



1019 033 MISC



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WAIVER OF NOTICE AND 120-DAY WAITING
PER SECTION 76-2.110
PER NEBRASKA REVISED STATUTES (REISSUE 1990)

COMES NOW the City of Omaha by and through its duly appointed Planning Director and on behalf of such City and pursuant to the Mixed Use District Development Agreement approved by City of Omaha Ordinance No. 32020, hereby affirmatively waives objection to the creation of the lot described on Exhibit "A", attached hereto and incorporated herein by this reference and the 120-day waiting period described therein to file an objection and any penalty described therein. This Waiver shall be effective immediately upon the filing of any deed to the property described on the attached Exhibit.

This Waiver made and given this 30th day of June, 1992.

CITY OF OMAHA

By *[Signature]*
 Gary Pryor, Planning Director

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

Before me, the undersigned, Notary Public in and for said County and State appear Gary Pryor, Planning Director for the City of Omaha, to me known to be the identical person who executed the above instrument and acknowledged his execution thereof to be his voluntary act and deed and the voluntary act and deed of the City of Omaha.

WITNESS my hand and Notarial Seal this 30 day of June, 1992.



[Signature]
 Notary Public

17078

misc #4

BK 1019 N _____ C/O _____ FEE 2150
 PG 33-36 N _____ DEL MC 10
 OF Misc COMP _____ F/B 61-29224

RECEIVED
 JUN 30 4 22 PM '92
 GEORGE J. BUGLEWICZ
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NE

[Handwritten initials]

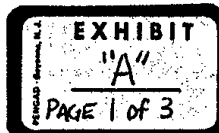
LEGAL DESCRIPTION

DILLARDS TRACT
OAK VIEW MALL

A tract of land comprised of part of Lots 1, 4 and 5 of Oak View, a subdivision located in the West Half (W1/2) of Section 36, Township 15 North, Range 11 East, Douglas County, Nebraska and more particularly described as follows:

Beginning at the Northeasterly corner of said Lot 1, Oak View, said point also being on the Westerly right-of-way (R.O.W.) line of Oak View Drive; thence S01°19'52"E, along said Westerly R.O.W. line of Oak View Drive, a distance of 22.34 feet; thence N81°16'21"W, a distance of 366.55 feet; thence N8°42'31"E a distance of 56.09 feet; thence N81°17'29"W a distance of 353.01 feet; thence S8°42'31"W a distance of 142.83 feet; thence N39°33'32"W, a distance of 519.78 feet; thence S70°26'28"W, a distance of 19.16 feet; thence N39°33'32"W, a distance of 149.47 feet; thence Northeasterly on a curve to the right, said curve having a radius of 668.12 feet, a long chord of 160.15 feet bearing N53°56'59"E and an arc length of 160.54 feet to a Point of Compound Curve; thence Northeasterly, on a curve to the right, said curve having a radius of 793.38 feet, a long chord of 402.40 feet bearing N75°31'27"E and an arc length of 406.84 feet, to a Point of Tangency; thence S89°47'07"E, a distance of 20.72 feet; thence N0°54'54"W, a distance of 44.55 feet, to a Point of Curvature; thence Northeasterly, on a curve to the right, said curve having a radius of 44.49 feet, a long chord of 42.91 feet bearing N27°55'11"E and an arc length of 44.78 feet, to a Point of Tangency; thence N56°45'17"E, a distance of 242.48 feet to a point on the Westerly R.O.W. line of Oak View Drive; thence Southeasterly along the Westerly R.O.W. line of Oak View Drive on a curve to the left, said curve having a radius of 650.76 feet, a long chord of 38.82 feet bearing S27°46'11"E and an arc length of 38.82 feet; thence S56°45'17"W, along the Northerly lot line of Lot 14, said Oak View, a distance of 238.77 feet to a point of curvature; thence Southwesterly, along the Northwesterly lot line of said Lot 14, Oak View, on a curve to the left, said curve having a radius of 5.85 feet, a long chord of 5.64 feet, bearing S27°55'11"W and an arc length of 5.89 feet to a Point of Tangency; thence S0°12'53"W along the Westerly most lot line of said Lot 14, Oak View, a distance of 27.31 feet to the Southwesterly corner of said Lot 14, Oak View; thence S89°47'07"E along the Southerly lot line of said Lot 14, Oak View, a distance of 203.71 feet to a Point of Curvature; thence Southeasterly, along the Southerly line of said Lot 14, on a curve to the right, said curve having a radius of 243.00 feet, a long chord of 68.47 feet bearing S81°41'10"E and an arc length of 68.70 feet; thence N47°27'16"E, along the Southeasterly line of said Lot 14, a

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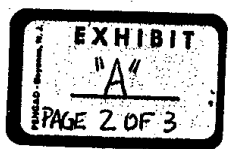
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distance of 44.80 feet to a point on the Westerly R.O.W. line of Oak View Drive; thence S42°32'44"E, along said Westerly R.O.W. line of Oak View Drive, a distance of 200.99 feet to a Point of Curvature; thence Southeasterly along the said Westerly R.O.W. of Oak View Drive, on a curve to the right, said curve having a radius of 550.00 feet, a long chord of 387.15 feet bearing S21°56'18"E and an arc length of 395.63 feet to a Point of Tangency; thence S01°19'52"E, along said Westerly R.O.W. line of Oak View Drive, a distance of 235.67 feet, to a Point of Beginning; the total area of tract is 13.973 acres, more or less.

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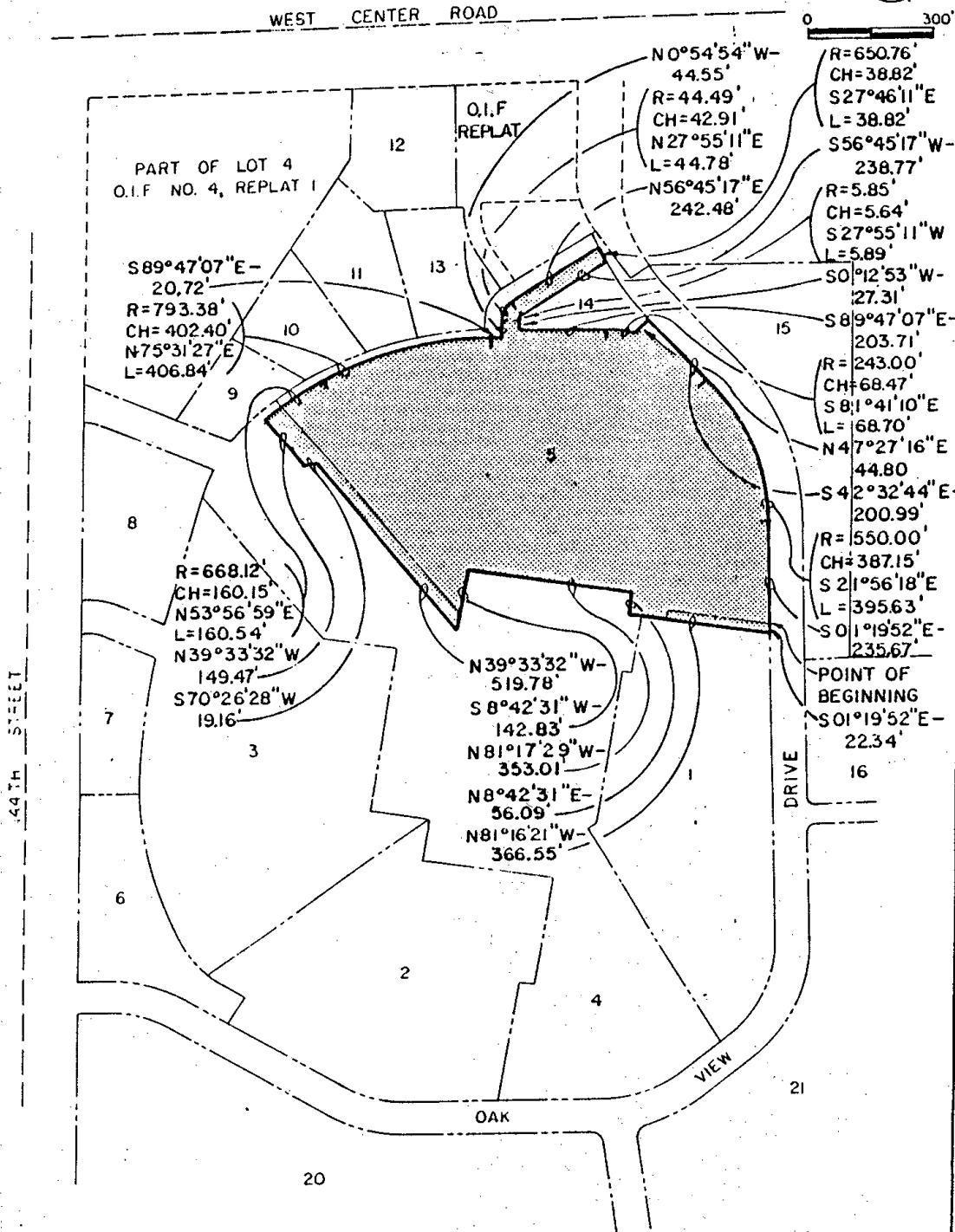


EXHIBIT
"A"
PAGE 3 OF 3

PLATE 1/1
DATE 12/21/91
K.M.A. NO. B910334

TITLE DILLARD'S TRACT
PROJECT OAK VIEW MALL



KIRKHAM, ARCHITECTS
MICHAEL ENGINEERS
AND ASSOCIATES PLANNERS