

\$41.50

BLANK

CODE
HIMES
CHECKED
ENTERED
EDITED

[Signature]

REGISTER OF DEEDS

INST. NO 99

1999 JUL -9 A 9:12

037945

**RATIFICATION OF FINAL PLAT OF HIMARK ESTATES ADDITION
AND
QUITCLAIM DEED**

WHEREAS, Resolution No. PC-00498 adopted by the Lincoln City-Lancaster County Planning Commission on May 19, 1999 accepted and approved the final plat designated as HIMARK ESTATES ADDITION as an addition to the City of Lincoln, Nebraska; and

WHEREAS, said final plat contained the dedication attached hereto marked as Attachment A ("Dedication") and was executed by Dru W. Lammle, Guy M. Lammle, David L. Lammle, Rita L. Lammle, Himark Development, Inc. and D & M Development, L.L.C., as owners; and

WHEREAS, pursuant to Neb. Rev. Stat. § 15-106, said final plat is deemed to be equivalent to a deed in fee simple absolute to the City of Lincoln, Nebraska from said owners of all streets dedicated to the public; and

WHEREAS, doubts have arisen as to the sufficiency of the Dedication as said final plat was not executed by the undersigned Kyle S. Lammle and Lorie L. Lammle as the wives of Dru W. Lammle and David L. Lammle, respectively.

WITNESSETH that in consideration of the approval of Himark Estates Addition and to effect said final plat, the undersigned do hereby ratify and confirm said final plat of HIMARK ESTATES ADDITION and the Dedication therein and hereby quitclaim unto the City of Lincoln, Nebraska, a municipal corporation, Aliant Communications, Time Warner Entertainment - Advance/Newhouse, Peoples Natural Gas, their successors and assigns, all right, title, interest, estate, and demand both at law and in equity to the utility easements, streets, access easements, and public way easements as their interest may appear in the Dedication.

Dated this 6th day of July, 1999.

[Signature: Kyle S. Lammle]

Kyle S. Lammle

[Signature: Lorie L. Lammle]

Lorie L. Lammle

11-9 81, 11-6 82, 11-17 83, 11-12 84, 11-65 89 17 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 00

Chrg CAP 41.50

CAP/chg. FF

STATE OF NEBRASKA)
) ss.
LANCASTER COUNTY)

The foregoing instrument was acknowledged before me this 6th day of July, 1999, by Kyle S. Lammle.



Nil A Koeneke
Notary Public

STATE OF NEBRASKA)
) ss.
LANCASTER COUNTY)

The foregoing instrument was acknowledged before me this 6th day of July, 1999, by Lori L. Lammle.



Nil A Koeneke
Notary Public

HIMARK ESTATES ADDITION FINAL PLAT

DEDICATION

THE FOREGOING PLAT, IS KNOWN AS HIMARK ESTATES ADDITION, A SUBDIVISION COMPOSED OF LOT 63 I.T., LOCATED IN SECTION 11 T9N, R7E, OF THE 6TH PM, CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND IS MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE. THIS DEDICATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED, SOLE OWNER(S), AND THE EASEMENTS SHOWN THEREON ARE HEREBY GRANTED IN PERPETUITY TO THE CITY OF LINCOLN, NEBRASKA, A MUNICIPAL CORPORATION, ALIANT COMMUNICATIONS, TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE, PEOPLES NATURAL GAS, THEIR SUCCESSORS AND ASSIGNS, TO ALLOW ENTRY FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, REPAIR, OPERATION AND MAINTENANCE OF WIRES, CABLES, CONDUITS, FIXTURES, POLES, TOWERS, PIPES, AND EQUIPMENT FOR THE DISTRIBUTION OF ELECTRICITY AND GAS; TELEPHONE AND CABLE TELEVISION; WASTEWATER COLLECTORS; STORM DRAINS; WATER MAINS AND ALL APPURTENANCES THERETO, OVER, UPON, OR UNDER THE EASEMENTS AS SHOWN ON THE FOREGOING PLAT.

THE CONSTRUCTION OR LOCATION OF ANY BUILDING OR STRUCTURE, EXCLUDING FENCES, OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON SHALL BE PROHIBITED.

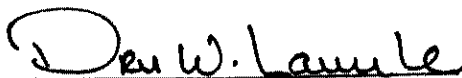
THE CONSTRUCTION OR LOCATION OF ANY FENCE OR OTHER IMPROVEMENT WHICH OBSTRUCTS DRAINAGE SHALL BE PROHIBITED OVER, UPON, OR UNDER ANY STORM DRAIN EASEMENT OR DRAINAGE EASEMENT SHOWN THEREON.

THE CITY OF LINCOLN, ITS SUCCESSORS OR ASSIGNS ARE HEREBY HELD HARMLESS FOR THE COST OF REPLACEMENT OR DAMAGE TO ANY IMPROVEMENT OR VEGETATION OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON.

THE STREETS SHOWN ARE HEREBY DEDICATED TO THE PUBLIC. THE ACCESS EASEMENTS AND THE PEDESTRIAN WAY EASEMENTS SHOWN THEREON SHALL BE USED FOR PUBLIC ACCESS AND THE PUBLIC IS HEREBY GRANTED THE RIGHT OF SUCH USE.

THE RIGHT OF DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD, SOUTH 84TH STREET AND PIONEERS BOULEVARD FROM LOTS ABUTTING SAID STREET(S) IS HEREBY RELINQUISHED EXCEPT AS SHOWN ON THE APPROVED PRELIMINARY PLAT.

WITNESS MY HAND THIS 4th DAY OF May, 1999



DRU W. LAMMLE



GUY M. LAMMLE



DAVID L. LAMMLE

ATTACHMENT "A"

CAR/Chg-FF