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2003 APR 10 A 11:25

INST NO 2003

LANCASTER COUNTY, NE

032570

Yankee Hill Road Paving Project, 701-596
Tract 7

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That RIDGE DEVELOPMENT COMPANY, a Nebraska corporation, and SOUTHVIEW, INC., a Nebraska corporation, as tenants in common, each an undivided 1/2 interest, herein called "Grantor", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of SEVEN THOUSAND SEVEN HUNDRED FORTY-FIVE AND NO/100 DOLLARS, (\$7,745.00), 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 bikeway and bikeway underpass structure, and appurtenances thereto belonging, over and through the following described real property, to-wit:

A portion of Outlot H, Pine Lake Heights South 4th Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of said Outlot H; thence north along the west line of said Outlot H a distance of 9.03 feet; thence north along the west line of said Outlot H a distance of 32.27 feet; thence east along a line parallel to and 40 feet north of said Outlot H a distance of 206.7 feet; thence south along a line which deflects 90° right a distance of 40 feet; thence west along the south line of said Outlot H a distance of 198.54 feet to the Point of Beginning; containing 8,153.07 feet, more or less.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such bikeway and bikeway underpass structure 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 bikeway and bikeway underpass structure 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.

IN WITNESS WHEREOF, we have hereunto set our hands this 26th day of March, 2003.

RIDGE DEVELOPMENT COMPANY,
a Nebraska corporation

SOUTHVIEW, INC., a Nebraska corporation

By: Thomas E. White
Title: Pres. of Devel.

By: Donald D. Dalrymple
Title: President

By: John D. Brown
Title: Pres. of Const. Div.

Charge PAV
Return MICHELE
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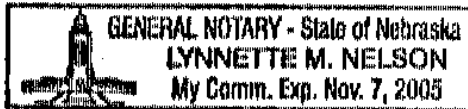
cc's puv

STATE OF Nebraska)
) ss:
COUNTY OF Lancaster)

On March 26, 2003, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came Thomas E. White known to me to be the President of Development of **Ridge Development Company**, a Nebraska 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.

(SEAL)



Lynnette M. Nelson
Notary Public

STATE OF Nebraska)
) ss:
COUNTY OF Lancaster)

On March 26, 2003 before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came John C. Brager known to me to be the President of Construction of **Ridge Development Company**, a Nebraska 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.

(SEAL)



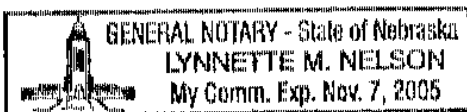
Lynnette M. Nelson
Notary Public

STATE OF Nebraska)
) ss:
COUNTY OF Lancaster)

On March 26, 2003 before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came Gerald L. Schleich known to me to be the President of **Southview, Inc.**, a Nebraska 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.

(SEAL)



Lynnette M. Nelson
Notary Public