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EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

E.O. 51031

That Nebraska Nurseries, 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 (\$1.00) and other good and valuable consideration, 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 a sanitary sewer, and appurtenances thereto belonging, over and through and the following described real property, to-wit:

See Exhibit "A" 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 sanitary sewer 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 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 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 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 sanitary sewer 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 sanitary sewer with like paving and improvements.

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 3rd day of Jan, 1997.

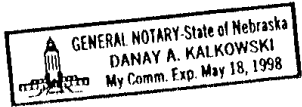
Nebraska Nurseries, Inc., a Nebraska corporation
By: Richard L. Spedell PRES
Richard L. Spedell, President

City Real Estate
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STATE OF NEBRASKA)
) ss:
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me as of this 5th day of January, 1997, by Richard L. Speidell, President of Nebraska Nurseries, Inc., a Nebraska corporation, on behalf of the corporation.

Danay A. Kalkowski
Notary Public



**LEGAL DESCRIPTION
PERMANENT EASEMENT
(NEBRASKA NURSERIES PROPERTY)**

TRACT 1:

A LEGAL DESCRIPTION FOR A PERMANENT EASEMENT FOR SANITARY SEWER PURPOSES ACROSS A TRACT OF LAND COMPOSED OF A PORTION OF LOT 57 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 57 I.T., SAID POINT BEING 40.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 10, THENCE ON AN ASSUMED BEARING OF SOUTH 0 DEGREES 12 MINUTES 02 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 57 I.T., A DISTANCE OF 573.32 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 39 DEGREES 07 MINUTES 22 SECONDS EAST, A DISTANCE OF 17.87 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 43 SECONDS EAST, A DISTANCE OF 159.26 FEET TO A POINT, THENCE NORTH 0 DEGREES 12 MINUTES 02 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 43 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE SOUTH 0 DEGREES 12 MINUTES 02 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 39 SECONDS EAST, A DISTANCE OF 176.84 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 28 DEGREES 17 MINUTES 33 SECONDS, AN ARC DISTANCE OF 202.46 FEET, A RADIUS OF 410.00 FEET, AND A CHORD OF SOUTH 77 DEGREES 57 MINUTES 31 SECONDS EAST, A DISTANCE OF 200.41 FEET TO A POINT, THENCE NORTH 89 DEGREES 37 MINUTES 26 SECONDS EAST, A DISTANCE OF 32.16 FEET TO A POINT, THENCE SOUTH 0 DEGREES 22 MINUTES 34 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE SOUTH 89 DEGREES 37 MINUTES 26 SECONDS WEST, A DISTANCE OF 15.00 FEET TO A POINT, THENCE SOUTH 0 DEGREES 22 MINUTES 34 SECONDS EAST, A DISTANCE OF 187.65 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 36 DEGREES 22 MINUTES 09 SECONDS, AN ARC DISTANCE OF 196.78 FEET, A RADIUS OF 310.00 FEET, AND A CHORD OF SOUTH 17 DEGREES 26 MINUTES 42 SECONDS WEST, A DISTANCE OF 193.49 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 21 DEGREES 41 MINUTES 19 SECONDS, AN ARC DISTANCE OF 147.63 FEET, A RADIUS OF 390.00 FEET, AND A CHORD OF SOUTH 33 DEGREES 10 MINUTES 53 SECONDS EAST, A DISTANCE OF 146.75 FEET TO A POINT OF TANGENCY, THENCE SOUTH 44 DEGREES 01 MINUTES 31 SECONDS EAST, A DISTANCE OF 141.63 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 26 DEGREES 45 MINUTES 02 SECONDS, AN ARC DISTANCE OF 191.42

Exhibit "A"

FEET, A RADIUS OF 410.00 FEET, AND A CHORD OF SOUTH 73 DEGREES 29 MINUTES 17 SECONDS EAST, A DISTANCE OF 189.69 FEET TO A POINT OF TANGENCY, THENCE SOUTH 60 DEGREES 06 MINUTES 46 SECONDS EAST, A DISTANCE OF 86.44 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 14 DEGREES 54 MINUTES 12 SECONDS, AN ARC DISTANCE OF 106.65 FEET, A RADIUS OF 410.00 FEET, AND A CHORD OF SOUTH 52 DEGREES 39 MINUTES 40 SECONDS EAST, A DISTANCE OF 106.35 FEET TO A POINT OF TANGENCY, THENCE SOUTH 45 DEGREES 12 MINUTES 34 SECONDS EAST, A DISTANCE OF 87.89 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 51 DEGREES 50 MINUTES 14 SECONDS, AN ARC DISTANCE OF 262.37 FEET, A RADIUS OF 290.00 FEET, AND A CHORD OF SOUTH 28 DEGREES 01 MINUTES 31 SECONDS WEST, A DISTANCE OF 253.51 FEET TO A POINT, THENCE SOUTH 33 DEGREES 38 MINUTES 47 SECONDS WEST, A DISTANCE OF 177.03 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWEST LINE OF SAID LOT 57 I.T., THENCE NORTH 61 DEGREES 35 MINUTES 41 SECONDS WEST ALONG THE SOUTHWEST LINE OF SAID LOT 57 I.T., A DISTANCE OF 20.08 FEET TO A POINT, THENCE NORTH 33 DEGREES 38 MINUTES 47 SECONDS EAST, A DISTANCE OF 182.51 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 50 DEGREES 45 MINUTES 04 SECONDS, AN ARC DISTANCE OF 239.16 FEET, A RADIUS OF 270.00 FEET, AND A CHORD OF NORTH 29 DEGREES 18 MINUTES 54 SECONDS EAST, A DISTANCE OF 231.42 FEET TO A POINT, THENCE NORTH 45 DEGREES 12 MINUTES 34 SECONDS WEST, A DISTANCE OF 78.94 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 14 DEGREES 54 MINUTES 12 SECONDS, AN ARC DISTANCE OF 101.44 FEET, A RADIUS OF 390.00 FEET, AND A CHORD OF NORTH 52 DEGREES 39 MINUTES 40 SECONDS WEST, A DISTANCE OF 101.16 FEET TO A POINT OF TANGENCY, THENCE NORTH 60 DEGREES 06 MINUTES 46 SECONDS WEST, A DISTANCE OF 86.44 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 27 DEGREES 53 MINUTES 27 SECONDS, AN ARC DISTANCE OF 189.85 FEET, A RADIUS OF 390.00 FEET, AND A CHORD OF NORTH 74 DEGREES 03 MINUTES 30 SECONDS WEST, A DISTANCE OF 187.98 FEET TO A POINT, THENCE NORTH 44 DEGREES 01 MINUTES 31 SECONDS WEST, A DISTANCE OF 149.59 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 23 DEGREES 17 MINUTES 02 SECONDS, AN ARC DISTANCE OF 166.62 FEET, A RADIUS OF 410.00 FEET, AND A CHORD OF NORTH 32 DEGREES 23 MINUTES 01 SECONDS WEST, A DISTANCE OF 165.47 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 38 DEGREES 29 MINUTES 58 SECONDS, AN ARC DISTANCE OF 194.86 FEET, A RADIUS OF 290.00 FEET, AND A CHORD OF NORTH 18 DEGREES 30 MINUTES 27 SECONDS EAST, A DISTANCE OF 191.22 FEET TO A POINT OF TANGENCY, THENCE NORTH 0 DEGREES 22 MINUTES 34 SECONDS WEST, A DISTANCE OF 196.75 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA

ANGLE OF 29 DEGREES 20 MINUTES 14 SECONDS, AN ARC DISTANCE OF 199.69 FEET, A RADIUS OF 390.00 FEET, AND A CHORD OF NORTH 77 DEGREES 28 MINUTES 27 SECONDS WEST, A DISTANCE OF 197.52 FEET TO A POINT OF TANGENCY, THENCE SOUTH 89 DEGREES 55 MINUTES 38 SECONDS WEST, A DISTANCE OF 377.73 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 57 I.T., THENCE NORTH 0 DEGREES 12 MINUTES 02 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 57 I.T., A DISTANCE OF 33.88 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1.0238 ACRES MORE OR LESS.

TRACT 2:

A LEGAL DESCRIPTION FOR A PERMANENT EASEMENT FOR SANITARY SEWER PURPOSES ACROSS A TRACT OF LAND COMPOSED OF A PORTION OF LOT 57 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 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 SAID LOT 57 I.T., THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 57 MINUTES 58 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 57 I.T., A DISTANCE OF 1.64 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 57 MINUTES 58 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 57 I.T., A DISTANCE OF 35.20 FEET TO A POINT, THENCE NORTH 31 DEGREES 34 MINUTES 31 SECONDS WEST, A DISTANCE OF 55.04 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWEST LINE OF SAID LOT 57 I.T., THENCE NORTH 15 DEGREES 34 MINUTES 01 SECONDS WEST ALONG THE SOUTHWEST LINE OF SAID LOT 57 I.T., A DISTANCE OF 108.78 FEET TO A POINT, THENCE SOUTH 31 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 178.02 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 0.0803 ACRES MORE OR LESS.

DECEMBER 23, 1996
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Real Estate*