

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That **DAUGHERTY CONSTRUCTION, INC.**, a Nebraska corporation, herein called "*Grantor*", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of **ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION**, (\$1.00 & OGVC), duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby **GRANT, REMISE and RELINQUISH** unto the **CITY OF LINCOLN, NEBRASKA**, a municipal corporation, its successors and assigns, herein called "*Grantee*", the **RIGHT, PRIVILEGE and EASEMENT** to construct, reconstruct, maintain, operate, and replace *fill*, and appurtenances thereto belonging, over and through the following described real property, to-wit:

Tract 2: A portion of Lot 100, an Irregular Tract located in the Southwest Quarter of Section 21, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the intersection with the north line of West "S" Street and the centerline of Northwest 20th Street, also known as the southeast corner of said Lot 100; thence north along the east line of said Lot 100, a distance of 206.64 feet to the **POINT OF BEGINNING**, also known as the intersection with a circular curve; thence northwesterly along the arc of said circular curve bearing to the left, whose initial tangent deflects $23^{\circ} 19'$ left, whose central angle is $13^{\circ} 07' 49''$, whose radius is 408.0 feet, and whose tangent length is 46.96 feet, a distance of 93.50 feet; thence northeasterly along a line which deflects $90^{\circ} 00'$ right from a line tangent with the previously described circular curve, a distance of 10.0 feet to the intersection with a circular curve; thence southeasterly along the arc of said circular curve bearing to the right, whose initial angle deflects $90^{\circ} 00'$ right, whose central angle is $10^{\circ} 07' 51''$, whose radius is 418.0 feet, and whose tangent length is 37.05 feet, a distance of 73.91 feet to the east line of said Lot 100; thence south along the east line of said Lot 100, a distance of 23.82 feet to the Point of Beginning; containing an area of 837.57 square feet, more or less. And also:

Commencing at the intersection with the north line of west "S" Street and the centerline of Northwest 20th Street, also known as the southeast corner of said Lot 100; thence north along the east line of said Lot 100, a distance of 206.64 feet to the intersection with a circular curve; thence northwesterly along the arc of said circular curve bearing to the left, whose initial tangent deflects $23^{\circ} 19'$ left, whose central angle is $24^{\circ} 39' 41''$, whose radius is 408.00 feet, and whose tangent length is 89.19 feet, a distance of 175.61 feet to the point of tangency with a straight line; thence northwesterly along the said straight line a distance of 115.0 feet to the Point of Beginning; thence continuing northwesterly along the previously described line, a distance of 190.00 feet; thence northeasterly along a line which deflects $90^{\circ} 00'$ right, a distance of 7.00 feet; thence southeasterly along a line which deflects $90^{\circ} 00'$ right, a distance of 190.0 feet; thence southwesterly along a line which deflects $90^{\circ} 00'$ right, a distance of 7.00 feet, to the Point of Beginning; containing an area of 1,330.00 square feet, more or less.

2

Tract 3: A portion of Lot 65, an Irregular Tract located in the Southeast Quarter of Section 21, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the intersection with the north line of West "S" Street and the centerline of Northwest 20th Street, also known as the southwest corner of said Lot 65; thence north along the west line of said Lot 65, a distance of 206.64 feet to the Point of Beginning; thence continuing north along the said west line of Lot 65, a distance of 28.29 feet to the intersection with a circular curve; thence southerly along the arc of said circular curve bearing to the right whose initial tangent deflects 153° 08' 14" right, whose central angle is 27° 06' 03", whose radius is 420.0 feet, and whose tangent length is 101.22 feet, a distance of 198.66 feet to the point of tangency with a straight line; thence south along the said straight line located 45.0 feet east of and parallel with the west line of said Lot 65, a distance of 43.40 feet to the north line of West "S" Street; thence west along the said north line, a distance of 12.00 feet; thence north along a line located 33.00 feet east of and parallel with the west line of said Lot 65, a distance of 43.50 feet to the point of tangency with a circular curve; thence northwesterly along the arc of said circular curve bearing to the left, whose central angle is 23° 33' 21", whose radius is 408.0 feet, and whose tangent length is 85.07 feet, a distance of 167.74 feet to the Point of Beginning; containing an area of 2,716.92 square feet, more or less.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such *fill* shall be maintained, together with the right of ingress and egress to said property from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said *fill* and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

THIS INSTRUMENT, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 14 day of July, 1994.

DAUGHERTY CONSTRUCTION, INC., a Nebraska corporation

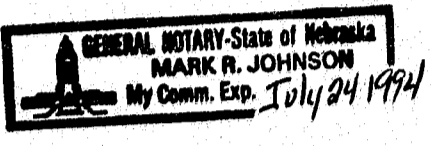
By: *Phil Daugherty*

3

STATE OF NEBRASKA)
) ss:
COUNTY OF LANCASTER)

On 14th day of July, 1994, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came Pick Daugherty, known to me to be the President, of Daugherty Construction, Inc., a corporation, and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said corporation.

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



Mark R. Johnson
Notary Public

My Commission Expires: July 24th 1994

\$1650

BLOCK _____
CODE _____
CHECKED ICE
ENTERED _____
EDITED _____

LANCASTER COUNTY, NEB
Don Nelt
REGISTER OF DEEDS

SEP 23 12 47 PM '94

INST. NO. 94— 41982

Return Michelle
Real Estate
City P.D.
QL057169