

KIMCO INDUSTRIAL PARK 3RD ADDITION FINAL PLAT

Inst # 2008056683 Mon Dec 29 10:53:33 CST 2008
Filing Fee: \$42.00
Lancaster County, NE Assessor/Register of Deeds Office PLAT
Page 2

#4208

KIINPA3
#4614

SURVEYOR'S CERTIFICATE

I hereby certify that I have caused to be surveyed the Subdivision to be known as "KIMCO INDUSTRIAL PARK 3RD ADDITION", a subdivision of the remaining portion of Lot 3 and Lots 4 through 6 and the vacated Kimco Place adjacent to Lots 3 and 4, all in Kimco Industrial Park and located in the Northeast Quarter of Section 13, Township 10 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the South corner of Lot 6, Kimco Industrial Park;
Thence N39°38'52"W, a distance of 117.51 feet to a circular curve to the left having a radius of 270.00 feet, a central angle of 40°22'00" and whose chord (186.31 feet) bears N30°07'36"E;


Thence on the arc of said circular curve 190.22 feet;
Thence N10°02'49"E, a distance of 10.53 feet to a circular curve to the left having a radius of 1754.51 feet, a central angle of 3°45'53" and whose chord (115.26 feet) bears N07°35'11"E;

Thence on the arc of said circular curve 115.28 feet;
Thence S89°38'12"E, a distance of 270.29 feet;
Thence S04°06'23"E, a distance of 153.50 feet;
Thence S55°03'13"W, a distance of 386.56 feet to the POINT OF BEGINNING and containing a calculated area of 85,440.35 square feet or 1.96 acres.

Permanent monuments have been placed at all lot corners, street intersections, points of curvature, centerline points of tangency, and at all other points required by the City of Lincoln, Land Subdivision Ordinance, Title 26 of the Lincoln Municipal Code.

All curvilinear dimensions are chord measurements unless shown otherwise, and are in feet and decimals of a foot.

Signed this 7 day of November, 2008.


Lyle L. Loth, LS-314
Engineering-Surveying
601 Old Cheney
Lincoln, NE 68512
402-421-2500

DEDICATION

The foregoing plat known as "KIMCO INDUSTRIAL PARK 3RD ADDITION", and as described in the Surveyor's Certificate is made with the free consent and in accordance with the desires of the undersigned, sole owners, and the easements shown thereon are hereby granted in perpetuity to the City of Lincoln, Nebraska, a municipal corporation, Windstream Nebraska Inc., Time Warner Entertainment - Advance/Newhouse, Aquila, Lincoln Electric System, their successors and assigns, to allow entry for the purposes 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 an 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, Nebraska, its successors and 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 common access easement shown hereon is for the benefit of the owners of Lots 1 and 2 and they are hereby granted the right of such use.

WITNESS OUR HANDS THIS 7 day of November, 2008.

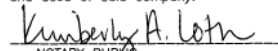

Las Brisas Land Development Company
Steve Miers, President


Sea Breeze Land Development Company
Steve Miers, President

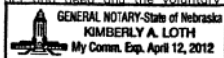
ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

On this 7 day of November, 2008, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Steve Miers, President of Las Brisas Land Development Company, to me personally known to be the identical person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said company.


NOTARY PUBLIC

My commission expires the 12 day of April, 2012.


GENERAL NOTARY-State of Nebraska
KIMBERLY A. LOTH
My Comm. Exp. April 12, 2012

PLANNING DIRECTOR'S APPROVAL

The Planning Director, pursuant to Section 26.11.060 of the LMC, hereby approves this Final Plat.

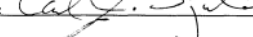

Planning Director

December 18, 2008
Date

LIEN HOLDER CONSENT AND SUBORDINATION

The undersigned holders of those certain liens against the real property described in the plat known as "KIMCO INDUSTRIAL PARK 3RD ADDITION" (hereinafter "Plat"), said lien being recorded in the office of the Register of Deeds of Lancaster County, Nebraska, as Instrument No. 2001-069054 (hereinafter "Lien"), does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric, cable TV, telephone, natural gas) easements of streets or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

West Gate Bank
Trustee & Beneficiary
President
Title

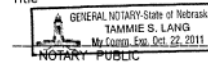
By: 
Carl J. Sjalix
Name of individual

ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

The foregoing instrument was acknowledged before me this 7th day of

November, 2008, by Carl J. Sjalix,
Name
President on behalf of said West Gate Bank
Title


GENERAL NOTARY-State of Nebraska
TAMMIE S. LANG
My Comm. Exp. Oct. 22, 2011
NOTARY PUBLIC

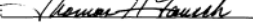
Tammie S Lang

My commission expires the 22 day of October, 2011.

LIEN HOLDER CONSENT AND SUBORDINATION

The undersigned holders of those certain liens against the real property described in the plat known as "KIMCO INDUSTRIAL PARK 3RD ADDITION" (hereinafter "Plat"), said lien being recorded in the office of the Register of Deeds of Lancaster County, Nebraska, as Instrument No. 2003-014706, 2006-002376 & 2008-020073 (hereinafter "Lien"), does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric, cable TV, telephone, natural gas) easements of streets or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

Hastings State Bank
Trustee & Beneficiary
President & CEO
Title

By: 
Thomas H. Fausch
Name of individual

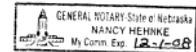
ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

The foregoing instrument was acknowledged before me this 18 day of

November, 2008, by Thomas H Fausch,
Name
President & CEO on behalf of said Hastings State Bank
Title


NOTARY PUBLIC

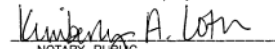

GENERAL NOTARY-State of Nebraska
NANCY HEHNER
My Comm Exp. 12-1-08

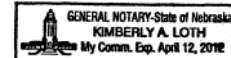
My commission expires the 1 day of December, 2008.

ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

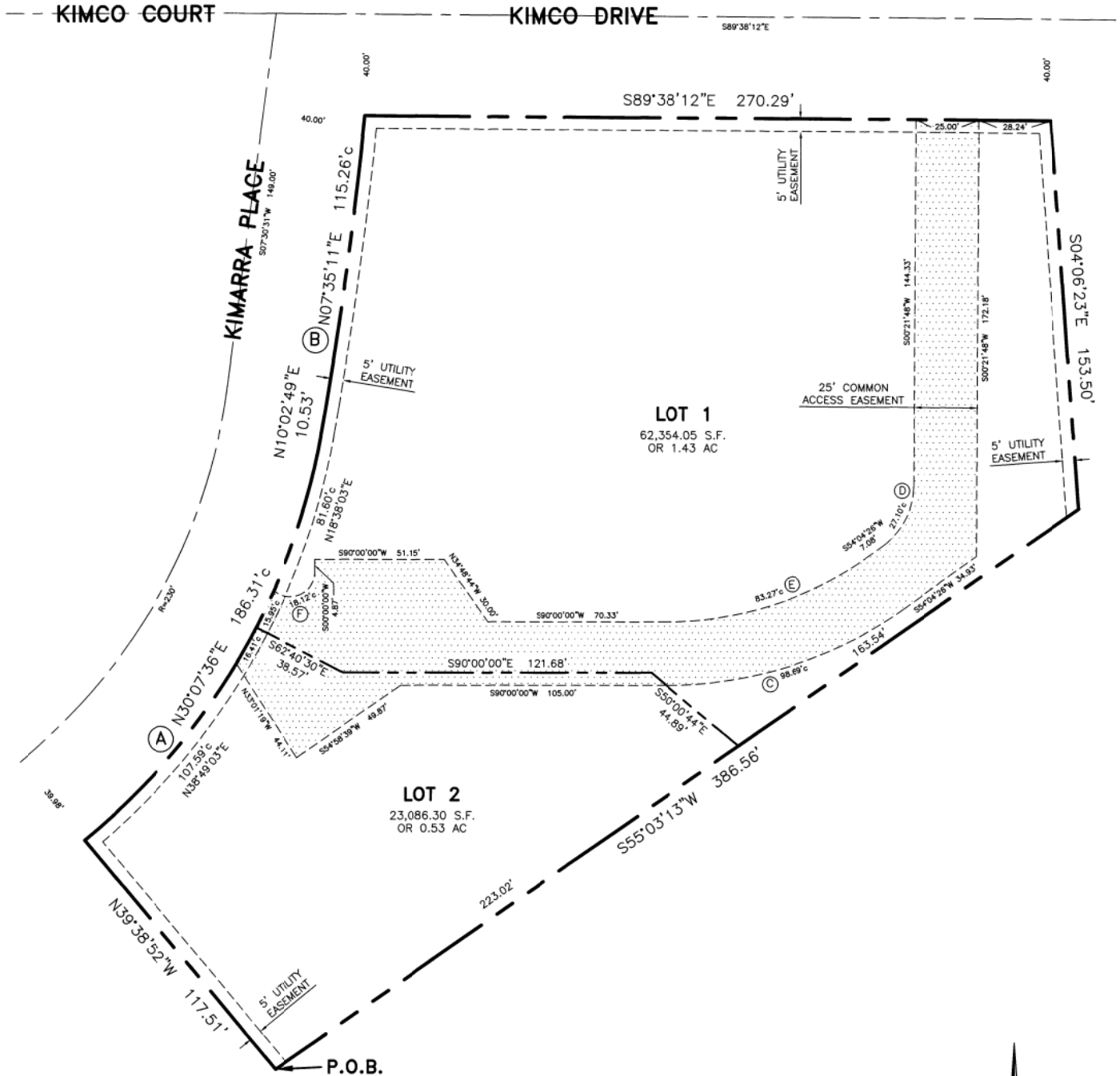
On this 7 day of November, 2008, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Steve Miers, President of Sea Breeze Land Development Company, to me personally known to be the identical person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said company.


NOTARY PUBLIC


GENERAL NOTARY-State of Nebraska
KIMBERLY A. LOTH
My Comm. Exp. April 12, 2012

My commission expires the 12 day of April, 2012.

KIMCO INDUSTRIAL PARK 3RD ADDITION FINAL PLAT



CURVE DATA:

- (A)** R = 270.00'
 Δ = 40°22'00"
 T = 99.25'
 L = 190.22'
 Ch = 186.31'
 ChBrq = N30°07'36"E
- (B)** R = 1754.51'
 Δ = 3°45'53"
 T = 57.66'
 L = 115.28'
 Ch = 115.26'
 ChBrq = N07°35'11"E

- (C)** R = 160.00'
 Δ = 35°55'34"
 T = 51.87'
 L = 100.32'
 Ch = 98.69'
 ChBrq = S72°02'13"W
- (D)** R = 30.00'
 Δ = 53°42'38"
 T = 15.19'
 L = 28.12'
 Ch = 27.10'
 ChBrq = S27°13'07"W

- (E)** R = 135.00'
 Δ = 35°55'34"
 T = 43.77'
 L = 84.65'
 Ch = 83.27'
 ChBrq = S72°02'13"W
- (F)** R = 10.00'
 Δ = 129°53'14"
 T = 21.39'
 L = 22.67'
 Ch = 18.12'
 ChBrq = S64°56'37"W

Total Lots = 2
 Total Outlots = 0
 Total Acres = 1.96

