) ss.  
LANCASTER COUNTY )

Before me, a Notary Public in and for said county and state, personally appeared Otto Gaspar, known to me to be the identical person who appeared before me and signed the foregoing as his voluntary act and deed.

Witness my hand and notarial seal this 26 day of June, 1987.

GENERAL NOTARY STATE of Nebraska  
JOHN D. ROUSE  
My Comm. Exp. Feb. 10, 1990

John D. Rouse  
NOTARY PUBLIC

John Thiesson  
770 N Cotman  
68505

LANCASTER COUNTY NEBR.

REGISTER OF DEEDS

1987 JUL 29 AM 10:59

FILED FOR RECORDING

\$15.50

INDEXED  
MICRO-FILED  
GENERAL

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INST. NO. 87 25550