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Lancaster County, NE Assessor/Register of Deeds Office EASE

Pages 4



Pine Lake Road Widening Project, 700-014
Tract 94

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **VILLAGE GARDENS DEVELOPMENT COMPANY, LLC**, a Nebraska limited liability company, herein called "*Grantor*", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of **SIX THOUSAND FOUR HUNDRED NINETY-SEVEN AND NO/100 DOLLARS, (\$6,497.00)**, duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby GRANT, REMISE and RELINQUISH unto the **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, its successors and assigns, herein called "*Grantee*", the RIGHT, PRIVILEGE and EASEMENT to construct, reconstruct, maintain, operate, and replace storm sewer and drainage, public street and utility, and appurtenances thereto belonging, over and through the following described real property, to-wit:

Storm Sewer and Drainage

A portion of Lot 73, Irregular Tract, located in the Northwest Quarter of Section 21, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the northwest corner of said Lot 73, Irregular Tract, said corner being located 72.5 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21, and 50.0 feet easterly of, perpendicular measurement, the west line of the Northwest Quarter of said Section 21, thence easterly along the northerly line of said Lot 73, Irregular Tract a distance of 50.60 feet to a corner of said Lot 73, Irregular Tract located 80.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 100.47 feet to a corner of said Lot 73, Irregular Tract located 70.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 12.69 feet to a point on the northerly line of said Lot 73, Irregular Tract located 67.52 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21 and the Point of Beginning; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 12.84 feet to a point on the northerly line of said Lot 73, Irregular Tract located 65.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along a line 65.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 49.31 feet; thence southwesterly a distance of 73.26 feet to a point located 136.64 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said

Charge to PUU, Return
to Michelle, Real Estate

Section 21, and 259.08 feet easterly of, perpendicular measurement, the west line of the Northwest Quarter of said Section 21; thence northwesterly a distance of 60.0 feet to a point located 124.1 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21, and 200.4 feet easterly of, perpendicular measurement, the west line of the Northwest Quarter of said Section 21; thence northeasterly a distance of 57.86 feet to the Point of Beginning, containing an area of approximately 3,995.7 square feet. And, also:

Referring to the northwest corner of said Lot 73, Irregular Tract, said corner being located 72.5 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21, and 50.0 feet easterly of, perpendicular measurement, the west line of the Northwest Quarter of said Section 21, thence easterly along the northerly line of said Lot 73, Irregular Tract a distance of 50.60 feet to a corner of said Lot 73, Irregular Tract located 80.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 100.47 feet to a corner of said Lot 73, Irregular Tract located 70.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 25.52 feet to a point on the northerly line of said Lot 73, Irregular Tract located 65.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along a line 65.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 340.95 feet to the Point of Beginning; thence easterly, along a line 65.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 30.0 feet; thence southerly, along a line located 596.0 feet easterly of, perpendicular measurement, and parallel with the west line of the Northwest Quarter of said Section 21, a distance of 25.0 feet; thence westerly, along a line 90.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 30.0 feet; thence northerly, along a line located 566.0 feet easterly of, perpendicular measurement, and parallel with the west line of the Northwest Quarter of said Section 21, a distance of 25.0 feet to the Point of Beginning, containing an area of 750.0 square feet. The total area of permanent drainage easement included in the two described tracts equals approximately 4,745.7 square feet.

Public Street and Utility

A portion of Lot 73, Irregular Tract, located in the Northwest Quarter of Section 21, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the northwest corner of said Lot 73, Irregular Tract, said corner being located 72.5 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21, and 50.0 feet easterly of, perpendicular measurement, the west line of the Northwest Quarter of said Section 21, thence easterly along the northerly line of said Lot 73, Irregular Tract a distance of 50.60 feet to a corner of said Lot 73, Irregular Tract located 80.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 100.47 feet to a corner of said Lot 73, Irregular Tract located 70.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter

of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 25.52 feet to a point on the northerly line of said Lot 73, Irregular Tract located 65.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along a line 65.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 374.95 feet; thence northerly, along a line located 600.0 feet easterly of, perpendicular measurement, and parallel with the west line of the Northwest Quarter of said Section 21, a distance of 5.0 feet to the Point of Beginning; thence continuing northerly, along a line located 600.0 feet easterly of, perpendicular measurement, and parallel with the west line of the Northwest Quarter of said Section 21, a distance of 10.0 feet to a corner of said Lot 73, Irregular Tract located 50.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence easterly, along the northerly line of said Lot 73, Irregular Tract, a distance of 653.39 feet to the northeast corner of said Lot 73, Irregular Tract located 50.0 feet southerly of, perpendicular measurement, the north line of the Northwest Quarter of said Section 21; thence southerly, along the easterly line of said Lot 73, Irregular Tract, a distance of 10.0 feet; thence westerly, along a line 60.0 feet southerly of, perpendicular measurement and parallel with, the north line of the Northwest Quarter of said Section 21, a distance of 653.39 feet to the Point of Beginning, containing an area of approximately 6,533.9 square feet.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such storm sewer and drainage, public street and utility 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, maintaining, operating and replacing said storm sewer and drainage, public street and utility and appurtenances thereto, located thereon, in whole or in part, at the will of 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 easements of record heretofore granted to other parties.


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.

2005 IN WITNESS WHEREOF, we have hereunto set our hands this 8th day of December.

VILLAGE GARDENS DEVELOPMENT
COMPANY, LLC, a Nebraska limited liability
company

By:

Title:


Manager

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:

On DECEMBER 8, 2005, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came RICHARD B. Campbell, known to me to be the Manager of **Village Gardens Development Company, LLC**, a Nebraska limited liability company, and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed.

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

(SEAL)

Michelle R. Backemeyer

Notary Public

