

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2006-43246

2006 DEC 26 P 2: 18:29

Glenn J. Downing

REGISTER OF DEEDS

COUNTY DOUGLAS
 VERIFY FILED
 PROOF P
 FEES \$ 26.00
 CHECK# _____
 CHG EACG CASH _____
 REFUND _____ CREDIT _____
 SHORT _____ NCR _____

Recording information above

FILE# NECWO-689-B

PARTIAL RELEASE OF EASEMENT

KNOW ALL BY THESE PRESENT: that QWEST CORPORATION, a Colorado Corporation (F.K.A. US WEST COMMUNICATIONS, INC., AND NORTHWESTERN BELL), whose address is 1801 California St., Suite 5200, Denver, CO 80202, hereinafter called the "Company", for and in consideration of \$ 1.00 and other good and valuable consideration, does hereby release that portion of easement on property described by virtue of the Plat and Dedication of SOUTHPORT EAST, an Addition as surveyed, platted and recorded in Sarpy County, Nebraska, over, upon, along and above the following described property:

The existing utility easement in vacated Giles Road Right-of-Way vacated with Ordinance No. 995 and the existing utility easement in the vacated 120th Street Right-of-Way, contained in Corporation Warranty Deed Instrument No. 2002-19709.

SEE ATTACHED EXHIBITS "A" AND "B", PAGES 1 AND 2, FOR DRAWINGS OF THE AREAS TO BE RELEASED.

The purpose of this document is to release that portion of the easement described above hereby expressly excepting and reserving to the company any and all interest otherwise acquired in said property, except as stated above.

Executed this 19TH day of DECEMBER, 2006

QWEST CORPORATION
 A COLORADO CORPORATION

BY:

Kimberly R. Jirovsky

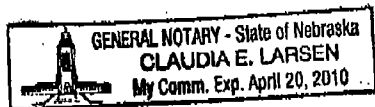
TITLE: KIMBERLY R. JIROVSKY, DESIGN ENGINEER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
) SS:
 COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19TH DAY OF DECEMBER, 2006, BY Kimberly R. Jirovsky, Design Engineer FOR QWEST CORPORATION, A COLORADO CORPORATION, ON BEHALF OF SAID CORPORATION.

(S E A L)



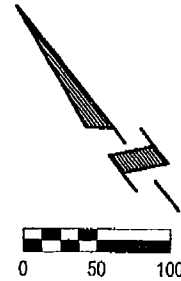
Claudia E. Larsen
 Notary Public

p2000.030.029

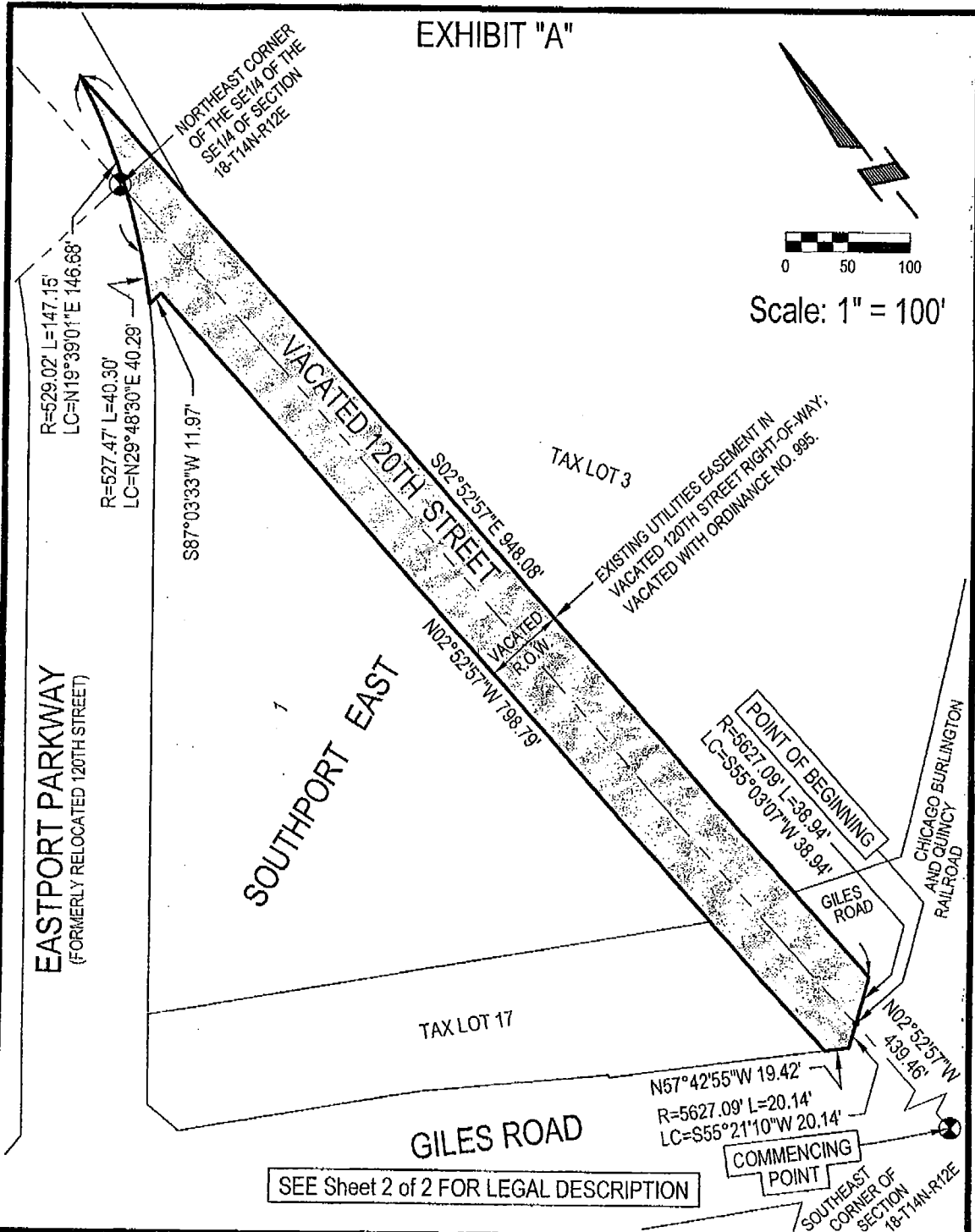
43246

A

EXHIBIT "A"



Scale: 1" = 100'



SEE Sheet 2 of 2 FOR LEGAL DESCRIPTION

e+a E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 330 NORTH 11TH STREET OMAHA, NE 68154 PHONE (402) 465-4100

Drawn by: JAF Chkd by: LAC 10-16-06 Chkd by: _____

Job No.: 2000030.29 Date: 10/13/2006 Sheet No.: 1 of 2

UTILITY EASEMENT RELEASE
VACATED
120TH STREET RIGHT-OF-WAY
 SARPY COUNTY NEBRASKA

6

EXHIBIT "A"

LEGAL DESCRIPTION

UTILITIES EASEMENT TO BE VACATED

CONTAINED IN VACATED 120TH STREET RIGHT-OF-WAY - VACATED WITH ORDINANCE NO. 995

NOTE: ORIGINAL TAKING FOR COUNTY HIGHWAY PURPOSES

(PARTIAL) RETURN OF APPRAISERS INSTRUMENT NO. 93-32937

(PARTIAL) RIGHT OF WAY CONTRACT INSTRUMENT NO. 92-19278

(PARTIAL) WARRANTY DEED INSTRUMENT NO. 92-19272

An existing Utilities Easement to be vacated located in Vacated 120th Street right-of-way located in the SE1/4 of the SE1/4 of Section 18, and also the West 1/2 of the SW1/4 of Section 17; all located in Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of said Section 18, said point also being the Southwest corner of said Section 17; thence N02°52'57"W (assumed bearing) along the East line of said SE1/4 of Section 18, said line also being the West line of said SW1/4 of Section 17, a distance of 439.46 feet to a point on the Northerly right-of-way line of the Chicago, Burlington and Quincy Railroad, said point also being on the Northerly right-of-way line of Giles Road, said point also being the point of beginning; thence Southwesterly along said Northerly right-of-way line of the Chicago, Burlington and Quincy Railroad, said line also being said Northerly right-of-way line of Giles Road on a curve to the right with a radius of 5627.09 feet, a distance of 20.14 feet, said curve having a long chord which bears S55°21'10"W, a distance of 20.14 feet; thence N57°42'55"W along said Northerly right-of-way line of Giles Road, a distance of 19.42 feet to the Southeast corner of Tax Lot 17, a Tax Lot located in said SE1/4 of the SE1/4 of Section 18, said point also being the point of intersection of said Northerly right-of-way line of Giles Road, and the West right-of-way line of said Vacated 120th Street; thence N02°52'57"W along the East line of said Tax Lot 17, and also the East line of Lot 1, Southport East, a Subdivision located in the East 1/2 of said Section 18, and also the NW1/4 of said Section 17, said line also being said West right-of-way line of Vacated 120th Street, a distance of 798.79 feet to the Northeast corner of said Lot 1, Southport East; thence S87°03'33"W along the North line of said Lot 1, Southport East, a distance of 11.97 feet to the Northwest corner of said Lot 1, Southport East, said point also being on the Easterly right-of-way line of Eastport Parkway; thence Northeasterly along said Easterly right-of-way line of Eastport Parkway on a curve to the left with a radius of 527.47 feet, a distance of 40.30 feet, said curve having a long chord which bears N29°48'30"E, a distance of 40.29 feet; thence Northeasterly along said Easterly right-of-way line of Eastport Parkway on a curve to the left with a radius of 529.02 feet, a distance of 147.15 feet, said curve having a long chord which bears N19°39'01"E, a distance of 146.68 feet; thence S02°52'57"E along the East right-of-way line of said Vacated 120th Street, and the Northerly extension thereof, a distance of 948.08 feet to a point on said Northerly right-of-way line of the Chicago, Burlington and Quincy Railroad, said line also being said Northerly right-of-way line of Giles Road; thence Southwesterly along said Northerly right-of-way line of the Chicago, Burlington and Quincy Railroad, said line also being said Northerly right-of-way line of Giles Road on a curve to the right with a radius of 5627.09 feet, a distance of 38.94 feet, said curve having a long chord which bears S55°03'07"W, a distance of 38.94 feet to the point of beginning.

Said existing Utilities Easement to be vacated contains an area of 58,160 square feet or 1.335 acres, more or less.

SEE Sheet 1 of 2 FOR EASEMENT DRAWING



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
331 NORTH 117TH STREET, OMAHA, NE 68154 PHONE: (402) 421-4700

Drawn by: JAF Chkd by: *WJC 10-16-06* Chkd by: _____

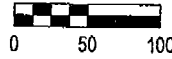
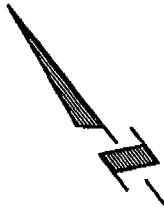
Job No.: 2000030.29 Date: 10/13/2006 Sheet No.: 2 of 2

UTILITY EASEMENT RELEASE
VACATED
120TH STREET RIGHT-OF-WAY
SARPY COUNTY NEBRASKA

C

EXHIBIT "B"

NORTHEAST CORNER
OF THE SE 1/4 OF THE
18-T14N-R12E



Scale: 1" = 100'

TAX LOT 3

EASTPORT PARKWAY
(FORMERLY RELOCATED 120TH STREET)

POINT OF BEGINNING

SOUTHPORT EAST

EXISTING UTILITIES
EASEMENT IN VACATED
GILES ROAD RIGHT-OF-WAY;
CONTAINED IN CORPORATION
WARRANTY DEED
INSTRUMENT
NO. 2002-19709.

VACATED 120TH STREET

GILES ROAD

CHICAGO BURLINGTON AND
QUINCY RAILROAD

N39°45'21"E
71.21'
N10°13'55"W
32.31'

S60°14'39"E 458.49'

S02°52'57"E 138.06'

TAX LOT 17

VACATED
R.O.W.

N60°08'56"W 199.46'

GILES ROAD

N57°42'55"W 175.99'

N32°30'51"E 1.99'

N55°55'09"W 149.79'

SOUTHEAST CORNER
OF SECTION
18-T14N-R12E

SEE Sheet 2 of 2 FOR LEGAL DESCRIPTION



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 111TH STREET OMAHA, NE 68154 PHONE (402) 825-4700

UTILITY EASEMENT RELEASE
TAX LOT 17
SECTION 18-T14N-R12E
SARPY COUNTY NEBRASKA

Drawn by: JAF Chkd by: WOC 11-17-06 Chkd by: _____
Job No.: 2000030.29 Date: 11/06/2006 Sheet No.: 1 of 2

2006-43246 A

EXHIBIT "A"

LEGAL DESCRIPTION

UTILITIES EASEMENT TO BE VACATED
CONTAINED IN (OLD GILES ROAD RIGHT-OF-WAY)
CORPORATION WARRANTY DEED INSTRUMENT NO. 2002-19709
NOTE: ORIGINAL TAKING FOR COUNTY HIGHWAY PURPOSES
RETURN OF APPRAISERS INSTRUMENT NO. 93-32937

An existing Utilities Easement (old Giles Road right-of-way) to be vacated located in all of Tax Lot 17, a Tax Lot located in the SE1/4 of the SE1/4 of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Southport East, a Subdivision located in the East 1/2 of said Section 18, and also the NW1/4 of Section 17, said point also being the Northwest corner of said Tax Lot 17, said point also being on the Easterly right-of-way line of Eastport Parkway; thence S60°14'39"E (assumed bearing) along the Southerly line of said Lot 1, Southport East, said line also being the Northerly line of said Tax Lot 17, a distance of 458.49 feet to the Southeast corner of said Lot 1, Southport East, said point also being the Northeast corner of said Tax Lot 17, said point also being on the Westerly right-of-way line of Vacated 120th Street; thence S02°52'57"E along the Easterly line of said Tax Lot 17, said line also being said Westerly right-of-way line of Vacated 120th Street, a distance of 138.06 feet to the Southeast corner of said Tax Lot 17, said point also being on the Northerly right-of-way line of Giles Road; thence Northwesterly along the Southerly line of said Tax Lot 17, said line also being said Northerly right-of-way line of Giles Road on the following described courses; thence N57°42'55"W, a distance of 175.99 feet; thence N32°30'51"E, a distance of 1.99 feet; thence N55°55'09"W, a distance of 149.79 feet; thence N60°08'56"W, a distance of 199.46 feet; thence N10°13'55"W, a distance of 32.31 feet to the Southwest corner of said Tax Lot 17, said point also being the point of intersection of said Northerly right-of-way line of Giles Road, and said Easterly right-of-way line of Eastport Parkway; thence N39°45'21"E along the Westerly line of said Tax Lot 17, said line also being said Easterly right-of-way line of Eastport Parkway, a distance of 71.21 feet to the point of beginning.

Said existing Utilities Easement (old Giles Road right-of-way) to be vacated contains an area of 50,724 square feet or 1.164 acres, more or less.

SEE Sheet 1 of 2 FOR EASEMENT DRAWING



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 935-4700

UTILITY EASEMENT RELEASE
TAX LOT 17
SECTION 18-T14N-R12E
SARPY COUNTY NEBRASKA

Drawn by: JAF Chkd by: WOC 11-17-06 Chkd by:
Job No.: 2000030.29 Date: 11/06/2006 Sheet No.: 2 of 2

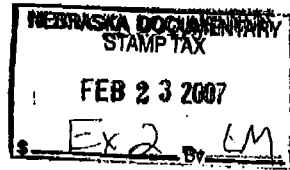
FILED S.A.P. CO. NE.

INSTRUMENT NUMBER

2007-05458

2007 FEB 23 P 4:30 R

Glenn J. Rowling
REGISTER OF DEEDS



COUNTER LM C.E. P
VERIFY LM D.E. PM
PROOF P
FEES \$ 21.00
CHECK #
CHG. SEC. CASH
REFUND CREDIT
SHORT NCR

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

QUITCLAIM DEED

CITY OF LA VISTA, NEBRASKA, GRANTOR, in consideration of Ten dollars (\$10.00) and other good and valuable consideration received from R.S. LAND, INC., GRANTEE, quitclaims to GRANTEE the following described real estate (as defined in Neb. Rev. Stat. 76-201):

SEE EXHIBIT "A" ATTACHED HERETO,

("Property"), subject to the following rights, conditions and limitations:

- (1) the right to maintain, operate, repair, replace, extend and renew sewers and other improvements now existing in, on, over, under or across the Property;
- (2) the right to authorize public utilities, cable television companies and other persons, systems or services to maintain, repair, replace, renew, extend and operate water mains and gas mains, poles, lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances, including lateral connections or branch lines, above, in, on, over, across or below the Property that are now existing for the purpose of serving the general public or abutting property;
- (3) the right to enter upon the Property to accomplish the above and any related or similar purposes at any and all times; and
- (4) such other reserved rights provided by applicable law.

All or any vegetation now or hereafter upon the Property, including, but not limited to, trees, shrubs and crops, and all or any improvements and structures now or hereafter upon the Property, including, but not limited to, buildings, walls, fences, drives, paving and walks, may be damaged or removed by or as authorized by the City as necessary or appropriate in the exercise of the rights herein reserved without any requirement of restoration or compensation to any person.

EXECUTED this 15th day of February, 2007.

CITY OF LA VISTA, NEBRASKA

By Douglas Kindig
Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe
Pamela A. Buethe, CMC
City Clerk

05458

SEC
210445

A

STATE OF NEBRASKA)
COUNTY OF Saline) ss.

The foregoing instrument was acknowledged before me on the 15th day of February, 2007, by Douglas Kindig, Mayor of the City of La Vista, and Pamela A. Bugthe, City Clerk of the City of La Vista, Grantor, on behalf of said City.

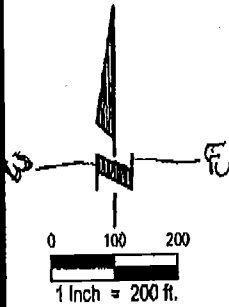
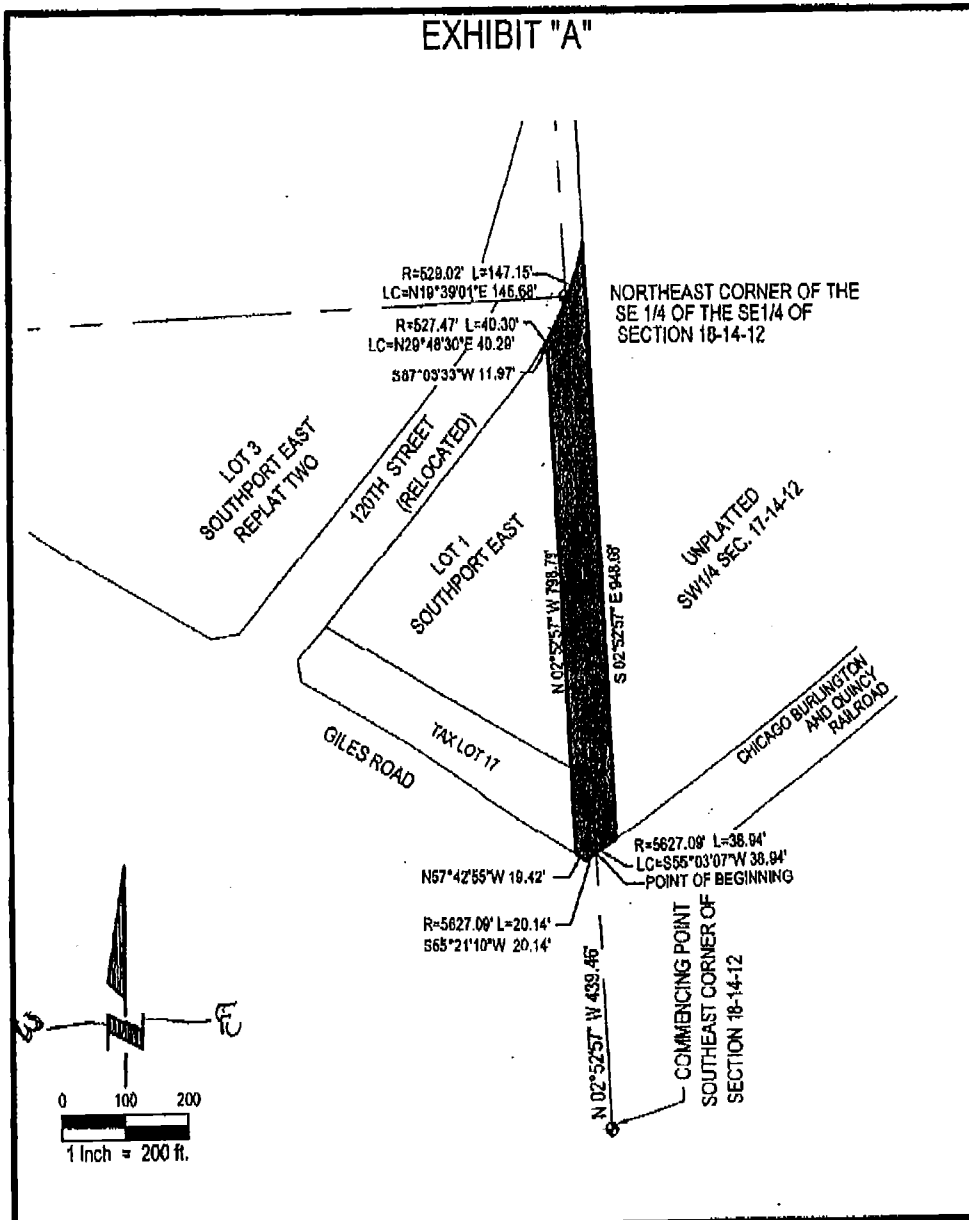


Karen S. Fagin
Notary Public

Return to:
Mr. Larry R. Forman
7171 Mercy Road, #650
Omaha, NE 68106-2868

B

EXHIBIT "A"



e+a E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 335 NORTH 112TH STREET, OMAHA, NE 68148-1200

Drawn by: BJW Chkd by: _____ Chkd by: _____

Job No.: 2000030.26 Date: 04/10/2008 Page 1 OF 2

**120TH STREET
 RIGHT-OF-WAY
 TO BE VACATED**
 SARPY COUNTY, NEBRASKA

K:\Projects\2000\030\p26\5rvy\Bdy\ROW_ACQUISITION_120TH_STREET_000.dwg, (8.5x14) ROW ACQUISITION DRAWING (P1 OF 2), 4/21/2008 10:10:47

2007-05458C

EXHIBIT "A"

LEGAL DESCRIPTION:

PART OF 120TH STREET RIGHT-OF-WAY TO BE VACATED LOCATED IN THE SE1/4 OF THE SE1/4 OF SECTION 18; AND ALSO THE SW1/4 OF SECTION 17; ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18, SAID POINT ALSO BEING THE THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE N02°52'57"W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SE1/4 OF SECTION 18, SAID LINE ALSO BEING THE WEST LINE OF SAID SW1/4 OF SECTION 17, A DISTANCE OF 439.46 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CHICAGO, BURLINGTON AND QUINCY RAILROAD ON A CURVE TO THE RIGHT WITH A RADIUS OF 5627.09 FEET, A DISTANCE OF 20.14 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S55°21'10"W, A DISTANCE OF 20.14 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GILES ROAD; THENCE N57°42'58"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GILES ROAD, A DISTANCE OF 19.42 FEET TO THE SOUTHEAST CORNER OF TAX LOT 17, A TAX LOT LOCATED IN SAID SE1/4 OF THE SE1/4 OF SECTION 18, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE OF GILES ROAD, AND THE WEST RIGHT-OF-WAY LINE OF SAID 120TH STREET; THENCE N02°52'57"W ALONG THE EAST LINE OF SAID TAX LOT 17, AND ALSO THE EAST LINE OF LOT 1, SOUTHPORT EAST, A SUBDIVISION LOCATED IN THE EAST 1/2 OF SAID SECTION 18, AND ALSO THE NW1/4 OF SECTION 17, SAID LINE ALSO BEING SAID WEST RIGHT-OF-WAY LINE OF 120TH STREET, A DISTANCE OF 708.70 FEET TO THE NORTH EAST CORNER OF SAID LOT 1, SOUTHPORT EAST, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE OF 120TH STREET, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 120TH STREET (RELOCATED); THENCE S87°03'33"W ALONG THE NORTH LINE OF SAID LOT 1, SOUTHPORT EAST, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF 120TH STREET (RELOCATED), A DISTANCE OF 11.97 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SOUTHPORT EAST; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 527.47 FEET, A DISTANCE OF 40.30 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N29°48'30"E, A DISTANCE OF 40.28 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 529.02 FEET, A DISTANCE OF 147.15 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N19°39'01"E, A DISTANCE OF 146.88 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID 120TH STREET; THENCE S02°52'57"E ALONG SAID EAST RIGHT-OF-WAY LINE OF 120TH STREET, A DISTANCE OF 984.08 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD ON A CURVE TO THE RIGHT WITH A RADIUS OF 5627.09 FEET, A DISTANCE OF 38.94 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S55°03'07"W, A DISTANCE OF 38.94 FEET TO THE POINT OF BEGINNING.

SAID PART OF 120TH STREET RIGHT-OF-WAY TO BE VACATED, CONTAINS AN AREA OF 58,160 SQUARE FEET OR 1.335 ACRES, MORE OR LESS.



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
333 NORTH 117TH STREET, OMAHA, NE 68154 PHONE 402.469.4206

**120TH STREET
RIGHT-OF-WAY
TO BE VACATED**
SARPY COUNTY, NEBRASKA

Drawn by: BJW Chkd by: _____ Chkd by: _____
Job No: 2000030.26 Date: 04/18/2006 Page 2 OF 2

