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LANCASTER COUNTY, NE

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NEBRASKA DOCUMENTARY  
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EXHIBIT "B-1"

**PUBLIC RIGHT-OF-WAY DEDICATION, PERMANENT EASEMENT AND  
TEMPORARY EASEMENT**

*E.O. 67340*

KNOW ALL PERSON BY THESE PRESENTS:

That, **Lola H. Sievers, Sonia S. Heckel and Jerold L. Sievers**, Co-Trustees, herein collectively called "*Grantor*", whether one or more, record owner of the real property legally described as Lot 73, I.T., Section 36, Township 9 North, Range 6 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, duly paid, the receipt whereof is hereby acknowledged, and the *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 following Public Dedication, Permanent Easement and Temporary Easement:

**A. PUBLIC DEDICATION:**

The following Rokeby Road right-of-way is hereby quit claimed to the Grantee and dedicated to the public:

*See Exhibit "B-1A" attached hereto and incorporated herein by this reference ("Dedication Premises").*

**B. PERMANENT EASEMENT:**

The RIGHT, PRIVILEGE and EASEMENT to construct, reconstruct, grade, maintain, operate, and replace a storm sewer, sanitary sewer, water line, utilities, street, sidewalk, street trees and appurtenances thereto belonging ("collectively "Infrastructure"), over and through and the following described real property, to-wit:

*See Exhibit "B-1B" attached hereto and incorporated herein by this reference ("Easement Premises").*

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, Nebraska, its successors and assigns, so long as such Infrastructure shall be maintained, together with the right of ingress and egress to said Easement Premises from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said Infrastructure 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 Easement Premises 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

CHARLES  
COUNTY CLERK

easements of record heretofore granted to other parties. *Grantor* shall be entitled to plant under story canopy vegetation in the Easement Premises, including, but not limited to, small canopy trees, bushes and ground cover vegetation regimes. *Grantee* shall restore or replace any and all under story canopy vegetation, damaged or destroyed by *Grantee* in the Easement Premises in the course of constructing, reconstructing, inspecting, repairing, maintaining, operating, and replacing said Infrastructure with like vegetation or compensate *Grantor* for the difference in cost between the vegetation that was damaged or destroyed and the vegetation it was replaced with. *Grantee* shall also restore or replace any and all paving or other improvements, excluding permanent buildings, that are damaged or destroyed by *Grantee* in the Easement Premises in the course of constructing, reconstructing, inspecting, repairing, maintaining, operating, and replacing said Infrastructure with like paving and improvements.

#### C. TEMPORARY EASEMENT:

The RIGHT, PRIVILEGE and EASEMENT to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of the Infrastructure, and appurtenances thereto belonging, over and through the following described real property, to-wit:

*See Exhibit "B-1C" attached hereto and incorporated herein by this reference.*

As a further consideration of this grant, the *Grantee* herein agrees as follows:

1. That immediately following the initial construction hereinabove referred to, the *Grantee* will cause to be removed from the property hereinabove described, all debris, all surplus material and construction equipment and leave the premises in a neat and presentable condition.
2. That in the event fences, driveway or permanent buildings of the *Grantor* are removed or damaged by the *Grantee's* agents during the initial construction, the *Grantee* will cause the said improvement on the property hereinabove described to be repaired and restored to a condition fully equal to that existing before construction operations were commenced.
3. That following completion of construction, the *Grantee* will cause the prompt restoration to smooth surface contours and neat condition.
4. That the right, privilege and easement herein granted for temporary construction use of those portions of the said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction, final inspection and acceptance of the completion of construction, final inspection and acceptance of the Infrastructure hereinabove mentioned, and the performance by the *Grantee* of the conditions and covenants herein set out.

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.

<sup>2000</sup>  
1999. IN WITNESS WHEREOF, we have hereunto set our hands this 20 day of January

GRANTOR

Lola H. Sievers  
**LOLA H. SIEVERS, Co-Trustee**  
Address: \_\_\_\_\_

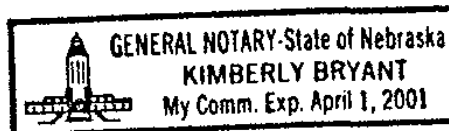
Sonia S. Heckel  
**SONIA S. HECKEL, Co-Trustee**  
Address: \_\_\_\_\_

Jerold L. Sievers  
**JEROLD L. SIEVERS, Co-Trustee**  
Address: \_\_\_\_\_

STATE OF NEBRASKA                    )  
  ) ss.  
COUNTY OF LANCASTER            )

The foregoing was acknowledged before me this 18 day of January, <sup>2000</sup>~~1999~~, by **Lola H. Sievers**, as Co-Trustee..

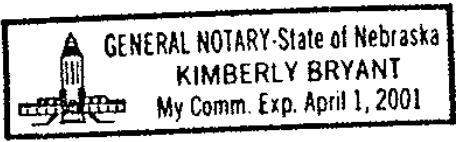
Kimberly Bryant  
Notary Public



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

The foregoing was acknowledged before me this 18 day of January, ~~1999~~<sup>2000</sup>, by  
**Sonia S. Heckel**, as Co-Trustee.

Kimberly Bryant  
Notary Public



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

The foregoing was acknowledged before me this 20 day of January, ~~1999~~<sup>2000</sup>, by  
**Jerold L. Sievers**, as Co-Trustee.

Sara Bergmark  
Notary Public

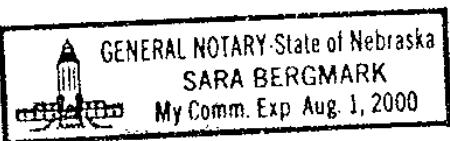


EXHIBIT "B-1A"

LEGAL DESCRIPTION  
LOT 73 I.T.  
R.O.W.

A LEGAL DESCRIPTION FOR RIGHT-OF-WAY PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 73 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 74 I.T., THENCE CONTINUING NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 742.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 73 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 21 MINUTES 11 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 73 I.T., A DISTANCE OF 10.00 FEET TO A POINT, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 270.00 FEET, ARC LENGTH OF 49.36 FEET, DELTA ANGLE OF 10 DEGREES 28 MINUTES 31 SECONDS, A CHORD BEARING OF SOUTH 85 DEGREES 06 MINUTES 55 SECONDS WEST, AND A CHORD LENGTH OF 49.30 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 330.00 FEET, ARC LENGTH OF 60.33 FEET, DELTA ANGLE OF 10 DEGREES 28 MINUTES 31 SECONDS, A CHORD BEARING OF SOUTH 85 DEGREES 06 MINUTES 55 SECONDS WEST, AND A CHORD LENGTH OF 60.25 FEET TO A POINT OF TANGENCY, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 884.04 FEET TO A POINT, THENCE NORTH 00 DEGREES 21 MINUTES 11 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, SAID LINE BEING THE NORTH LINE OF SAID LOT 73 I.T., A DISTANCE OF 993.12 FEET TO THE TRUE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 19,335.35 SQUARE FEET SQUARE FEET MORE OR LESS.

JUNE 7, 1999  
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LOT 73 I.T.

A = 1078.31'  
R = 330.00'  
T = 30.25'  
L = 60.33'  
CH = N05.06.55"E  
LC = 60.25'

A = 1078.31'  
R = 270.00'  
T = 24.75'  
L = 49.36'  
CH = S85.06.55"W  
LC = 49.30'

LOT 74 I.T.

742.00'  
N89.38.49"W

742.00'  
N89.38.49"W

SOUTH 27TH

STREET

SE CORNER  
25-9-6

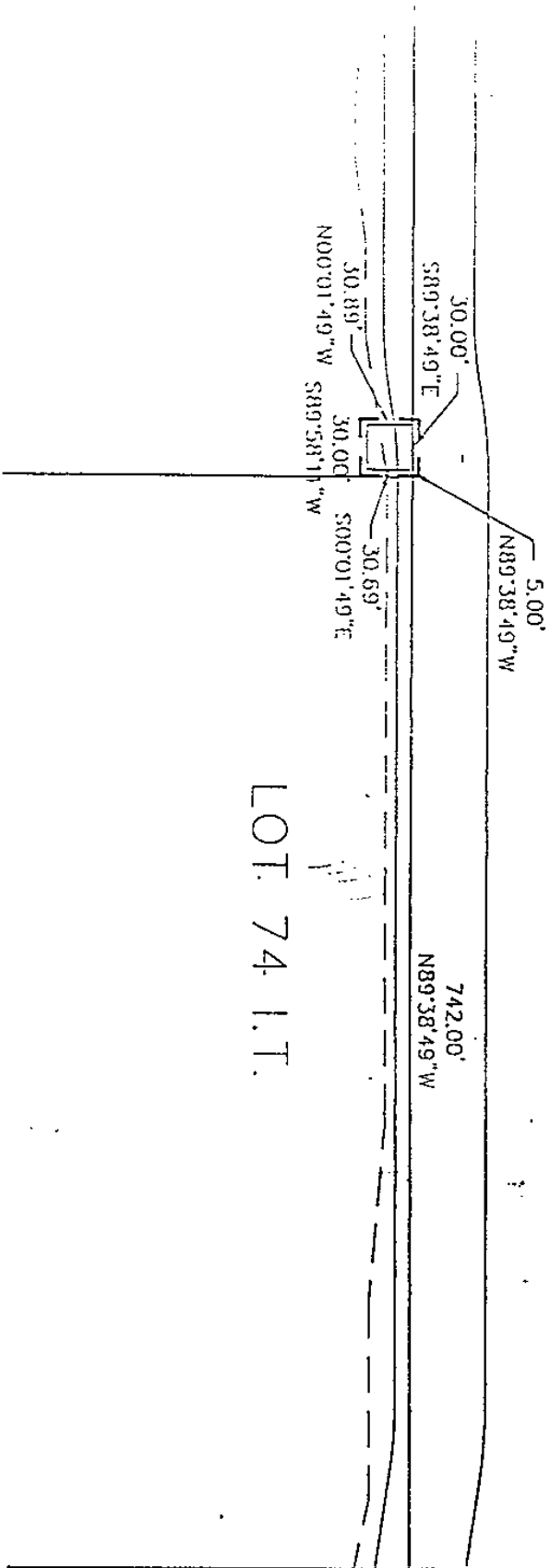
EXHIBIT "B-1B"

**LEGAL DESCRIPTION  
LOT 73 I.T.  
PUBLIC STORM SEWER EASEMENT**

A LEGAL DESCRIPTION FOR PUBLIC STORM SEWER EASEMENT PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 73 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 74 I.T., THENCE CONTINUING NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 74 I.T., A DISTANCE OF 742.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 73 I.T., THENCE CONTINUING NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 73 I.T., A DISTANCE OF 5.00 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 01 MINUTES 49 SECONDS EAST, A DISTANCE OF 30.69 FEET TO A POINT, THENCE SOUTH 89 DEGREES 58 MINUTES 11 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 00 DEGREES 01 MINUTES 49 SECONDS WEST, A DISTANCE OF 30.89 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 73 I.T., THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 73 I.T., A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 923.56 SQUARE FEET MORE OR LESS.

JUNE 10, 1999  
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SOUTH 27TH STREET SE CORNER 25-9-6

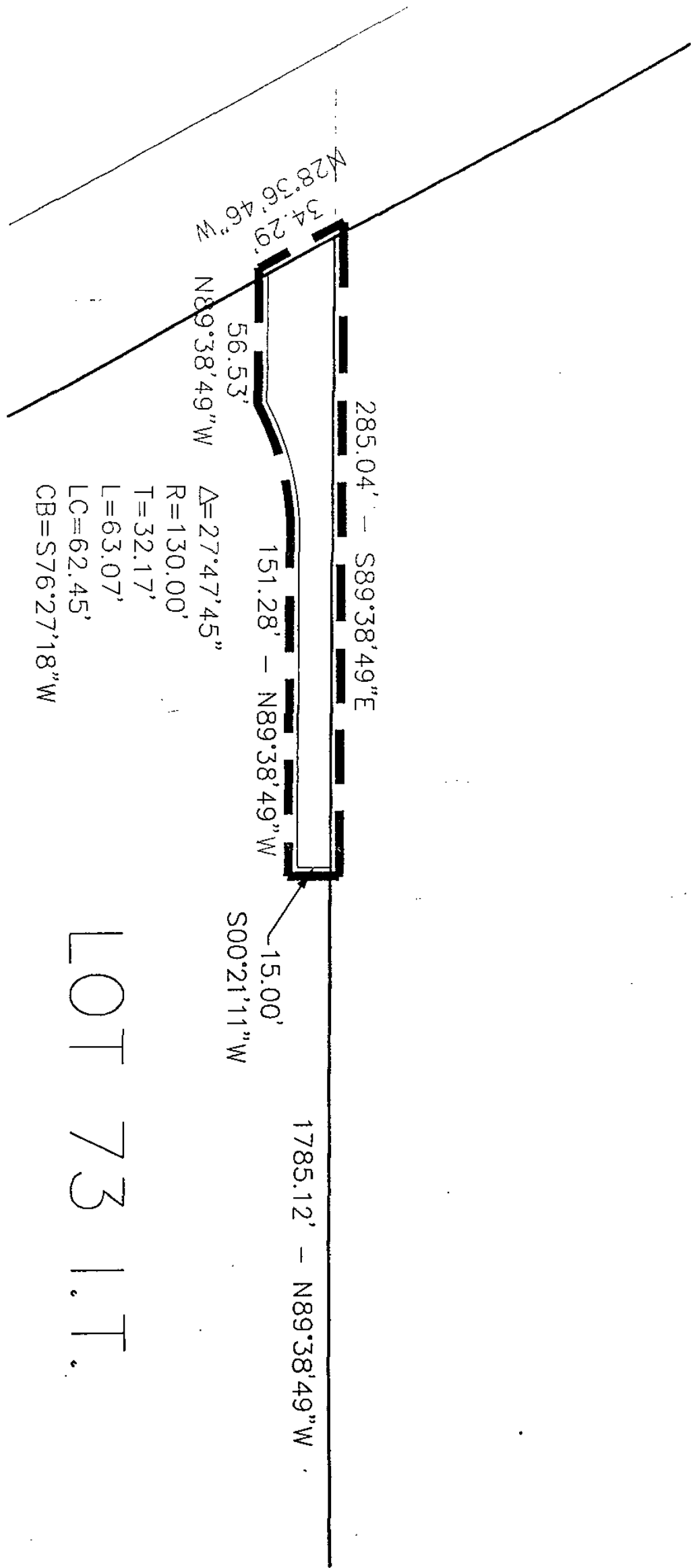


**LEGAL DESCRIPTION  
LOT 73 I.T.  
STORM SEWER AND SANITARY SEWER  
EASEMENT**

A PORTION OF LOT 73 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE WESTERLY ALONG AN ASSUMED BEARING, NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1785.12 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 21 MINUTES 11 SECONDS WEST, A DISTANCE OF 15.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 151.28 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 130.00 FEET, ARC LENGTH OF 63.07 FEET, DELTA ANGLE OF 27 DEGREES 47 MINUTES 45 SECONDS, A CHORD BEARING OF SOUTH 76 DEGREES 27 MINUTES 18 SECONDS WEST, AND A CHORD LENGTH OF 62.45 FEET TO A POINT; THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 56.53 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 73 I.T., THENCE NORTH 28 DEGREES 36 MINUTES 46 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 73 I.T., A DISTANCE OF 34.29 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF NORTHEAST QUARTER, THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 285.04' FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 5,419.35 SQUARE FEET MORE OR LESS.

15 October 1999  
F:\Projects\950444\MIKE\STORMEASE



LOT 73 I.T.

EXHIBIT "B-1C"

LEGAL DESCRIPTION  
LOT 73 I.T.  
TEMPORARY CONSTRUCTION EASEMENT

A LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 73 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 74 I.T., THENCE CONTINUING NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 74 I.T., A DISTANCE OF 742.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 73 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 00 MINUTES 42 SECONDS EAST, A DISTANCE OF 17.00 FEET TO A POINT, THENCE SOUTH 81 DEGREES 22 MINUTES 32 SECONDS WEST, A DISTANCE OF 96.13 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 59.55 FEET TO A POINT, THENCE SOUTH 82 DEGREES 56 MINUTES 58 SECONDS WEST, A DISTANCE OF 58.65 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 35.66 FEET TO A POINT, THENCE NORTH 83 DEGREES 20 MINUTES 02 SECONDS WEST, A DISTANCE OF 132.39 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 101.41 FEET TO A POINT, THENCE SOUTH 86 DEGREES 13 MINUTES 30 SECONDS WEST, A DISTANCE OF 69.46 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 85.00 FEET TO A POINT, THENCE SOUTH 86 DEGREES 32 MINUTES 17 SECONDS WEST, A DISTANCE OF 150.30 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 25.00 FEET TO A POINT, THENCE NORTH 87 DEGREES 23 MINUTES 33 SECONDS WEST, A DISTANCE OF 145.62 FEET TO A POINT, THENCE NORTH 79 DEGREES 27 MINUTES 03 SECONDS WEST, A DISTANCE OF 108.88 FEET TO A POINT, THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 105.00 FEET TO A POINT, THENCE NORTH 00 DEGREES 21 MINUTES 11 SECONDS EAST, A DISTANCE OF 15.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 73 I.T., THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 73 I.T., A DISTANCE OF 1168.12 FEET TO THE TRUE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 34,827.86 SQUARE FEET MORE OR LESS.

JUNE 10, 1999  
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