HEGISTER COUNTY, NE.

SEP 24 4 19 PM '97

INST. NO 97

039642

BLOCK

NO

CODE

REGHET

CHECKED

ENTERED

EDITED

Mark

Magala Color

96-0488.02

OK - 3-31-97 Law Dept

## RELEASE AND WAIVER OF RIGHTS AND TITLE,

PETITION TO VACATE PUBLIC WAY

## AND QUIT CLAIM DEED TO CITY OF LINCOLN

ORD.17224

#### TO THE HONORABLE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA:

The undersigned property owner(s) hereby ask and petition you to vacate the following street, alley, or other public way, commonly known as: (Example: Blank Street from 1st to 2nd St. ot East-west alley, from the north line of 1st Street to the south line of 2nd Street)

A portion of Leighton Avenue as shown on the attached Exhibit and Legal Description Parcel "A"

A portion of No. 84th Street as shown on the attached Exhibit and Legal Description Parcel "B"

in the City of Lincoln, Nebraska, the CITY OF LINCOLN, NEBRASKA, to reserve and retain in said street, alley, or other public way such title, rights, easements, and privileges as it may deem necessary. In consideration of the vacation of the above-described street, alley, or other public way, we, and each of us, for ourselves, our heirs, personal representatives, successors, and assigns, hereby waive and release any and all claims, causes of action, title, rights, and demands of every nature, known or unknown, which may accrue to us, or which we now have, or which we may hereafter have as a result of or resulting from such vacation of said street, alley, or other public way; and hereby remise and forever quit claim unto the City of Lincoln, Nebraska, and to its successors and assigns forever, all right, title, interest, estate, and demand, both at law and in equity, of, in, and to all of said street, alley, or other public way, together with all and singular the hereditaments thereunto belonging.

TO HAVE AND TO HOLD the above-described street, alley, or other public way unto the City of Lincoln, Nebraska, and to its successors and assigns, so that none of the undersigned, nor any person in his, her, their, or its name(s) or behalf shall or will here. after claim or demand any right or title to the said premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

The undersigned hereby represent(s) that he, she, they, or it is (are) the owner(s) of the following described property in Lincoln, deed or abstract)

Lancaster County, Nebraska, abutting on said street, alley, or other public way, legally described to wit: (Legal description from 7*TH* Outlot "D" Regent Heights 9th Addition and Lot 70 I.T., located in the Northeast Quarter of Section 15, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska, Owned by Regent Heights Limited Partnership DATED this 18th day of March Thomas E. White, General Partner John C. Brager, General Partner Regent Heights Limited Partnership Regent Heights Limited Partnership (Individual(s) acknowledgment): STATE OF Nebraska Lancaster COUNTY) Before me, a notary public qualified for said county, personally came Thomas E. White, General Partner Regent Heights Limited Partnership known to me to be the identical person(s) who signed the foregoing instrument, and acknowledged the execution thereof to be his, her, or their voluntary act and deed for the purposes therein set forth, and acknowledged that he, she, or they signed the foregoing instruments with the view of having said City of Lincoln vacate said street, alley, or other public way, and the City of Lincoln reserving and retaining in said street, alley, or other public way such title, rights, and privileges as it may deem necessary, together with a waiver and release of any and all claims, causes of action, title, rights, demands, and quit claim. WITNESS my hand and notarial seal on Alexan 18th ivotally Public My Commission expires: Nov. 21 1999 (Corporate Acknowledgment - OVER) 4 12 12 13

GENERAL NOTARY-State of Nebraska MICHAEL R. JOHNSON My Comm. Exp. Nov. 21, 1999

MINDARITY SO KLIS **NEBRASKA DOCUMENTARY** TO IT WHE OZ WULL OT STAMP TAX

A NO A MEDIA

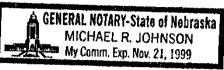
# 2 m - 10 m - 10 / 110

SEP 24 1997

FORM 14-40

BY BY APPROVED - CITY LAW

(Individual(s) acknowledgment):
STATE OF Nebraska )
Lancaster COUNTY) ss:
Before me, a notary public qualified for said county, personally came John C. Brager, General Partner
Regent Heights Limited Partnership
known to me to be the identical person(s) who signed the foregoing instrument, and acknowledged the execution thereof to be her, or their voluntary act and deed for the purposes therein set forth, and acknowledged that he, she, or they signed the foregoin instruments with the view of having said City of Lincoln vacate said street, alley, or other public way, and the City of Lincoln reserting and retaining in said street, alley, or other public way such title, rights, and privileges as it may deem necessary, together with waiver and release of any and all claims, causes of action, title, rights, demands, and quit claim.
WITNESS my hand and notarial seal on March 18th 1997 Notary Public
My Commission expires: Nov. 21 1999 (Corporate Acknowledgment · OVER



#### LEGAL DESCRIPTION

### **RIGHT-OF-WAY VACATION**

(NORTH 84TH STREET)
PARCEL "B"

A LEGAL DESCRIPTION FOR A PORTION OF NORTH 84TH STREET RIGHT-OF-WAY TO BE VACATED, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 07 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 50.01 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 00 MINUTES 23 SECONDS EAST ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 97.33 FEET TO A POINT OF INTERSECTION WITH THE NORTHEAST CORNER OF LOT 70 I.T., THENCE NORTH 71 DEGREES 34 MINUTES 17 SECONDS WEST ALONG THE NORTHEAST LINE OF SAID LOT 70 I.T., A DISTANCE OF 63.25 FEET TO A POINT OF DEFLECTION, THENCE NORTH 00 DEGREES 00 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING 110.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 76.42 FEET TO THE NORTHEAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, THENCE NORTH 89 DEGREES 07 MINUTES 18 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 60.01 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 5,212.60 SQUARE FEE OR 0.1197 ACRES MORE OR LESS.

MARCH 13, 1997 G:\960488\MIKEJ\VACATEB.L01

97 MH 20 AN 11 O

# LEGAL DESCRIPTION RIGHT-OF-WAY VACATION (LEIGHTON AVENUE) PARCEL "A"

A LEGAL DESCRIPTION FOR A PORTION OF LEIGHTON AVENUE RIGHT-OF-WAY TO BE VACATED, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 10 NORTH, RANGE 7 EAST, OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 02 MINUTES 07 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15. A DISTANCE OF 33.00 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 19 MINUTES 23 SECONDS WEST ALONG A LINE 33.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15. A DISTANCE OF 644.87 FEET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST LINE OF OUTLOT "D" REGENT HEIGHTS 9TH ADDITION, THENCE NORTH 00 DEGREES 00 MINUTES 50 SECONDS EAST ALONG AN EXTENSION OF THE WEST LINE OF SAID OUTLOT "D". A DISTANCE OF 17.00 FEET TO THE SOUTHWEST CORNER OF OUTLOT "D", THENCE NORTH 89 DEGREES 19 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID OUTLOT "D", SAID LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 644.88 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT "D", SAID POINT BEING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, THENCE SOUTH 00 DEGREES 02 MINUTES 07 SECONDS WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 17.00 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 10,962.84 SQUARE FEET OR 0.2517 ACRES MORE OR LESS.

MARCH 13, 1997 G:\960488\MIKEJ\VACATEA.L01