

EASEMENT

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 *storm sewer*, and appurtenances thereto belonging, over and through the following described real property, to-wit:

Tract 1: A portion of Lot 99, 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 northwest corner of Lot 4, Block 8, Capitol Beach 2nd Addition; thence westerly along the extension of the north line of said Lot 4, a distance of 73.0 feet to the intersection with a circular curve; thence southeasterly along the arc of said circular curve bearing to the left, whose initial tangent deflects $90^{\circ} 16' 28''$ left, whose central angle is $13^{\circ} 03' 23''$, whose radius is 368.62 feet, and whose tangent length is 42.18 feet, a distance of 84.0 feet to the Point of Beginning, said point being the point of tangency with a circular curve; thence continuing southeasterly along the arc of said circular curve bearing to the left, whose central angle is $1^{\circ} 33' 16''$, whose radius is 368.62 feet, and whose tangent length is 5.00 feet, a distance of 10.0 feet; thence southwesterly 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; thence northwesterly along a line which deflects $90^{\circ} 46' 45''$ right, a distance of 10.27 feet; thence northeasterly along a line which deflects $90^{\circ} 46' 45''$ right, a distance of 10.0 feet to the Point of Beginning; containing an area of 101.45 square feet, more or less.

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:

Beginning at the southerly most corner of Lot 4, Block 8, Capitol Beach Manor 2nd Addition; thence northeasterly along the southerly most line of said Lot 4, a distance of 3.0 feet; thence southeasterly along a line which deflects $85^{\circ} 46' 05''$ right, a distance of 9.78 feet; thence southwesterly along a line which deflects $90^{\circ} 00'$ right, a distance of 9.80 feet to the intersection with a circular curve; thence northwesterly along the arc of said circular curve bearing to the right, whose initial tangent deflects $92^{\circ} 11' 12''$ right, whose central angle is $1^{\circ} 53' 36''$, whose radius is 302.62 feet, and whose tangent length is 5.00 feet, a distance of 10.00 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 7.0 feet to the Point of Beginning; containing an area of 98.85 square feet, more or less.

2

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such **storm sewer** 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 **storm sewer** 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.

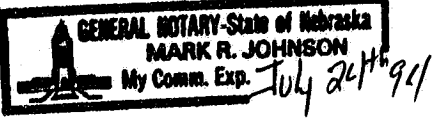
DAUGHERTY CONSTRUCTION, INC., a Nebraska corporation

By: [Signature]

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 Rick 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.



[Signature]
 Notary Public

My Commission Expires: July 24th 1994

BLOCK

 CODE

 CHECKED
112
 ENTERED
[Signature]
 EDITED

LANCASTER COUNTY, NEB
[Signature]
 REGISTER OF DEEDS

\$10.50

SEP 23 12 48 PM '94

INST. NO. 94—
41983

*Return Michelle
 Real Estate
 CK, 057169
 City Rd.
 1550*