

August 6, 2006

Ohana, LLC
Becky Smith
1426 'O' Street
Lincoln, NE 68508
402-730-5549

City of Lincoln
Public Works/Engineering Ser.
Harry Kroos
531 West Gate Blvd #100
Lincoln, NE 86528

RE: right-of-way permit

Harry:

This letter is to request a right-of-way permit for the property located at 1442 'O' Street. [Legal description: LITTLE & ALEXANDERS SUB. L63 SW LITTLES, LITTLES & ALEXANDERS SUB LOT 12]. Ohana, LLC is in the process of redeveloping the above mentioned property and due to elevation issues it is necessary to incorporate a ramp into the egress on the east side of the building. Attached is a drawing describing the location and intended use of city property.

Also included is proof of a \$5000 bond and proof of liability insurance of half a million dollars naming the City of Lincoln as insured.

Sincerely,

A handwritten signature in cursive script that reads "Becky Smith".

Becky Smith

ACORD CERTIFICATE OF LIABILITY INSURANCE

CSR BM
OHANA-1

DATE (MM/DD/YYYY)
08/07/06

PRODUCER
Copples Insurance Agency, Inc.
P.O. Box 83405
Lincoln NE 68501-
Phone: 402-475-3213

INSURED
Ohana, LLC
Attn: Becky Smith
1424 O Street
Lincoln NE 68508

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: St. Paul Travelers	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY	I-680-6882B590-TCT-	0506/13/06	06/13/07	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
		<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
		<input type="checkbox"/> HIRED AUTOS					
		<input type="checkbox"/> NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$
							\$
		DEDUCTIBLE					\$
		RETENTION \$					\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS	OTHER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
City of Lincoln Nebraska is named as an additional insured for use of public space for the location at 1442 "O" Street, Lincoln, NE 68508

CERTIFICATE HOLDER

CITYL-5

City of Lincoln
City Clerk's Office
555 South 10 Street
Lincoln NE 68508

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
D.A. Hansen

BOND OF OCCUPIER OF PUBLIC SPACE

Bond No. 409514

KNOW ALL MEN BY THESE PRESENTS, that we, OHANA, LLC, 1424 'O' STREET, LINCOLN, NE 68508 of LINCOLN, NEBRASKA, as Principal, and UNIVERSAL SURETY COMPANY, PO BOX 80468, LINCOLN, NE 68501, a corporation duly licensed to do business in the State of Nebraska, as Surety, are held and firmly bound unto the CITY OF LINCOLN, NEBRASKA, in the penal sum of FIVE-THOUSAND AND NO/100 Dollars (\$5,000.00), lawful money of the United States, for which payment well and truly to be made we bind ourselves and our heirs, executors, administrators, legal representatives, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that, whereas, the Principal has made application to the City of Lincoln for permission to occupy space underneath, upon, or above public property at or adjacent to the following described location in the City of Lincoln, Lancaster County, Nebraska, to wit: RAMP ON CENTENNIAL MALL SIDE OF 1442 'O' STREET, LINCOLN, NEBRASKA

NOW, THEREFORE, if the Principal and his heirs, successors, or assigns shall faithfully perform and in all things strictly comply with all conditions which now are or which may hereafter be required by Section 14.54.040 of the Lincoln Municipal Code to be contained in the surety bond specified by said section, which conditions are hereby incorporated by reference and made to apply to the above described occupation of space, then this obligation shall be void, otherwise to remain in full force and effect until terminated as hereinafter provided.

THIS BOND MAY BE TERMINATED at any time by the Surety upon sending notice in writing, by certified mail, to the City Clerk of said City and to the Principal, addressed to them at City of Lincoln, County-City Building, 555 South 10th Street, Lincoln, Nebraska 68508, and at the expiration of thirty (30) days from the receipt of said notice, this bond shall ipso facto terminate and the Surety shall thereupon be released from any liability for any acts or omissions of the Principal subsequent to said date.

DATED this 8TH day of AUGUST 20 06.

OHANA, LLC

Principal

By: Becky Smith owner
Becky Smith (Show Legal Capacity)

UNIVERSAL SURETY COMPANY

Surety

BY: S. Edward Copple
S. Edward Copple Attorney-in-Fact

Approved as to Form:

Wanda W. Roper
City Attorney

(Accompany this bond with Attorney-in-Fact's authority from Surety, certified to include the date of the bond.)

UNIVERSAL SURETY COMPANY

Lincoln, Nebraska

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the UNIVERSAL SURETY COMPANY, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. RESIDENT OFFICERS AND ATTORNEYS-IN-FACT. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-in-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time."
does hereby make, constitute and appoint

D. A. Johansen or S. Edward Copple or Karen Kyncl,
Lincoln, Nebraska

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:
Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the UNIVERSAL SURETY COMPANY, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws: and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, UNIVERSAL SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereunto affixed this 12 day of April, 2003.

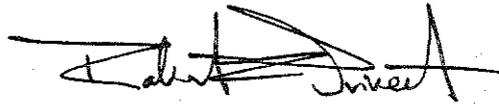
UNIVERSAL SURETY COMPANY



Secretary

State of Nebraska)
) ss.
County of Lancaster)

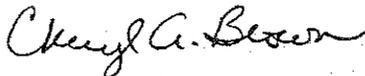
By



Vice President

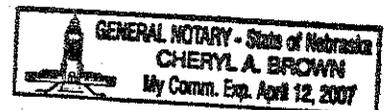


On this 12 day of April, 2003 before me personally came Robert L. Privett, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Seward, State of Nebraska; that (s)he is the Vice President of the UNIVERSAL SURETY COMPANY, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.



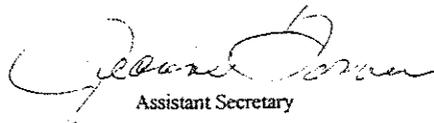
Notary Public

My Commission Expires April 12, 2007.



I, Jeanne Bower, Assistant Secretary of UNIVERSAL SURETY COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNIVERSAL SURETY COMPANY, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 8TH day of AUGUST, 2006.


Assistant Secretary

