

\$15.50

BLOCK

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INSTR. NO. 95

016390

Upper Salt Valley Sanitary Sewer Line Extension Project
Tract 2

CORRECTIVE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, **DONLEY F. AND JULIA V. GERBIG**, husband and wife as "*Grantors*" did grant, remise and relinquish unto the **CITY OF LINCOLN, NEBRASKA**, a municipal corporation, as "*Grantee*" the right privilege and easement to construct, reconstruct, maintain, operate and replace a sanitary sewer and appurtenances thereto belonging over and through certain real property owned by the Grantors and;

WHEREAS, said Easement was dated the 23rd day of March, 1995, and recorded April 14, 1995, in the office of the Lancaster County, Nebraska, Register of Deeds as Instrument No. 95-9596 and;

WHEREAS, the legal description as recorded on said easement was found to be in error and;

WHEREAS, said Grantor and Grantee have agreed that they now wish to correct the error found in the legal description of said previously recorded easement and;

Therefore, that **DONLEY F. AND JULIA V. GERBIG**, husband and wife, herein called Grantor, whether one or more, record owner of 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 **sanitary sewer**, and appurtenances thereto belonging, over and through the following described real property, the corrected legal description which is, to wit:

Permanent Easement to a tract of land through a portion of Lot 9, Irregular Tracts located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said Northwest Quarter of the Northeast Quarter; thence westerly along the south line of the said Northwest Quarter of the Northeast Quarter, a distance of 530.24 feet, to the Point of Beginning; thence continuing westerly deflecting 00° 00' 00", along the south line of said Lot 9, a distance of 46.61 feet, to the Chicago, Burlington and Quincy easterly R.O.W. line; thence northwesterly deflecting 61° 16' 45" right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 213.90 feet, thence northerly deflecting 42° 38' 20" right, a distance of 489.02 feet; thence northerly deflecting 15° 33' 41" left, a distance of 211.69 feet, thence westerly deflecting 59° 18' 46" left, a distance of 795.33 feet, to the Chicago, Burlington and Quincy easterly R.O.W. line; thence northerly deflecting 33° 16' 14" right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 39.18 feet, to the Pine Lake Road southerly R.O.W. line; thence easterly deflecting 117° 38' 12" right, along the Pine Lake Road southerly R.O.W. line, a distance of 38.06 feet; thence southeasterly deflecting 29° 05' 34" right, a distance of 817.60 feet; thence southerly deflecting 59° 18' 46" right, a distance of 239.93 feet, thence southwesterly deflecting 15° 33' 41" right, a distance of 489.02 feet; thence southerly deflecting 42° 38' 20" left, a distance of 220.21 feet, to the south line of said Lot 9, and the Point of Beginning, containing an area of 1.61 acres, more or less.

Permanent Easement to a tract of land through a portion of Lot 25, Irregular Tracts located in the South Half of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said South Half of the Northeast Quarter; thence westerly along the south line of said South Half of the Northeast Quarter, a distance of 172.32 feet, to the Point of Beginning; thence continuing westerly deflecting $00^{\circ} 00' 00''$, along the south line of said Lot 25, a distance of 41.41 feet; thence northwesterly deflecting $28^{\circ} 51' 39''$ right, a distance of 165.74 feet, to the north line of the L.E.S. transmission line easement; thence westerly deflecting $28^{\circ} 51' 39''$ left, along the north line of the L.E.S. transmission line easement, a distance of 697.14 feet; thence northwesterly deflecting $41^{\circ} 53' 09''$ right, a distance of 417.14 feet, to the Chicago, Burlington and Quincy easterly R.O.W. line; thence northwesterly deflecting $19^{\circ} 20' 41''$ right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 1,106.31 feet, to the north line of said Lot 25; thence easterly deflecting $118^{\circ} 43' 15''$ right, along the north line of said Lot 25, a distance of 45.61 feet; thence southeasterly deflecting $61^{\circ} 16' 45''$ right, a distance of 1,077.58 feet; thence southeasterly deflecting $19^{\circ} 20' 41''$ left, a distance of 424.97 feet; thence easterly deflecting $41^{\circ} 53' 09''$ left, a distance of 664.68 feet; thence southeasterly deflecting $28^{\circ} 51' 39''$ right, a distance of 207.17 feet, to the south line of said Lot 25 and the Point of Beginning, containing an area of 1.79 acres, more or less.

Permanent Easement to a tract of land through a portion of Lot 23, Irregular Tracts located in the Northeast Quarter of the Southeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Referring to the northeast corner of said Northeast Quarter of the Southeast Quarter; thence westerly along the north line of the said Northeast Quarter of the Southeast Quarter, a distance of 172.32 feet, to the Point of Beginning; thence continuing westerly deflecting $00^{\circ} 00' 00''$, along the north line of said Lot 23, a distance of 41.44 feet; thence southeasterly deflecting $151^{\circ} 08' 38''$ left, a distance of 173.39 feet; thence easterly deflecting $16^{\circ} 44' 05''$ left, a distance of 30.09 feet, to the westerly R.O.W. line of 14th Street; thence northerly deflecting $102^{\circ} 27' 16''$ left, along the westerly R.O.W. line of 14th Street, a distance of 20.48 feet; thence westerly deflecting $77^{\circ} 32' 44''$ left, a distance of 22.74 feet; thence northwesterly deflecting $16^{\circ} 44' 05''$ right, a distance of 134.16 feet; to the north line of said Lot 23 and the Point of Beginning, containing an area of 0.08 acres, more or less.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such **sanitary 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 **sanitary 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 10th day of April, 1996.

Donley F. Gerbig
Donley F. Gerbig

Julia V. Gerbig
Julia V. Gerbig

STATE OF NEBRASKA

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) ss:

COUNTY OF LANCASTER

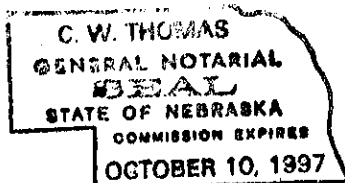
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On April 10, 1996, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came **Donley F. and Julia V. Gerbig**, to me known to be the identical person(s), whose name(s) is (are) affixed to the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

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

C. W. Thomas
Notary Public

My Commission Expires: 100597



Notary Public
C. W. Thomas
10/10/97