



1129 124 MISC



10897 94 124-129

RECEIVED

SEP 13 10 38 AM '94

GEORGE J. BUCLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

PAVING AGREEMENT

THIS PAVING AGREEMENT made and entered into this 27 day of September, 1991 by and between KEITH B. EDQUIST, JR. ("Edquist") and INDUSTRIAL 72 LIMITED PARTNERSHIP, a Nebraska limited partnership ("72").

RE C I T A L S

72 is the owner of Lot 1 and that part of Lot 2, Amanda's First Addition to the City of Omaha and that part of the southwest quarter of the southwest quarter of Section 36, Township 15 North, Range 12 east of the 6th P.M., Douglas County, Nebraska, all as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (hereinafter referred to as "Tract A"). Edquist is the owner of that part of Lot 2, Amanda's First Addition and that part of the southwest quarter of the southwest quarter of Section 36, Township 15 North, Range 12 east of the 6th P.M., Douglas County, Nebraska as more particularly described on Exhibit "B" attached hereto and incorporated herein by reference (hereinafter referred to as "Tract B").

Edquist has heretofore constructed a building on the southerly portion of Tract B and the west building wall is approximately one foot from the west property line of Tract B. 72 proposes to construct a parking lot on the easterly portion of Tract A. 72 is willing to pave up to the west building line of Tract B at its expense, but requires permission and an easement to go upon Tract B.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

1. Edquist does hereby grant permission and easement to 72 to go upon that part of Tract B between its west building line and Tract A, for the purpose of paving, maintaining, repairing, and replacing paving on said property. Edquist does further give license and permission to 72 to change the grade of said area, effect swale change, and raise rain gutter on its building, all at the expense of 72.

2. 72 will do paving and related work in a good workmanlike manner.

3. Edquist does hereby waive all claims and demands whether in existence or arising in the future caused by 72's work done on Edquist's property unless such claim or demand results from 72's gross negligence.

4. The easement granted herein in favor of 72 shall be perpetual; provided, however, that if the building on Tract B is removed, then the easement created herein shall be extinguished and be of no further force and effect; provided, however, 72 shall not be required to remove existing paving on Edquist property.

5. This Agreement shall be binding upon the Personal Representatives, successors and assigns of the parties hereto.

INDUSTRIAL 72 LIMITED PARTNERSHIP, A
Nebraska Limited Partnership, Licensor

By ROGER HANEY LAND CORP., General Partner


By *Roger D. Haney*
Its President

Keith Edquist, Jr.
Keith Edquist, Jr., Licensee

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 27 day of September, 1991, before me, a Notary Public in and for said County, personally appeared Keith Edquist, Jr., known to me to be the identical person whose name is affixed to the above and foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial seal the day and year last above written.

 GENERAL NOTARY-State of Nebraska
MERTHLENE M. ANDERSEN
My Comm. Exp. May 17, 1994

Merthlene M. Andersen
Notary Public


STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 27 day of September, 1991, before me, a Notary Public in and for said County, personally appeared Roger D. Haney, President of Roger Haney Land Corp., General Partner of Industrial 72 Limited Partnership, known to me to be the identical person whose name is affixed to the above and foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of such corporation.

Witness my hand and Notarial seal the day and year last above written.

Merthlene M. Andersen
Notary Public

026491 f8.1

 GENERAL NOTARY-State of Nebraska
MERTHLENE M. ANDERSEN
My Comm. Exp. May 17, 1994

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

To The Office of
County Surveyor and Engineer
DOUGLAS COUNTY

BOOK 955 PAGE 732

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

MAR 14 1991

LAND SURVEYOR'S CERTIFICATE

County Treasurer

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description

SEE ATTACHED

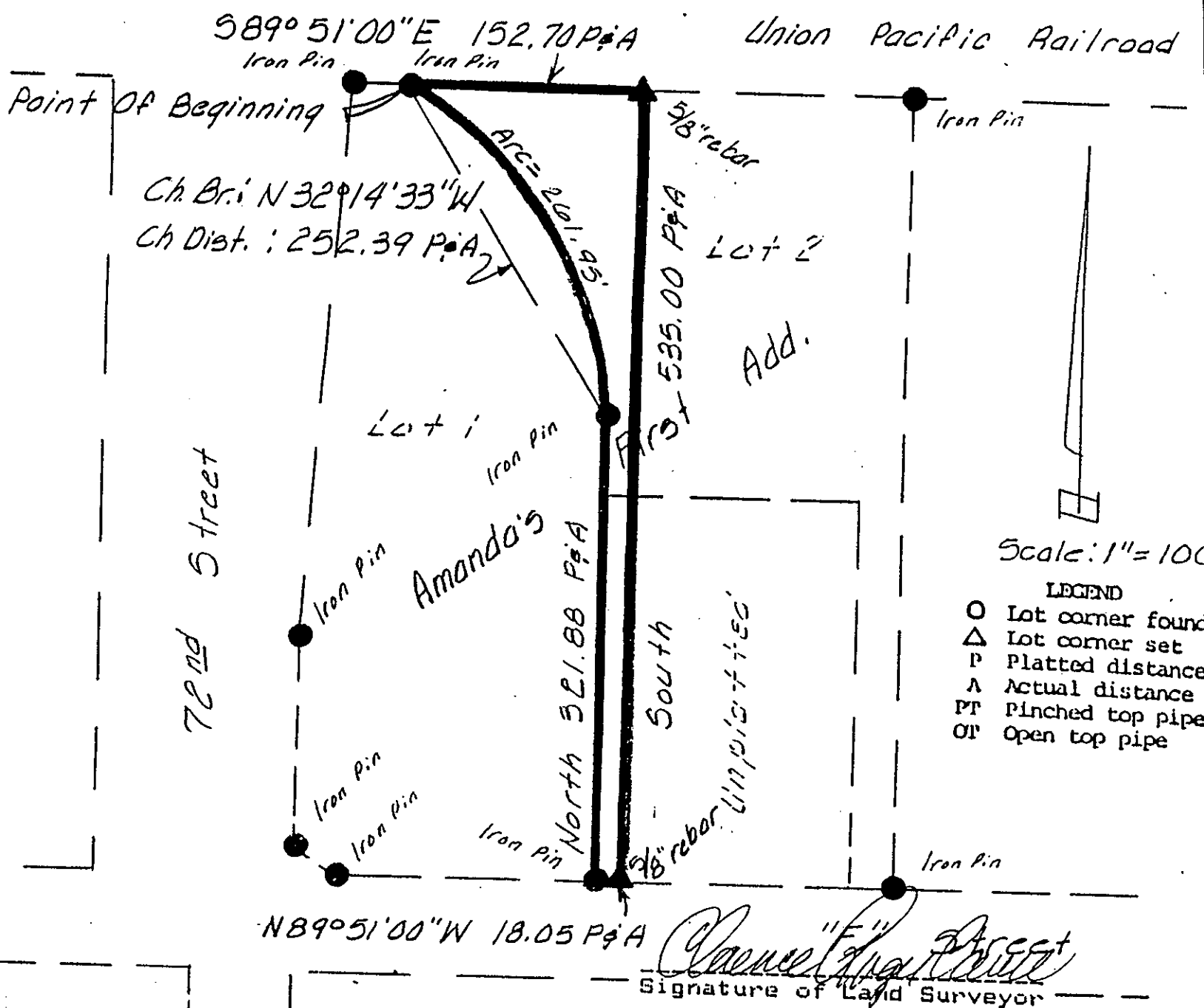
requirement waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless filed and recorded with the County Register of Deeds within thirty (30) days of this date.

3-14-91

Date

Planning Director

Union Pacific Railroad



Signature of Land Surveyor

Date received

Date: 12-14-90 Reg No. 306

7120 "F" ST.

OFFICIAL ADDRESS:

CARRELL & ASSOCIATES, INC.
LAND SURVEYORS & CONSULTANTS
11128 "O" STREET
OMAHA, NEBRASKA 68137
(402) 331-2333

BUILDING PERMIT NO.

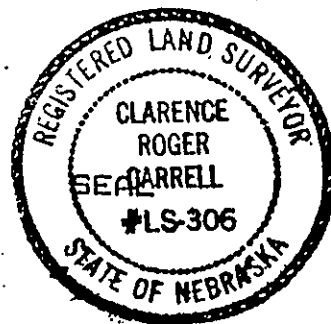


EXHIBIT "A"

1998

THAT PART OF LOT 2, AMANDA'S FIRST ADDITION AND THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2, AMANDA'S FIRST ADDITION; THENCE SOUTH $89^{\circ}51'00''$ EAST ALONG THE NORTH LINE OF LOT 2, AMANDA'S FIRST ADDITION, A DISTANCE OF 152.70 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF LOT 2, AMANDA'S FIRST ADDITION, A DISTANCE OF 535.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF EXISTING "F" STREET; THENCE NORTH $89^{\circ}51'00''$ WEST ALONG THE NORTH RIGHT OF WAY LINE OF SAID EXISTING "F" STREET A DISTANCE OF 18.05 FEET TO THE SOUTH-EAST CORNER OF LOT 1, AMANDA'S FIRST ADDITION, A DISTANCE OF 321.88 FEET TO A POINT OF CURVATURE; THENCE NORTH AND WEST ALONG A 278.76 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE ALSO BEING THE LINE COMMON TO LOTS 1 AND 2, AMANDA'S FIRST ADDITION (SAID CURVE HAVING A CHORD BEARING OF NORTH $32^{\circ}14'33''$ WEST AND A CHORD DISTANCE OF 252.39 FEET) AN ARC DISTANCE OF 261.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS: 18,856 SQUARE FEET OR 0.4 ACRES MORE OR LESS.

NOTE: FOR THIS LEGAL DESCRIPTION, THE NORTH LINE OF LOT 2, AMANDA'S FIRST ADDITION IS ASSUMED TO BEAR SOUTH $89^{\circ}51'00''$ EAST AS SHOWN ON THE ORIGINAL PLAT THEREOF.

EXHIBIT "A"
TRACT A

RECEIVED
MAR 14 10 50 AM '91
GEORGE J. FIELEWICZ
REGISTERED OF DEEDS
DOUGLAS COUNTY, NE

4395 misc &
OK 955 N 36-15-12 ft C/O FEE 1050
PG 732-733 N 90-91 DEL IN MO WC
BY MSC COMP TV F/B 47-00530
01-60000

CARRELL & ASSOCIATES, INC.
LAND SURVEYORS & CONSULTANTS
11128 "O" STREET
OMAHA, NEBRASKA 68137
(402) 331-2333

To The Office of
County Surveyor and Engineer
DOUGLAS COUNTY

955 PAGE 730

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

LAND SURVEYOR'S CERTIFICATE
Date

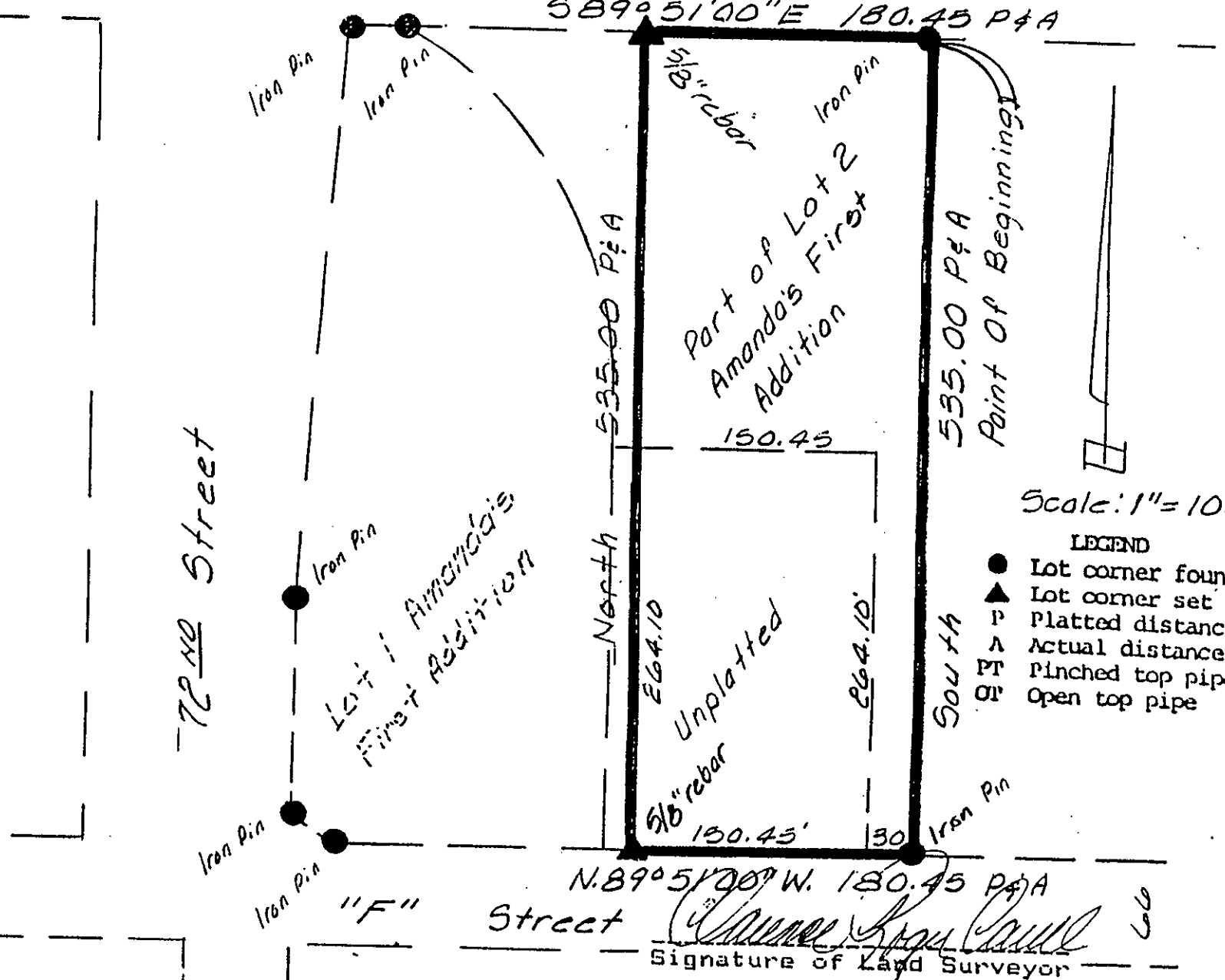
County Treasurer

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description
SEE ATTACHED

Approved as a subdivision of only two (2) lots with prior requirement waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless filed and recorded with the County Register of Deeds within thirty (30) days of this date.

3-14-91 G.L. Pryor 3/K
Union Pacific Railroad
S89°51'00"E 180.45 P&A



Scale: 1" = 100'

- LEGEND
- Lot corner found
 - ▲ Lot corner set
 - P Platted distance
 - A Actual distance
 - PT Pinched top pipe
 - OT Open top pipe

Signature of Land Surveyor

Date received

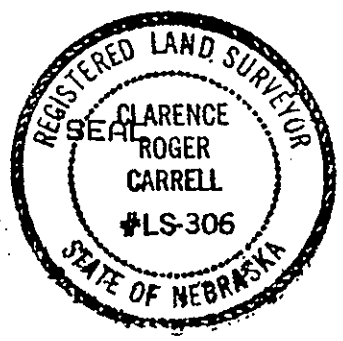
Date: 12-14-90 Reg No. 306

7110 "F" ST.

OFFICIAL ADDRESS:

CARRELL & ASSOCIATES, INC.
LAND SURVEYORS & CONSULTANTS
1128 "O" STREET
OMAHA, NEBRASKA 68137
(402) 341-2333

BUILDING PERMIT NO.



1998

EXHIBIT "B"
TRACT 2

4345AC
DECEMBER 14, 1990

BOOK 955 PAGE 731

THAT PART OF LOT 2, AMANDA'S FIRST ADDITION AND THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2, AMANDA'S FIRST ADDITION; THENCE SOUTH (ASSUMED BEARING) ALONG THE EAST LINE OF LOT 2, AMANDA'S FIRST ADDITION, A DISTANCE OF 535.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, AMANDA'S FIRST ADDITION; THENCE NORTH 89°51'00" WEST ALONG THE LINE COMMON TO EXISTING "F" STREET AND LOT 2, AMANDA'S FIRST ADDITION EXTENDED WEST A DISTANCE OF 180.45 FEET; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 2 AMANDA'S FIRST ADDITION, A DISTANCE OF 535.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 2, AMANDA'S FIRST ADDITION; THENCE SOUTH 89°51'00" EAST ALONG THE NORTH LINE OF LOT 2, AMANDA'S FIRST ADDITION, A DISTANCE OF 180.45 FEET TO THE POINT OF BEGINNING.

NOTE: FOR THIS LEGAL DESCRIPTION, THE NORTH LINE OF LOT 2, AMANDA'S FIRST ADDITION IS ASSUMED TO BEAR SOUTH 89°51'00" EAST AS SHOWN ON THE ORIGINAL PLAT THEREOF.

EXHIBIT "B"
TRACT B

4394
misc

SK 955 N 36-15-12 ft C/O FEB 10.50
PG 730-731 N 90-97 DEL IN MO we
MISC COMP A F/B 47-00530
01-60000

RECEIVED
MAR 14 10 50 AM '91
COUNTY CLERK
REGISTERED OF DEEDS
DOUGLAS COUNTY, NE

CARRELL & ASSOCIATES, INC.
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