

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2006-11174

2006 APR 14 A 10:13 AM

Glenn J. Newberry
REGISTER OF DEEDS

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VERIFY SM
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FEES \$ 16.50
CHECK# _____
CHG SEC CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

Stamped copy

RELEASE OF LANDSCAPE EASEMENT

This Release of Easement is executed this 16 day of MARCH, 2006.

RECITALS:

1. Sanitary and Improvement District No. 218, was the beneficiary of a landscape easement on Lot 2, Southport East, a subdivision in Sarpy County, Nebraska as dedicated on the plat recorded as instrument 2001-30162 (the "Plat") in the Sarpy County Register of Deeds office, said landscape easement area being adjacent to and southwest of the intersection of 126th Street and Southport Parkway.

2. The City of LaVista, Nebraska (the "City") annexed the property located within Southport East, and is now the beneficiary of the dedicated landscape easement.

3. Lot 2 and Tax Lot 16 of Southport East have been replatted as Lots 1, 2 and 3, Southport East Replat Two, a subdivision in Sarpy County, Nebraska and recorded as Instrument No. 2006-11171 ("Replat 2"). The current property owners are Joe McDermott Associates, Inc. and John L. Hoich (jointly the "Owner").

4. The City and the Owner desire the release the original landscape easement dedicated in the Plat.

5. A new landscape easement of lesser dimensions was created in Southport East Replat Two to replace the original larger landscape easement created in the Plat. Said replacement landscape easement shall continue in full force and effect.

NOW THEREFORE, the City and the Owner, each on behalf of itself, its successors and assigns, hereby fully and irrevocably releases and terminates the aforescribed landscape easement dedicated on instrument number 2001-30162, as of the date first written above.

(Executed on following page)

SEC

A

Joe McDermott Associates, Inc.
a Nebraska corporation

By: Joe McDermott *pres*
Joe McDermott, President

John L. Hoich
John L. Hoich

City of La Vista, Nebraska

By: Brenda Gunn 3/17/06
City Administrator Date

By: Jon Kiley 3/17/06
Mayor Date

Attest:
By: Leta M. Samiré 3/17/06
City Clerk Date

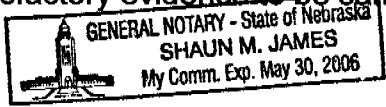


Approved as to form:

By: Joseph R. Barnett 3/17/06
asst City Attorney Date

STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)

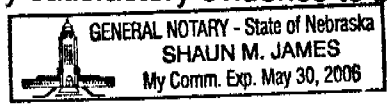
The foregoing instrument was acknowledged before me this 16 day of March 2006 by Joe McDermott, president of Joe McDermott Associates, Inc., a Nebraska corporation. Joe McDermott is personally known or identified to me by satisfactory evidence ~~to be same person~~ executing this Declaration.



Shaun M. James
Notary Public

STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 16 day of March 2006 by John L. Hoich, who is personally known or identified to me by satisfactory evidence ~~to be same person~~ executing this Declaration.



Shaun M. James
Notary Public

WHEN RECORDED RETURN TO:

9029-7//3698.1

