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Pages 4



JUL 17 2007

C-07-0286

LANC. COUNTY CLERK

*FT*  
*Q*

**RIGHT-OF-WAY EASEMENT**

In consideration of the mutual benefits to be derived, the County of Lancaster, a political subdivision, ("Grantor") does hereby grant, sell and convey to the City of Lincoln, Nebraska, a municipal corporation, the County of Lancaster, a political subdivision, Windstream, Time-Warner Entertainment - Advance/Newhouse, Aquila, and Lincoln Electric System, their respective successors and assigns ("Grantees"), a perpetual right, privilege and easement with the right to construct, reconstruct, install, use, operate, inspect, maintain, replace, remove, and extend all existing and future wires, cables, conduits, fixtures, pipes, lines, facilities and equipment for the distribution of electricity and gas, telephone and cable television, water mains, sanitary sewer improvements, and appurtenances thereto under, across, and through the following-described real estate situated in Lancaster County, Nebraska:

The portion of South 88<sup>th</sup> Street, extending approximately Five Hundred Thirty Feet (530') North of Taliesin Drive located in the Southwest Quarter of Section 2, Township 9, North, Range 7 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska, as reflected on Exhibit "A" attached hereto and incorporated herein by this reference (the "Easement Area");

TO HAVE AND TO HOLD, together with rights of ingress and egress to said real estate from the public streets or roads, for the purpose of reconstructing, inspecting, repairing, maintaining, operating and replacing said utilities and appurtenances thereto, located thereon, at the will of Grantees. It is the intention of the parties hereto that Grantor is granting the uses herein specified without divesting Grantor of title and ownership of the rights to the above-described real estate for any purpose except the rights, privileges and easement herein granted.

Grantees shall, at their sole cost and expense, restore the Easement Area to the original condition thereof and as soon after any work is performed as may be reasonably possible to do so. Grantor agrees that no building or other structures shall hereafter be located on the Easement Area.

This easement shall run with the land for the benefit of Grantees, their respective successors and assigns, and all provisions hereof shall be binding on Grantor and its successors and assigns.

Nothing contained herein shall be construed as creating any rights in the general public beyond those rights granted to Grantees, their respective successors and assigns.

*Co. Alley -> Tom Fox*

Executed this 17 day of July, 2007.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

By:

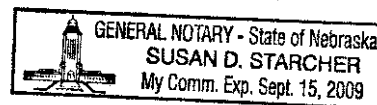
Deb Schorr  
Ray Stevens  
Bob Workman  
Larry Hudkins  
Heier absent from voting

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me on this 17 day of July 2007, by Bob Workman, Deb Schorr, Ray Stevens & Larry Hudkins, of the Board of County Commissioners of Lancaster Nebraska.

Susan D. Starcher

Notary Public



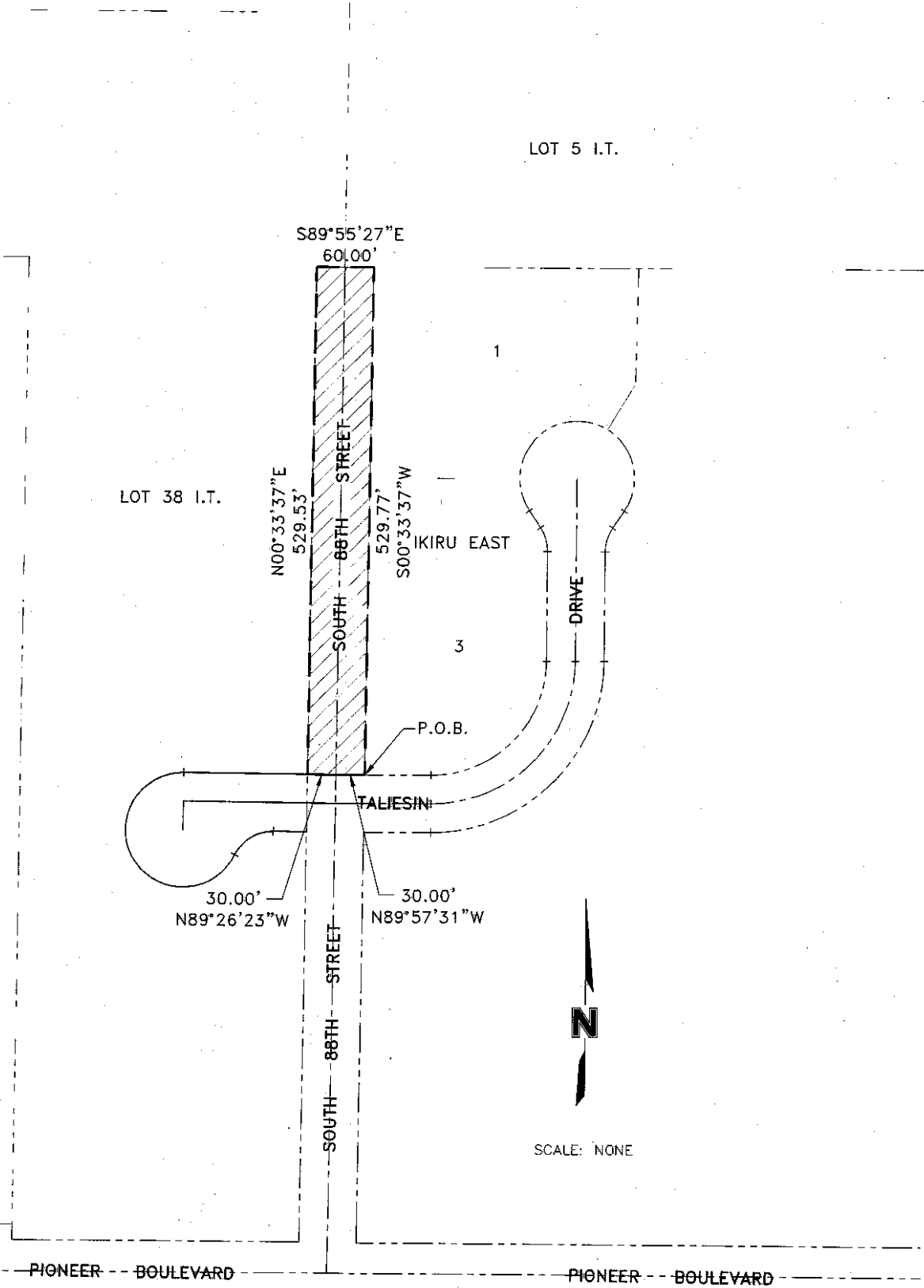
**LEGAL DESCRIPTION  
RIGHT-OF-WAY VACATION**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF SOUTH 88<sup>TH</sup> STREET RIGHT-OF-WAY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 3, IKIRU EAST, SAID POINT BEING ON THE NORTH LINE OF TALIESEN DRIVE RIGHT-OF-WAY, AND ON THE EAST LINE OF SOUTH 88<sup>TH</sup> STREET RIGHT-OF-WAY, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE WESTERLY ALONG THE NORTH LINE OF TALIESEN DRIVE RIGHT-OF-WAY EXTENDED, ON AN ASSUMED BEARING OF NORTH 89 DEGREES 57 MINUTES 31 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 26 MINUTES 23 SECONDS WEST ALONG A LINE PERPENDICULAR TO THE WEST LINE OF SOUTH 88<sup>TH</sup> STREET RIGHT-OF-WAY, A DISTANCE OF 30.00 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID RIGHT-OF-WAY, SAID POINT BEING ON THE EAST LINE OF LOT 38 I.T., THENCE NORTH 00 DEGREES 33 MINUTES 37 SECONDS EAST ALONG A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING A EAST LINE OF SAID LOT 38 I.T., A DISTANCE OF 529.53 FEET TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY; SAID POINT ALSO BEING A EAST CORNER OF SAID LOT 38 I.T., THENCE SOUTH 89 DEGREES 55 MINUTES 27 SECONDS EAST ALONG A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING A SOUTH LINE OF SAID LOT 38 I.T., AND A SOUTH LINE OF LOT 5 I.T., A DISTANCE OF 60.00 FEET TO THE NORTHEAST CORNER OF SAID RIGHT-OF-WAY, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1 IKIRU EAST, THENCE SOUTH 00 DEGREES 33 MINUTES 37 SECONDS WEST ALONG A EAST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING THE WEST LINE OF SAID LOT 1, AND THE WEST LINE OF LOT 3 IKIRU EAST, A DISTANCE OF 529.77 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 31,783.21 SQUARE FEET OR 0.73 ACRES, MORE OR LESS.

P+L 38 SW 1/4 2-9-7 & P+L 1-3 I KEA

Attachment "A"



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