



20787

19-53

Introduce: 4-29-19

ORDINANCE NO. 20787

1 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

2 That Amendment No. 2 to the Annexation Agreement for Rokeby Road Coalition which

3 is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the

4 City of Lincoln, Nebraska, Rokeby Holdings, Ltd., the Catholic Bishop of Lincoln, Carlton W.

5 Talcott, Milton L. and Carol A. Talcott, SSAR, LLC, Calruby, LLC, the Carroll Krueger Company,

6 LLC, Lincoln Federal Bancorp, Inc., Milton L. Talcott, Trustee and Carol A. Talcott, Trustee,

7 Talcott Land & Cattle, Inc., Southview, Inc., and Milton L. Talcott, Trustee to reflect the

8 adjustment to the property located within the Wagon Train Watershed on property generally

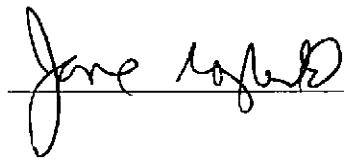
9 located at South 70th Street and Rokeby Road, is hereby approved and the Mayor is authorized to

10 execute the Amendment No. 2 on behalf of the City.

11 BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed

12 copy of this Agreement to Tim Sieh, Assistant City Attorney, for distribution to the parties.

Introduced by:

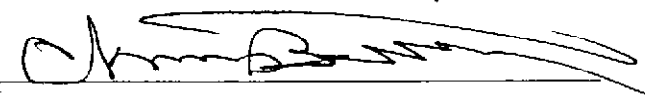


Approved as to Form & Legality:



City Attorney

Approved this 16th day of May, 2019:



Mayor

AMENDMENT NO. 2

THIS AMENDMENT NO. 2 TO THE ANNEXATION AGREEMENT FOR ROKEBY ROAD COALITION ("Amendment No. 2") is made and entered into as this 13th day of May, 2019 by and among the **City of Lincoln, Nebraska**, a municipal corporation ("City"), **Rokeby Holdings, Ltd.**, a Nebraska limited partnership ("Rokeby Holdings"), **The Catholic Bishop of Lincoln**, a Nebraska non-profit corporation ("Catholic Bishop"), **Carlton W. Talcott**, a single person ("CWT"), **Milton L. Talcott** and **Carol A. Talcott**, husband and wife (collectively "M&CT"), **SSAR, LLC**, a Nebraska limited liability company ("SSAR"), **Calruby, LLC**, a Nebraska limited liability company ("Calruby"), **The Carroll Krueger Company, LLC**, a Nebraska limited liability company, successor to Fred H. Smith and Janet L. Smith, husband and wife (collectively "CKC"), **Lincoln Federal Bancorp, Inc.** ("Lincoln Federal"), **Milton L. Talcott, Trustee and Carol A. Talcott, Trustee** ("M&CT Trustees"), **Talcott Land & Cattle, Inc.**, a Nebraska corporation ("Talcott Land"), **Southview, Inc.**, a Nebraska corporation ("Southview") and **Milton L. Talcott, Trustee** ("M. Talcott Trustee"). Rokeby Holdings, Catholic Bishop, CWT, M&CT, SSAR, Calruby, CKC, Lincoln Federal, M&CT Trustees, Talcott Land, Southview and M. Talcott Trustee, may hereinafter jointly be referred to as the "Property Owners" or individually as a "Property Owner."

Original
for City

RECITALS

1. The City and Property Owners previously entered into the Annexation Agreement for Rokeby Road Coalition dated as of January 5, 2015 and filed with the Lancaster County, Nebraska Register of Deeds as Instrument No. 2015001440, which was amended by Amendment No. 1 dated September 28, 2017 and filed with the Lancaster County, Nebraska Register of Deeds as Instrument No. 2017042058 (collectively “Annexation Agreement”).

2. The Annexation Agreement has identified all of the Property Owners’ and City’s responsibilities regarding the construction of infrastructure improvements necessitated by the development of the “Property” legally described and shown on Attachment “A”.

3. The Annexation Agreement also approved two Regional Detention Cells to meet the stormwater detention needs of all of the Coalition Watershed Property, defined therein, in lieu of providing stormwater detention for each individual development within the Coalition Watershed Property.

4. Rokeby Holdings and Southview have requested that the City annex, rezone and approve a special permit for a community unit plan on that portion of the Property legally described on Attachment “U” (“Next Phase Property”) for the next phase of development as contemplated by the Annexation Agreement (“Next Phase Governmental Approval”).

5. The Next Phase Governmental Approval includes the City’s acceptance of an addendum to the Upper Wagon Train Watershed Master Plan modifying the area of the Next Phase Property located within the Wagon Train Watershed.

6. The City and Property Owners desire to amend the Annexation Agreement to reflect the adjustments to the Property located within the Wagon Train Watershed.

NOW, THEREFORE, in consideration of the above Recitals and the mutual covenants contained herein, the City and Property Owners agree as follows:

1. Attachment "P" to the Annexation Agreement which identifies those portions of the Property that are located within the Wagon Train Watershed is hereby deleted and replaced with Attachment "P" attached to this Amendment.

2. In consideration of this Amendment, the City and Watershed Property Owners are simultaneously executing and delivering a recordable Amendment to the Nonexclusive Stormwater Drainage and Detention Easement, which is attached hereto as Attachment "R-1", amending the legal description of the Coalition Watershed Property contained in the Nonexclusive Stormwater Drainage and Detention Easement approved as part of the Annexation Agreement and filed with the Lancaster County, Nebraska Register of Deeds as Instrument No. 2017041416.

3. That Attachment "R-1" is a new attachment to this Amendment No. 2 and reference to it shall be added to Article XIII, Paragraph C of the Annexation Agreement.

SIGNATURE PAGES TO FOLLOW

“ROKEBY HOLDINGS”

ROKEBY HOLDINGS, LTD.,
a Nebraska limited partnership


By: Rokeby GP, LLC, a Nebraska limited liability company

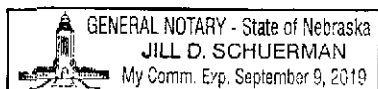
By: Southview, Inc., a Nebraska corporation, Member

By: 
Thomas G. Schleich, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 22nd day of April, 2019, by Thomas G. Schleich, President of Southview, Inc., a Nebraska corporation, Member of Rokeby GP, LLC, a Nebraska limited liability company, General Partner of **Rokeby Holdings, Ltd.**, a Nebraska limited partnership, on behalf of the limited partnership.


Notary Public



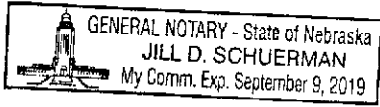
“SOUTHVIEW”


SOUTHVIEW, INC., a Nebraska corporation, Member

By: 
Thomas G. Schleich, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 22nd day of April, 2019, by Thomas G. Schleich, President of **Southview, Inc.**, a Nebraska corporation, on behalf of the corporation.




Notary Public

"M&CT"

Carlton W. Talcott, POA
Milton L. Talcott, a married person

Carlton W. Talcott, POA
Carol A. Talcott, a married person

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Milton L. Talcott**, a married person.)

(Seal) 

Julie Denton
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Carol A. Talcott**, a married person.)

(Seal) 

Julie Denton
Notary Public

"SSAR"

SSAR, LLC, a Nebraska limited liability
company

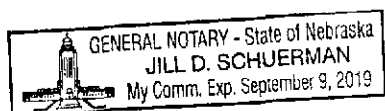
By: _____

Title: Managing Member

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 1st day of May, 2019, by Sean Smether, Managing Member of SSAR, LLC, a Nebraska limited liability company, on behalf of the limited liability company.

(Seal)



Jill D. Schuerman
Notary Public

"CALRUBY"

Calruby, LLC, a Nebraska limited liability company

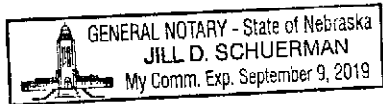
By: Richard C. Knieser

Title: MANAGER

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May 2019, by Richard C. Knieser, Manager of Calruby, LLC, a Nebraska limited liability company, on behalf of the limited liability company.

(Seal)



Jill D. Schuman
Notary Public

"CKC"

The Carroll Krueger Company, LLC, a
Nebraska limited liability company

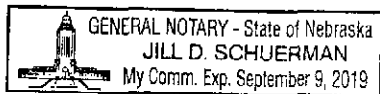
By: Richard C. Krueger

Title: MANAGER

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May, 2019,
by Richard C. Krueger as Manager of **The Carroll
Krueger Company, LLC**, a Nebraska limited liability company, on behalf of the limited liability
company.

(Seal)



Jill D. Schuerman
Notary Public

"M&CT TRUSTEES"

Carlton W. Talcott, POA
Milton L. Talcott, Trustee

Carlton W. Talcott POA
Carol A. Talcott, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Milton L. Talcott, Trustee** of the Milton L. Talcott Revocable Trust.

(Seal)



Julie Denton
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Carol A. Talcott, Trustee** of the Carol A. Talcott Revocable Trust .

(Seal)



Julie Denton
Notary Public

"TALCOTT LAND"

Talcott Land & Cattle, Inc., a Nebraska corporation

Talcott Land & Cattle Inc
By: Carlton W. Talcott
Title: President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of May 2019, by Carlton W. Talcott, as President of **Talcott Land & Cattle, Inc.**, a Nebraska corporation, on behalf of the corporation.



(Seal)

Julie Denton
Notary Public

ATTACHMENT "A"
Property Legal Descriptions

Parcel 1 – Rokeby Holdings

Lots 22, 23, 24 and 28, Irregular Tracts located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 2 - Calruby

Lot 40, Irregular Tract located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 3 - CKC

Lots 10, 21 and 41, Irregular Tracts located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska.

Parcel 4 - SSAR

Lot 87, Irregular Tract located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 5 - M&CT

Lot 90, Irregular Tracts located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 6 – Lincoln Federal

Lot 1, Marquart Addition, Lancaster County, Nebraska

Parcel 7 - Lincoln Federal

Lot 2, Marquart Addition, Lancaster County, Nebraska

Parcel 8 - M&CT Trustees

Lots 35 and 36, Irregular Tracts located in the Northeast Quarter, Lots 32 & 70, Irregular Tracts located in the Southwest Quarter of Section 26, and Lots 31& 71, Irregular Tracts located in the Southeast Quarter, all in Section 26, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 9 - Talcott Land

Lot 36, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 10 - M. Talcott Trustee

North half of Lot 23, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 11 – CWT

Lot 1, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Lots 7 and 10, Irregular Tracts located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

Parcel 12 - Catholic Bishop

Lot 27, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

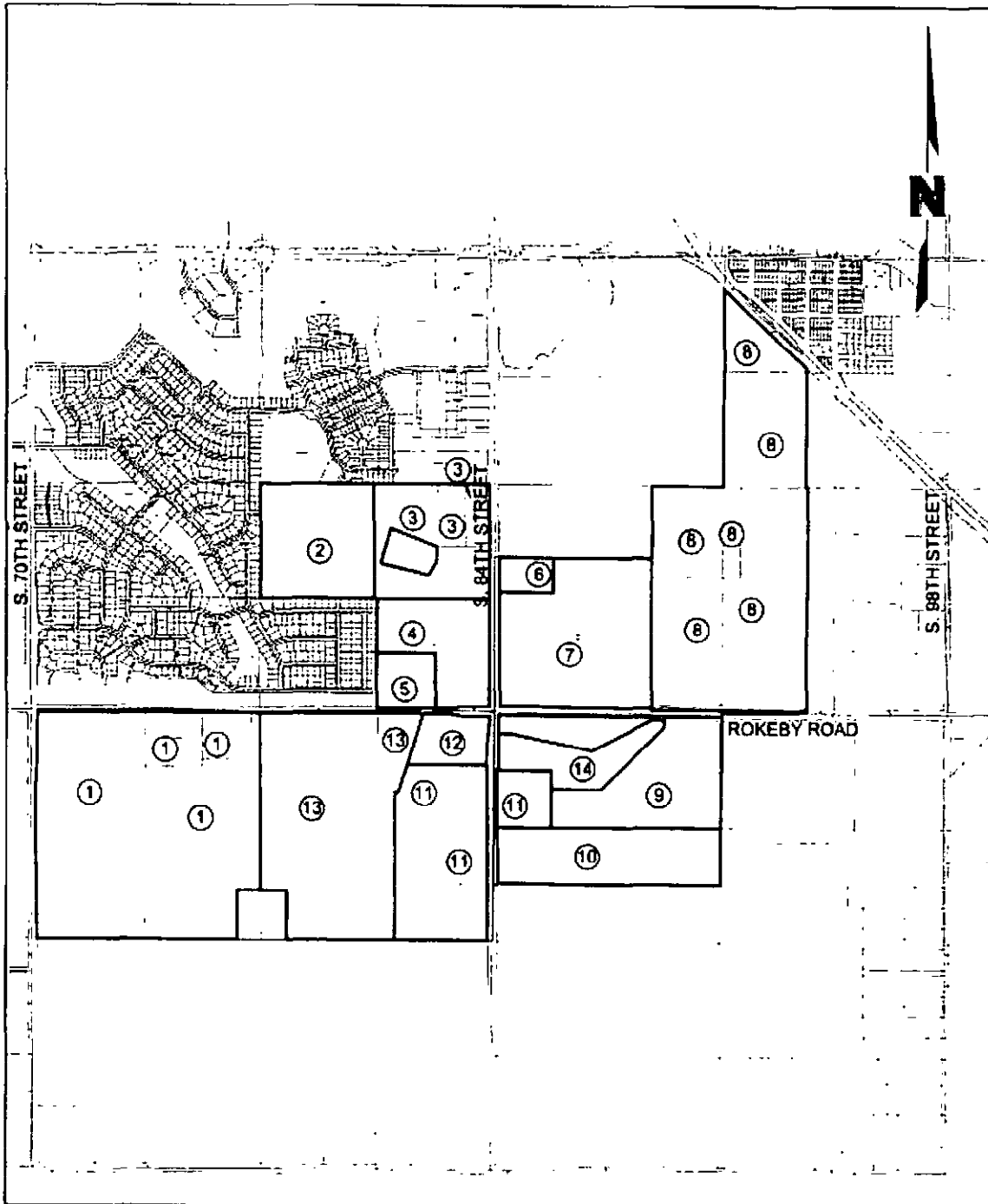
Parcel 13 – Southview

Lot 26, Irregular Tract located in the NE 1/4 of Section 34, T9N, R7E, of the 6th P.M. Lancaster County, Nebraska; and

Lot 25, Irregular Tract located in the NE ¼ of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska

Parcel 14 – Upper Wagon Train Drainage Association

Lot 35, Irregular Tract located in the NW ¼ of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska



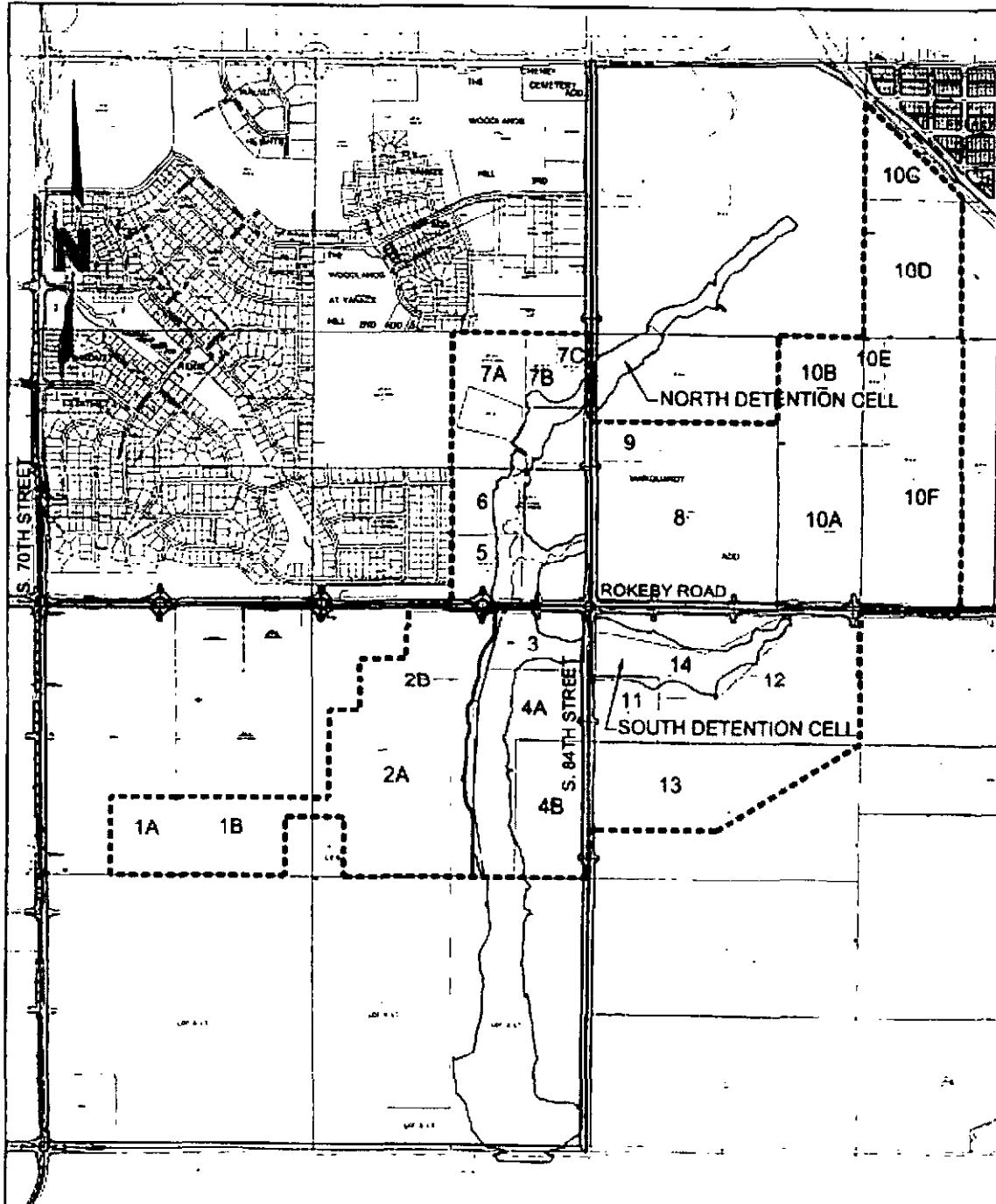
drawn by: jds
 checked by: -
 project no.: 2013-0288
 date: 12/18/2014

**PROPERTY LEGAL
 DESCRIPTIONS
 ROKEBY COALITION
 LINCOLN, NEBRASKA**


 Civil Design Group, Inc.
 9535 EXECUTIVE WOODS DR., SUITE 200
 LINCOLN, NEBRASKA 68517
 PH: 402-438-8838 FAX: 402-715-8747
 WWW.CIVILDG.COM
 CONSULTING ENGINEERS • LAND USE PLANNERS
 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

ATTACHMENT
A

ATTACHMENT "P"
MAP OF COALITION WATERSHED PROPERTY
AND REGIONAL DETENTION CELLS



ATTACHMENT "P"
COALITION WATERSHED PROPERTY
LEGAL DESCRIPTION

1. Legal Description of Rokeby Holdings Property:

1.A. A part of Lot 24 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter and on the South Line of Lot 24 Irregular Tracts on an assumed bearing of S 89°55'39" E for a distance of 680.18' to a point on the South Line of said Lot 24, said point being the Point of Beginning:

Thence N 00°04'21" E for a distance of 750.00'; Thence S 89°55'39" E for a distance of 635.50' to a point on the East Line of Lot 24 Irregular Tracts; Thence S 00°27'20" E, on the East Line of Lot 24 Irregular Tracts for a distance of 750.03' to the Southeast Corner of said Lot 24, said point also being on the South Line of the Northwest Quarter of Section 34; Thence N 89°55'39" W, on the South Line of Lot 24 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 642.41' to the Point of Beginning, and having a calculated area of 11.00 acres more or less.

1.B. A part of Lot 23 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter on an assumed bearing of S 89°55'39" E for a distance of 1322.59' to the Southwest Corner of Lot 23 Irregular Tracts, said point being the Point of Beginning:

Thence N 00°27'20" W, on the West Line of Lot 23 Irregular Tracts for a distance of 750.03';

Thence S 89°55'39" E for a distance of 1322.83' to a point on the East Line of Lot 23 Irregular Tracts said point also being on the East Line of the Northwest Quarter of Section 34;

Thence S 00°26'13" E, on the East Line of Lot 23 Irregular Tracts and on the East Line of the Northwest Quarter of Section 34 for a distance of 179.99' to the Northeast Corner of Lot 18 Irregular Tracts; Thence N 89°55'43" W, on the North Line of Lot 18 Irregular tracts for a distance of 260.93' to the Northwest Corner of said Lot 18;

Thence S 00°04'21" W, on the West Line of Lot 18 Irregular Tracts for a distance of 570.01' to the Southwest Corner of said Lot 18, said point also being the Southeast Corner of Lot 23 Irregular Tracts, said point also being on the South Line of the Northwest Quarter of Section 34;

Thence N 89°55'39" W, on the South Line of Lot 23 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 1056.59' to the Point of Beginning, and having a calculated area of 19.33 acres more or less.

2. Legal Description of Southview Property:

2A. A legal description of a tract of land being a part of Lot 25 Irregular Tracts, located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northeast Corner of the West Half of the Northeast Quarter of Section 34, thence South on the East Line of the West Half of the Northeast Quarter on an assumed bearing of S 00°06'16" E for a distance of 60.00' to a point on the Southerly 60.00' Right-of-way Line of Rokeby Rd., said point being the Northeast Corner of Lot 25 Irregular Tracts, said point also being the Point of Beginning:

Thence S 00°06'16" E, on the East Line of Lot 25 Irregular Tracts and on the East Line of the West Half of the Northeast Quarter of Section 34 for a distance of 2584.41' to the Southeast Corner of Lot 25 Irregular Tracts, said point also being the Southeast Corner of the West Half of the Northeast Quarter of Section 34; Thence N 89°55'43" W, on the South Line of Lot 25 Irregular Tracts and on the South Line of the Northeast Quarter of Section 34 for a distance of 1039.60' to the Southeast Corner of Lot 19 Irregular Tracts; Thence N 00°04'21" E, on the East Line of Lot 19 Irregular Tracts for a distance of 570.02' to the Northeast Corner of said Lot 19; Thence N 89°55'43" W, on the North Line of Lot 19 Irregular Tracts for a distance of 309.07' to the Northwest Corner of said Lot 19, said Point being on the West Line of Lot 25 Irregular Tracts, said point also being on the West Line of the Northeast Quarter of Section 34; Thence N 00°26'13" W, on the West Line of Lot 25 Irregular Tracts and on the West Line of the Northeast Quarter of Section 34 for a distance of 179.99'; Thence S 89°55'39" E for a distance of 160.67'; Thence N 00°04'21" E for a distance of 855.97'; Thence S 89°55'39" E for a distance of 300.00'; Thence N 00°04'21" E for a distance of 510.00'; Thence S 89°55'39" E for a distance of 450.00'; Thence N 00°04'21" E for a distance of 300.00'; Thence S 89°55'39" E for a distance of 18.13'; Thence N 00°04'21" E for a distance of 168.92' to a point on the North Line of Lot 25 Irregular Tracts, said point being on the southerly 60.00' Right-of-way Line of Rokeby Rd.; Thence S 89°51'50" E, on the North Line of Lot 25 Irregular Tracts and on the Southerly 60.00' Right-of-way Line of Rokeby Rd. for a distance of 413.49' to the Point of Beginning, and having a calculated area of 57.39 acres more or less.

2B. Lot 26, located in the NE 1/4 of Section 34, T9N, R7E, of the 6th P.M. Lancaster County, Nebraska

3. Legal Description of Catholic Bishop Property:

Lot 27, Irregular Tract located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

4. Legal Description of CWT Property:

4A. Lot 7, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

4B. Lot 10, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

5. Legal Description of M&CT Property:

Lot 90, Irregular Tracts located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

6. Legal Description of SSAR Property:

Lot 87, Irregular Tract located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

7. Legal Description of CKC Property:

7A. Lot 41, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7B. Lot 10, Located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7C. Lot 21, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

8. Legal Description of Lincoln Federal Property:

Lot 2 less Tract described in Instrument #2016-38146, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

9. Legal Description of Lincoln Federal Property:

Lot 1, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

10. Legal Description of M&CT Trustees Property:

10A. Lot 70, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10B. Lot 32, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10C. Lot 35, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10D. Lot 36, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10E. Lot 31, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10F. Lot 71, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

11. Legal Description of C. Talcott Property:

Lot 1, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

12. Legal Description of Talcott Land Property:

Lot 36, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

13. Legal Description of M. Talcott Trustee Property:

A portion of Lot 23, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska, legally described as follows:

Description of a 36.81 acre tract of land, said tract being located in Lot 23 of Irregular Tracts in the South half of the Northwest Quarter of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 23 of Irregular Tracts, said point being located 33.00' East of the West line of the South half of the Northwest Quarter of said section 35 and on the North line of the South half of the Northwest Quarter of said Section 35; thence in a Southerly direction on the West line of said Lot 23 of Irregular Tracts and on the East

Right-of-Way line of South 84th Street and on an assumed bearing of S 02°25'48" E, for a distance of 365.89' to a point on the Easterly 50.00' Right-of-Way line of South 84th Street;

Thence S 00°13'58" W on the Easterly Right-of-Way line of South 84th Street and on the West line of said Lot 23 of Irregular Tracts, for a distance of 483.64';

Thence S 89°46'02" E, for a distance of 1189.67';

Thence N 58°49'50" E, for a distance of 1629.15' to the Northeast corner of the South half of the Northwest Quarter of said Section 35 and the Northeast corner of said Lot 23

of Irregular Tracts;

Thence N 89°45'40" W on the North line of the South half of the Northwest Quarter of said Section 35 and the North line of said Lot 23 of Irregular Tracts, for a distance of 2597.20'

to the POINT OF BEGINNING and containing a calculated area of 36.81 acres, more or less.

14. Upper Wagon Train Drainage Association Property:

Lot 35, Irregular Tract located in the NW ¼ of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska

ATTACHMENT "R-1"
AMENDMENT TO THE
NONEXCLUSIVE STORMWATER DRAINAGE
AND DETENTION EASEMENT

Return filed document to:
Seacrest & Kalkowski, PC, LLO
1128 Lincoln Mall, Suite 105
Lincoln, NE 68508

AMENDMENT TO THE
NONEXCLUSIVE STORMWATER DRAINAGE AND DETENTION EASEMENT

WHEREAS, on September 28, 2017, the **City of Lincoln, Nebraska**, a mutual corporation ("Grantor"), granted a Nonexclusive Stormwater Drainage and Detention Easement which is filed of record with the Lancaster County Register of Deeds as Instrument No. 2017041416 ("Stormwater Easement") to **Rokeby Holdings, Ltd.**, a Nebraska limited partnership, **The Catholic Bishop of Lincoln**, a Nebraska non-profit corporation, **Carlton W. Talcott**, a single person, **Milton L. Talcott** and **Carol A. Talcott**, husband and wife, **SSAR, LLC**, a Nebraska limited liability company, **The Carroll Krueger Company, LLC**, a Nebraska limited liability company, **Lincoln Federal Bancorp, Inc.**, a corporation, **Milton L. Talcott, Trustee and Carol A. Talcott, Trustee**, and **Talcott Land & Cattle, Inc.**, a Nebraska corporation, collectively "Grantees", for their benefit and the benefit of their successors and assigns, for the benefit of the Coalition Watershed Property legally described on Exhibit "A" attached to and incorporated into the Stormwater Easement; and

WHEREAS, pursuant to Amendment No. 2 to the Annexation Agreement for Rokeby Road Coalition dated as of _____, 2019, and approved by Ordinance No. _____ ("Amendment to Annexation Agreement"), Grantor and Grantee have adjusted the legal description of the property included within the Coalition Watershed Property; and

WHEREAS, Grantor and Grantee desire to amend the Stormwater Easement to amend the legal description of the Coalition Watershed Property benefitting from the Stormwater Easement.

NOW THEREFORE, in consideration of the above and the covenants and conditions contained herein, the undersigned parties hereby agree to amend the Stormwater Easement to delete Exhibit "A" attached to the Stormwater Easement and replace it with Exhibit "A-1", which is attached hereto and incorporated herein by this reference, which adjusts the legal description of the Rokeby Holdings Property and Southview Property included within the Coalition Watershed Property.

IN WITNESS WHEREOF this Amendment has been executed on this ___ day of _____, 2019.

GRANTOR:

CITY OF LINCOLN, NEBRASKA,
a municipal corporation

By: _____
Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, Mayor of the **City of Lincoln, Nebraska**, a municipal corporation, on behalf of the municipal corporation.

(Seal)

Notary Public

GRANTEES:

“ROKEBY HOLDINGS”

ROKEBY HOLDINGS, LTD.,
a Nebraska limited partnership

By: Rokeby GP, LLC, a Nebraska limited liability company

By: Southview, Inc., a Nebraska corporation, Member

By: _____
Thomas G. Schleich, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this ____ day of _____, 2019, by Thomas G. Schleich, President of Southview, Inc., a Nebraska corporation, Member of Rokeby GP, LLC, a Nebraska limited liability company, General Partner of **Rokeby Holdings, Ltd.**, a Nebraska limited partnership, on behalf of the limited partnership.

Notary Public

“SOUTHVIEW”

SOUTHVIEW, INC., a Nebraska corporation, Member

By: _____
Thomas G. Schleich, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this ____ day of _____, 2019, by Thomas G. Schleich, President of **Southview, Inc.**, a Nebraska corporation, on behalf of the corporation.

Notary Public

“CATHOLIC BISHOP”

The Catholic Bishop of Lincoln, a Nebraska
nonprofit corporation

By: _____

Title: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by _____, _____ of **The Catholic Bishop of Lincoln**, a Nebraska nonprofit corporation, on behalf of the nonprofit corporation.

(Seal)

Notary Public

“CWT”

Carlton W. Talcott, a single person

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by **Carlton W. Talcott**, a single person.

(Seal)

Notary Public

“SSAR”

SSAR, LLC, a Nebraska limited liability company

By: _____
Title: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by _____, _____ of **SSAR, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.

(Seal)

Notary Public

“CKC”

The Carroll Krueger Company, LLC, a
Nebraska limited liability company

By: _____

Title: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019,
by _____ as _____ of **The Carroll
Krueger Company, LLC**, a Nebraska limited liability company, on behalf of the limited liability
company.

(Seal)

Notary Public

“LINCOLN FEDERAL”

Lincoln Federal Bancorp, Inc., a
corporation

By: _____
Title: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by _____, _____ of **Lincoln Federal Bancorp, Inc.**, a corporation, on behalf of the corporation.

(Seal)

Notary Public

“TALCOTT LAND”

Talcott Land & Cattle, Inc., a Nebraska corporation

By: _____
Title: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____ 2019, by _____, as _____ of **Talcott Land & Cattle, Inc.**, a Nebraska corporation, on behalf of the corporation.

(Seal)

Notary Public

Exhibit "A-1"

COALITION WATERSHED PROPERTY
LEGAL DESCRIPTION

1. Legal Description of Rokeby Holdings Property:

1.A. A part of Lot 24 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter and on the South Line of Lot 24 Irregular Tracts on an assumed bearing of S 89°55'39" E for a distance of 680.18' to a point on the South Line of said Lot 24, said point being the Point of Beginning:

Thence N 00°04'21" E for a distance of 750.00'; Thence S 89°55'39" E for a distance of 635.50' to a point on the East Line of Lot 24 Irregular Tracts; Thence S 00°27'20" E, on the East Line of Lot 24 Irregular Tracts for a distance of 750.03' to the Southeast Corner of said Lot 24, said point also being on the South Line of the Northwest Quarter of Section 34; Thence N 89°55'39" W, on the South Line of Lot 24 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 642.41' to the Point of Beginning, and having a calculated area of 11.00 acres more or less.

1.B. A part of Lot 23 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter on an assumed bearing of S 89°55'39" E for a distance of 1322.59' to the Southwest Corner of Lot 23 Irregular Tracts, said point being the Point of Beginning:

Thence N 00°27'20" W, on the West Line of Lot 23 Irregular Tracts for a distance of 750.03';

Thence S 89°55'39" E for a distance of 1322.83' to a point on the East Line of Lot 23 Irregular Tracts said point also being on the East Line of the Northwest Quarter of Section 34;

Thence S 00°26'13" E, on the East Line of Lot 23 Irregular Tracts and on the East Line of the Northwest Quarter of Section 34 for a distance of 179.99' to the Northeast Corner of Lot 18 Irregular Tracts; Thence N 89°55'43" W, on the North Line of Lot 18 Irregular tracts for a distance of 260.93' to the Northwest Corner of said Lot 18;

Thence S 00°04'21" W, on the West Line of Lot 18 Irregular Tracts for a distance of 570.01' to the Southwest Corner of said Lot 18, said point also being the Southeast Corner of Lot 23 Irregular Tracts, said point also being on the South Line of the Northwest Quarter of Section 34;

Thence N 89°55'39" W, on the South Line of Lot 23 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 1056.59' to the Point of Beginning, and having a calculated area of 19.33 acres more or less.

2. Legal Description of Southview Property:

2A. A legal description of a tract of land being a part of Lot 25 Irregular Tracts, located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northeast Corner of the West Half of the Northeast Quarter of Section 34, thence South on the East Line of the West Half of the Northeast Quarter on an assumed bearing of S 00°06'16" E for a distance of 60.00' to a point on the Southerly 60.00' Right-of-way Line of Rokeby Rd., said point being the Northeast Corner of Lot 25 Irregular Tracts, said point also being the Point of Beginning:

Thence S 00°06'16" E, on the East Line of Lot 25 Irregular Tracts and on the East Line of the West Half of the Northeast Quarter of Section 34 for a distance of 2584.41' to the Southeast Corner of Lot 25 Irregular Tracts, said point also being the Southeast Corner of the West Half of the Northeast Quarter of Section 34; Thence N 89°55'43" W, on the South Line of Lot 25 Irregular Tracts and on the South Line of the Northeast Quarter of Section 34 for a distance of 1039.60' to the Southeast Corner of Lot 19 Irregular Tracts; Thence N 00°04'21" E, on the East Line of Lot 19 Irregular Tracts for a distance of 570.02' to the Northeast Corner of said Lot 19; Thence N 89°55'43" W, on the North Line of Lot 19 Irregular Tracts for a distance of 309.07' to the Northwest Corner of said Lot 19, said Point being on the West Line of Lot 25 Irregular Tracts, said point also being on the West Line of the Northeast Quarter of Section 34; Thence N 00°26'13" W, on the West Line of Lot 25 Irregular Tracts and on the West Line of the Northeast Quarter of Section 34 for a distance of 179.99'; Thence S 89°55'39" E for a distance of 160.67'; Thence N 00°04'21" E for a distance of 855.97'; Thence S 89°55'39" E for a distance of 300.00'; Thence N 00°04'21" E for a distance of 510.00'; Thence S 89°55'39" E for a distance of 450.00'; Thence N 00°04'21" E for a distance of 300.00'; Thence S 89°55'39" E for a distance of 18.13'; Thence N 00°04'21" E for a distance of 168.92' to a point on the North Line of Lot 25 Irregular Tracts, said point being on the southerly 60.00' Right-of-way Line of Rokeby Rd.; Thence S 89°51'50" E, on the North Line of Lot 25 Irregular Tracts and on the Southerly 60.00' Right-of-way Line of Rokeby Rd. for a distance of 413.49' to the Point of Beginning, and having a calculated area of 57.39 acres more or less.

2B. Lot 26, located in the NE 1/4 of Section 34, T9N, R7E, of the 6th P.M. Lancaster County, Nebraska

3. Legal Description of Catholic Bishop Property:

Lot 27, Irregular Tract located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

4. Legal Description of CWT Property:

4A. Lot 7, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

4B. Lot 10, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

5. Legal Description of M&CT Property:

Lot 90, Irregular Tracts located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

6. Legal Description of SSAR Property:

Lot 87, Irregular Tract located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

7. Legal Description of CKC Property:

7A. Lot 41, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7B. Lot 10, Located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7C. Lot 21, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

8. Legal Description of Lincoln Federal Property:

Lot 2 less Tract described in Instrument #2016-38146, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

9. Legal Description of Lincoln Federal Property:

Lot 1, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

10. Legal Description of M&CT Trustees Property:

10A. Lot 70, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10B. Lot 32, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10C. Lot 35, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10D. Lot 36, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10E. Lot 31, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10F. Lot 71, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

11. Legal Description of C. Talcott Property:

Lot 1, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

12. Legal Description of Talcott Land Property:

Lot 36, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

13. Legal Description of M. Talcott Trustee Property:

A portion of Lot 23, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska, legally described as follows:

Description of a 36.81 acre tract of land, said tract being located in Lot 23 of Irregular Tracts in the South half of the Northwest Quarter of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 23 of Irregular Tracts, said point being located 33.00' East of the West line of the South half of the Northwest Quarter of said section 35 and on the North line of the South half of the Northwest Quarter of said Section 35; thence in a Southerly direction on the West line of said Lot 23 of Irregular Tracts and on the East

Right-of-Way line of South 84th Street and on an assumed bearing of S 02°25'48" E, for a distance of 365.89' to a point on the Easterly 50.00' Right-of-Way line of South 84th Street;

Thence S 00°13'58" W on the Easterly Right-of-Way line of South 84th Street and on the West line of said Lot 23 of Irregular Tracts, for a distance of 483.64';

Thence S 89°46'02" E, for a distance of 1189.67';

Thence N 58°49'50" E, for a distance of 1629.15' to the Northeast corner of the South half of the Northwest Quarter of said Section 35 and the Northeast corner of said Lot 23

of Irregular Tracts;

Thence N 89°45'40" W on the North line of the South half of the Northwest Quarter of said Section 35 and the North line of said Lot 23 of Irregular Tracts, for a distance of 2597.20'

to the POINT OF BEGINNING and containing a calculated area of 36.81 acres, more or less.

14. Upper Wagon Train Drainage Association Property:

Lot 35, Irregular Tract located in the NW ¼ of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska

ATTACHMENT "U"
NEXT PHASE PROPERTY

All of Lots 22 and 28 Irregular Tracts and a part of Lots 23 and 24 Irregular Tracts located in the Northwest Quarter and a part of Lot 25 Irregular Tracts located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northwest Corner of the Northwest Quarter of Section 34, thence East on the North Line of the Northwest Quarter on an assumed bearing of S 89°59'03" E for a distance of 1015.86'; Thence S 00°15'43" E for a distance of 60.00' to a point on the North Line of Lot 24 Irregular Tracts, said point being on the Southerly Right-of-way Line of Rokeby Rd., said point also being the Point of Beginning;

Thence S 00°15'43" E for a distance of 568.68';
Thence S 13°20'19" W for a distance of 300.22';
Thence S 71°25'48" E for a distance of 318.35';
Thence S 25°15'56" W for a distance of 651.34';
Thence S 00°04'21" W for a distance of 408.05';
Thence S 89°55'39" E for a distance of 1699.00';
Thence N 00°04'21" E for a distance of 1130.97';
Thence S 89°55'39" E for a distance of 300.00';
Thence N 00°04'21" E for a distance of 330.00';
Thence N 89°55'39" W for a distance of 176.43';
Thence N 00°08'10" E for a distance of 452.17' to a point on the North Line of Lot 25 Irregular Tracts, said point also being on the Southerly Right-of-way Line of Rokeby Rd.;
Thence on the Northerly Line of Lots 25, 23, 22, 28 and 24 Irregular Tracts and on the Southerly Right-of-way Line of Rokeby Rd. the following 17 courses:
S 46°32'05" W for a distance of 3.71';
Thence S 13°47'02" W for a distance of 48.00';
Thence S 00°08'16" W for a distance of 19.14';
Thence N 89°51'44" W for a distance of 80.00';
Thence N 08°59'51" W for a distance of 48.00';
Thence N 27°20'40" W for a distance of 40.00';
Thence N 46°17'50" W for a distance of 48.00';
Thence N 89°59'03" W for a distance of 1319.67';
Thence S 75°58'08" W for a distance of 54.97';
Thence S 56°59'39" W for a distance of 48.00';
Thence S 21°38'57" W for a distance of 56.00';
Thence S 00°15'48" E for a distance of 29.15';
Thence S 89°44'12" W for a distance of 66.00';
Thence N 12°52'38" W for a distance of 56.00';
Thence N 30°59'38" W for a distance of 40.00';
Thence N 47°55'53" W for a distance of 48.00';
Thence N 89°59'03" W for a distance of 58.84';
to the Point of Beginning, and having a calculated area of 76.76 acres more or less .

Return filed document to:
Seacrest & Kalkowski, PC, LLO
1128 Lincoln Mall, Suite 105
Lincoln, NE 68508

**AMENDMENT TO THE
NONEXCLUSIVE STORMWATER DRAINAGE AND DETENTION EASEMENT**

WHEREAS, on September 28, 2019, the **City of Lincoln, Nebraska**, a mutual corporation (“Grantor”), granted a Nonexclusive Stormwater Drainage and Detention Easement which is filed of record with the Lancaster County Register of Deeds as Instrument No. 2017041416 (“Stormwater Easement”) to **Rokeby Holdings, Ltd.**, a Nebraska limited partnership, **The Catholic Bishop of Lincoln**, a Nebraska non-profit corporation, **Carlton W. Talcott**, a single person, **Milton L. Talcott** and **Carol A. Talcott**, husband and wife, **SSAR, LLC**, a Nebraska limited liability company, **The Carroll Krueger Company, LLC**, a Nebraska limited liability company, **Lincoln Federal Bancorp, Inc.**, a corporation, **Milton L. Talcott, Trustee and Carol A. Talcott, Trustee**, and **Talcott Land & Cattle, Inc.**, a Nebraska corporation, collectively “Grantees”, for their benefit and the benefit of their successors and assigns, for the benefit of the Coalition Watershed Property legally described on Exhibit “A” attached to and incorporated into the Stormwater Easement; and

WHEREAS, pursuant to Amendment No. 2 to the Annexation Agreement for Rokeby Road Coalition dated as of May 13, 2019, and approved by Ordinance No. 20787 (“Amendment to Annexation Agreement”), Grantor and Grantee have adjusted the legal description of the property included within the Coalition Watershed Property; and

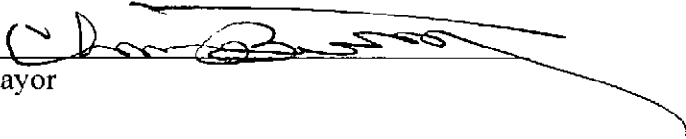
WHEREAS, Grantor and Grantee desire to amend the Stormwater Easement to amend the legal description of the Coalition Watershed Property benefitting from the Stormwater Easement.

NOW THEREFORE, in consideration of the above and the covenants and conditions contained herein, the undersigned parties hereby agree to amend the Storm Water Easement to delete Exhibit “A” attached to the Stormwater Easement and replace it with Exhibit “A-1”, which is attached hereto and incorporated herein by this reference, which adjusts the legal description of the Rokeby Holdings Property and Southview Property included within the Coalition Watershed Property.

IN WITNESS WHEREOF this Amendment has been executed on this 16th day of May, 2019.

GRANTOR:

CITY OF LINCOLN, NEBRASKA,
a municipal corporation

By: 
Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 16th day of May, 2019, by Chris Beutler, Mayor of the City of Lincoln, Nebraska, a municipal corporation, on behalf of the municipal corporation.

(Seal)




Notary Public

GRANTEES:

“ROKEBY HOLDINGS”

ROKEBY HOLDINGS, LTD.,
a Nebraska limited partnership

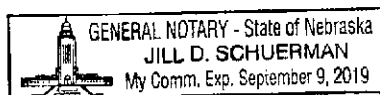
By: Rokeby GP, LLC, a Nebraska limited liability company

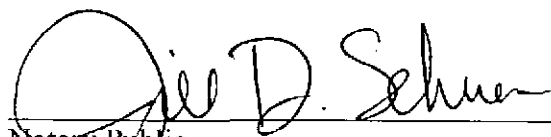
By: Southview, Inc., a Nebraska corporation, Member

By: 
Thomas G. Schleich, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 22nd day of April, 2019, by Thomas G. Schleich, President of Southview, Inc., a Nebraska corporation, Member of Rokeby GP, LLC, a Nebraska limited liability company, General Partner of **Rokeby Holdings, Ltd.**, a Nebraska limited partnership, on behalf of the limited partnership.




Notary Public

"M&CT"

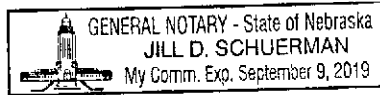
Carlton W. Talcott, POA
Milton L. Talcott, a married person

Carlton W. Talcott, POA
Carol A. Talcott, a married person

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 6th day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Milton L. Talcott**, a married person.

(Seal)

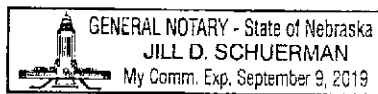


Jill D. Schuerman
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 6th day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Carol A. Talcott**, a married person.

(Seal)



Jill D. Schuerman
Notary Public

“SSAR”

SSAR, LLC, a Nebraska limited liability company

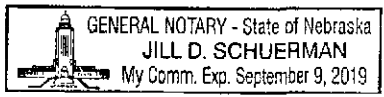
By: [Signature]

Title: Managing Member

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 1st day of May, 2019, by Sean Smether, Managing Member of SSAR, LLC, a Nebraska limited liability company, on behalf of the limited liability company.

(Seal)



[Signature]
Notary Public

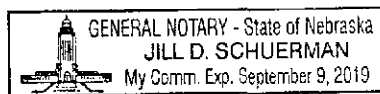
"M&CT TRUSTEES"

Carlton W. Talcott, POA
Milton L. Talcott, Trustee

Carlton W. Talcott, POA
Carol A. Talcott, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

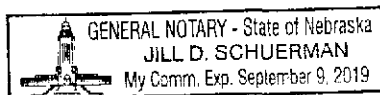
The foregoing instrument was acknowledged before me this 6th day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Milton L. Talcott, Trustee** of the Milton L. Talcott Revocable Trust.



Jill D. Schuerman
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 6th day of May, 2019, by Carlton W. Talcott, Power of Attorney for **Carol A. Talcott, Trustee** of the Carol A. Talcott Revocable Trust.



Jill D. Schuerman
Notary Public

Exhibit "A-1"

COALITION WATERSHED PROPERTY
LEGAL DESCRIPTION

1. Legal Description of Rokeby Holdings Property:

1.A. A part of Lot 24 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter and on the South Line of Lot 24 Irregular Tracts on an assumed bearing of S 89°55'39" E for a distance of 680.18' to a point on the South Line of said Lot 24, said point being the Point of Beginning:

Thence N 00°04'21" E for a distance of 750.00'; Thence S 89°55'39" E for a distance of 635.50' to a point on the East Line of Lot 24 Irregular Tracts; Thence S 00°27'20" E, on the East Line of Lot 24 Irregular Tracts for a distance of 750.03' to the Southeast Corner of said Lot 24, said point also being on the South Line of the Northwest Quarter of Section 34; Thence N 89°55'39" W, on the South Line of Lot 24 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 642.41' to the Point of Beginning, and having a calculated area of 11.00 acres more or less.

1.B. A part of Lot 23 Irregular Tracts, located in the Northwest Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of the Northwest Quarter of Section 34, thence East on the South Line of the Northwest Quarter on an assumed bearing of S 89°55'39" E for a distance of 1322.59' to the Southwest Corner of Lot 23 Irregular Tracts, said point being the Point of Beginning:

Thence N 00°27'20" W, on the West Line of Lot 23 Irregular Tracts for a distance of 750.03';

Thence S 89°55'39" E for a distance of 1322.83' to a point on the East Line of Lot 23 Irregular Tracts said point also being on the East Line of the Northwest Quarter of Section 34;

Thence S 00°26'13" E, on the East Line of Lot 23 Irregular Tracts and on the East Line of the Northwest Quarter of Section 34 for a distance of 179.99' to the Northeast Corner of Lot 18 Irregular Tracts; Thence N 89°55'43" W, on the North Line of Lot 18 Irregular tracts for a distance of 260.93' to the Northwest Corner of said Lot 18;

Thence S 00°04'21" W, on the West Line of Lot 18 Irregular Tracts for a distance of 570.01' to the Southwest Corner of said Lot 18, said point also being the

Southeast Corner of Lot 23 Irregular Tracts, said point also being on the South Line of the Northwest Quarter of Section 34;
Thence N 89°55'39" W, on the South Line of Lot 23 Irregular Tracts and on the South Line of the Northwest Quarter of Section 34 for a distance of 1056.59' to the Point of Beginning, and having a calculated area of 19.33 acres more or less.

2. Legal Description of Southview Property:

2A. A legal description of a tract of land being a part of Lot 25 Irregular Tracts, located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northeast Corner of the West Half of the Northeast Quarter of Section 34, thence South on the East Line of the West Half of the Northeast Quarter on an assumed bearing of S 00°06'16" E for a distance of 60.00' to a point on the Southerly 60.00' Right-of-way Line of Rokeby Rd., said point being the Northeast Corner of Lot 25 Irregular Tracts, said point also being the Point of Beginning:

Thence S 00°06'16" E, on the East Line of Lot 25 Irregular Tracts and on the East Line of the West Half of the Northeast Quarter of Section 34 for a distance of 2584.41' to the Southeast Corner of Lot 25 Irregular Tracts, said point also being the Southeast Corner of the West Half of the Northeast Quarter of Section 34;
Thence N 89°55'43" W, on the South Line of Lot 25 Irregular Tracts and on the South Line of the Northeast Quarter of Section 34 for a distance of 1039.60' to the Southeast Corner of Lot 19 Irregular Tracts; Thence N 00°04'21" E, on the East Line of Lot 19 Irregular Tracts for a distance of 570.02' to the Northeast Corner of said Lot 19; Thence N 89°55'43" W, on the North Line of Lot 19 Irregular Tracts for a distance of 309.07' to the Northwest Corner of said Lot 19, said Point being on the West Line of Lot 25 Irregular Tracts, said point also being on the West Line of the Northeast Quarter of Section 34; Thence N 00°26'13" W, on the West Line of Lot 25 Irregular Tracts and on the West Line of the Northeast Quarter of Section 34 for a distance of 179.99'; Thence S 89°55'39" E for a distance of 160.67'; Thence N 00°04'21" E for a distance of 855.97'; Thence S 89°55'39" E for a distance of 300.00'; Thence N 00°04'21" E for a distance of 510.00'; Thence S 89°55'39" E for a distance of 450.00'; Thence N 00°04'21" E for a distance of 300.00'; Thence S 89°55'39" E for a distance of 18.13'; Thence N 00°04'21" E for a distance of 168.92' to a point on the North Line of Lot 25 Irregular Tracts, said point being on the southerly 60.00' Right-of-way Line of Rokeby Rd.;
Thence S 89°51'50" E, on the North Line of Lot 25 Irregular Tracts and on the Southerly 60.00' Right-of-way Line of Rokeby Rd. for a distance of 413.49' to the Point of Beginning, and having a calculated area of 57.39 acres more or less.

2B. Lot 26, located in the NE 1/4 of Section 34, T9N, R7E, of the 6th P.M. Lancaster County, Nebraska

3. Legal Description of Catholic Bishop Property:

Lot 27, Irregular Tract located in the Northeast Quarter of Section 34, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

4. Legal Description of CWT Property:

4A. Lot 7, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

4B. Lot 10, located in the NE 1/4 of Section 34, Township 9N, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

5. Legal Description of M&CT Property:

Lot 90, Irregular Tracts located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

6. Legal Description of SSAR Property:

Lot 87, Irregular Tract located in the Southeast Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

7. Legal Description of CKC Property:

7A. Lot 41, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7B. Lot 10, Located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

7C. Lot 21, located in the SE 1/4, Section 27, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

8. Legal Description of Lincoln Federal Property:

Lot 2 less Tract described in Instrument #2016-38146, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

9. Legal Description of Lincoln Federal Property:

Lot 1, Marquardt Addition, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County Nebraska

10. Legal Description of M&CT Trustees Property:

10A. Lot 70, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10B. Lot 32, located in the SW 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10C. Lot 35, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10D. Lot 36, located in the NE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10E. Lot 31, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

10F. Lot 71, located in the SE 1/4, Section 26, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

11. Legal Description of C. Talcott Property:

Lot 1, Irregular Tracts located in the Northwest Quarter of Section 35, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

12. Legal Description of Talcott Land Property:

Lot 36, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska

13. Legal Description of M. Talcott Trustee Property:

A portion of Lot 23, located in the NW 1/4, Section 35, Township 9 North, Range 7 East, of the 6th P.M. Lancaster County, Nebraska, legally described as follows:

Description of a 36.81 acre tract of land, said tract being located in Lot 23 of Irregular Tracts in the South half of the Northwest Quarter of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 23 of Irregular Tracts, said point being located 33.00' East of the West line of the South half of the Northwest Quarter of said section 35 and on the North line of the South half of the Northwest Quarter of said Section 35; thence in a Southerly direction on the West line of said Lot 23 of Irregular Tracts and on the East

Right-of-Way line of South 84th Street and on an assumed bearing of S 02°25'48" E, for a distance of 365.89' to a point on the Easterly 50.00' Right-of-Way line of South 84th Street;

Thence S 00°13'58" W on the Easterly Right-of-Way line of South 84th Street and on the West line of said Lot 23 of Irregular Tracts, for a distance of 483.64';

Thence S 89°46'02" E, for a distance of 1189.67';

Thence N 58°49'50" E, for a distance of 1629.15' to the Northeast corner of the South half of the Northwest Quarter of said Section 35 and the Northeast corner of said Lot 23 of Irregular Tracts;

Thence N 89°45'40" W on the North line of the South half of the Northwest Quarter of said Section 35 and the North line of said Lot 23 of Irregular Tracts, for a distance of 2597.20'

to the POINT OF BEGINNING and containing a calculated area of 36.81 acres, more or less.

14. Upper Wagon Train Drainage Association Property:

Lot 35, Irregular Tract located in the NW ¼ of Section 35, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska

ORDINANCE NO. 20787

AN ORDINANCE: Approving Amendment No. 2 to the Annexation Agreement for the Rokeby Road Coalition between the City, Rokeby Holdings, Ltd., the Catholic Bishop of Lincoln, Carlton W. Talcott, Milton L. and Carol A. Talcott, SSAR, LLC, Calruby, LLC, the Carroll Krueger Company, LLC, Lincoln Federal Bancorp, Inc., Milton L. Talcott, Trustee and Carol A. Talcott, Trustee, Talcott Land & Cattle, Inc., Southview, Inc., and Milton L. Talcott, Trustee to reflect the adjustments to the property located within the Wagon Train Watershed on property generally located at South 70th Street and Rokeby Road. (Related Items: 19-47, 19-48, 19-53)

Read First Time April 29, 2019
Read Second Time May 6, 2019
Read Third Time May 13, 2019
Passed May 13, 2019
Published in Lincoln Journal Star
on May 24, 2019

CERTIFICATE

State of Nebraska)
) ss
County of Lancaster)

I, the undersigned, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the within ordinance is the original Ordinance No. 20787 as passed by the City Council of said City, as indicated above, and as approved by the Mayor of said City and as the same appears of record in my office and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska this 16th day of May, 2019.

Teresa J. Medda
City Clerk of Lincoln, Nebraska

