

BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

BOOK 798 PAGE 15

Resolved

WHEREAS, pursuant to the \$575,000 County of Douglas, Nebraska Industrial Development Revenue Bonds (Philip Moss & Company Project dated October 1, 1981) the County of Douglas is the owner of certain real estate situated in the County of Douglas and State of Nebraska, to-wit:

A tract of land lying in the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 2; thence South 0°17'00" East along the West line of said Northeast Quarter a distance of 1155 feet; thence South 90°00'00" East a distance of 608.83 feet to the point of beginning; thence South 0°10'00" East a distance of 199.92 feet; thence North 89°59'00" East a distance of 400.0 feet to the West right of way of 76th Street; thence North 0°10'00" West along right of way a distance of 199.88 feet; thence North 90°00'00" West a distance of 400.0 feet to the point of beginning. Containing 79,960 sq. ft., hereinafter referred to as Parcel "A"; and

WHEREAS, pursuant to the \$750,000 County of Douglas, Nebraska Industrial Development Revenue Bonds (T.B.I. Partnership Project, Series A, dated October 1, 1982) the County of Douglas is the owner of certain real estate situated in the County of Douglas and State of Nebraska, to-wit:

A tract of land lying in the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of said Section 2; thence South 00°17'00" East along the West line of said Northeast Quarter a distance of 1155.0 feet to the point of beginning; thence continuing South 00°17'00" East a distance of 200.29 feet; thence North 89°59'00" East a distance of 608.42 feet; thence North 0°10'00" East a distance of 199.92 feet; thence North 90°00'00" West a distance of 608.83 feet to the point of beginning. Containing 121,787.9 sq. ft., hereinafter referred to as Parcel "B"; and

WHEREAS, each of said properties is served by an access easement upon the following described real esate, to-wit:

A 30 foot access easement lying in the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 2; thence South 00°17'00" East along the West line of said Northeast Quarter a distance of 1155

23405  
MISC B

RECEIVED  
1986 DEC 15 AM 10:06

GEORGE J. DUBLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

EX 798 N 2-14-12KT C/O FEE 10.50  
PG 15-16 N 2-14-12KT DEL 11 MC B.C.  
OF MISC COMP F/B 01-60000

feet; thence South 90°00'00" East a distance of 608.83 feet; thence South 00°10'00" East a distance of 169.92 feet to the point of beginning; thence North 89°59'00" East a distance of 400.0 feet to the West right of way of 76th Street; thence South 00°10'00" East along said right of way a distance of 30.0 feet; thence South 89°59'00" West a distance of 400.0 feet; thence North 00°10'00" West a distance of 30.0 feet to the point of beginning,

which access easement was created by a perpetual easement dated the 3rd day of September, 1981 and recorded in the office of the Register of Deeds of Douglas County, Nebraska on the 15th day of September, 1981 in Book 659 at Page 285 of the miscellaneous records of said county; and

WHEREAS, it is desirable to create, for the benefit of the County of Douglas, its successors, heirs and assigns including but not limited to present and future lessees, provisions for maintenance of said 30 foot access easement and apportionment of the costs thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, NEBRASKA THAT a declaration be executed and recorded with the office of the Register of Deeds declaring that the owner of Parcel "A" shall bear forty percent (40%) of the cost of maintaining said 30 foot access easement and that the owner of Parcel "B" shall bear sixty percent (60%) of the cost of maintaining said 30 foot access easement. Said area shall be maintained in a reasonably good condition and shall include reconstruction when reasonably necessary. Notwithstanding the above provisions, any owner causing damage to said access easement through negligence on the part of the party themselves or others for them or on their behalf shall be wholly responsible for such damage resulting from any such negligence. Either the owner of Parcel "A" or of Parcel "B", their successors, heirs or assigns shall have the right to do such work on said access easement and to make such repairs thereon as are reasonably necessary to maintain said driveway in a reasonably good condition, and upon the completion of said repairs, the parties making such repairs shall be entitled to recover from the other parties their respective portion of the costs as assigned herein.

DATED this 21st day of October, 1986.

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*  
*[Handwritten signature]*

*[Handwritten signature]*  
BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA

Motion by Kelley ; Seconded by McCollister

I move the adoption of the resolution.

ADOPTED: October 21, 1986

YEAS: Rosenblatt, Green, Kelley,  
McCullister, Albert

Certified Copy to: County Clerk,  
County Commissioners, Paul LaPuzza.

