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CITY OF LINCOLN
EXECUTIVE ORDER

NO. 091366

BY VIRTUE OF THE AUTHORITY VESTED IN ME by the Charter of the City of

Lincoln, Nebraska:

The attached Agreement to Release and Relinquish For Annexation between Rural Water District No. 1, Lancaster County, Nebraska ("RWD"), and the City of Lincoln, Nebraska wherein the RWD, pursuant to the October 3, 2013 Agreement between the RWD and the City, agrees to release of City owned property within the boundaries of the RWD in exchange for payment to the RWD for the loss of water revenue from existing or potential customers annexed into the City, is hereby approved, and I have executed said Agreement on behalf of the City of Lincoln, Nebraska.

The City Clerk is directed to return one fully executed original of the Agreement to Jocelyn Golden, City Law Department, for transmittal to Rural Water District No. 1, Lancaster County, Nebraska.

Dated this 14th day of December, 2017.

Chris Beutler, Mayor of Lincoln

Approved as to Form & Legality:

Law Department
Planning Department

AGREEMENT TO RELEASE AND RELINQUISH FOR ANNEXATION

This Agreement to Release and Relinquish for Annexation ("Agreement") is entered into by and between Rural Water District No. 1, Lancaster County, Nebraska, a rural water district formed under the provisions of Neb. Rev. Stat. §46-1001 et seq. ("RWD") and the City of Lincoln, Nebraska ("City").

RECITALS

A. City has initiated the process and proposal of annexing land located within the boundaries of RWD ("City Annexation") described on Exhibits "A" and "B," which are attached hereto, made a part hereof and hereinafter refer to as the "Property".

B. The Property is located within the boundaries of the RWD pursuant to the Resolution of the Lancaster County Board on May 8, 1973 and by Resolution of the Lincoln City Council on April 16, 1973.

C. Pursuant to the provisions of 7 U.S.C. 1926(b) and prior to the annexation of the Property, the RWD adopted a policy allowing for release of geographical areas within the boundaries of the RWD in exchange for payment compensating the RWD for its loss of revenue from existing or potential customers annexed into the City.

D. On October 3, 2013, RWD and City entered into an agreement, authorized by Lincoln City Council Ordinance No. 87575, regarding the payment of annexation fees at the time parcels of land located within the corporate boundaries of the RWD are annexed into the City, hereinafter referred to as the "City/RWD Annexation Agreement" which is incorporated herein by reference as though fully set out.

E. RWD and City have agreed to enter into this Agreement pursuant to the City/RWD Annexation Agreement in anticipation that the City approves the annexation of the Property into the City.

NOW THEREFORE, in consideration of mutual promises and covenants made herein, RWD and City agree as follows:

1. The Property is made up of 14 parcels separately numbered and identified by Parcel Identification Number as shown on Exhibit "C" which is attached hereto and made a part hereof.

2. City agrees that in the event the City Annexation is approved, City will compensate RWD for its loss of revenue resulting from the City Annexation pursuant to the terms of the City/RWD Annexation Agreement.

3. The owner of Parcel 1 as shown on Exhibit "C" is not a customer of RWD. City's obligation to compensate RWD for the annexation of Parcel 1 will be governed under Section 3(b) of the City/RWD Agreement.

4. The owners of Parcels 2 through 14 as shown on Exhibit "C" are existing customers of RWD. City's obligation to compensate RWD for the annexation of Parcels 2 through 14 will be governed by Section 3(c) of the City/RWD Agreement, which provides for reduction of the annexation fee payable to RWD during such time as the owner of any parcel annexed into City remains a customer of RWD.

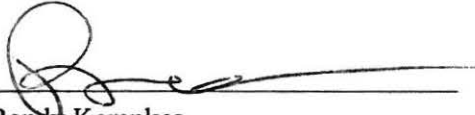
5. Upon approval of the City Annexation, RWD shall deliver to City a fully executed and acknowledged Certificate of Release and Relinquishment referencing those parcels making up the Property that have been annexed into City, which certificate shall be recorded with the office of Register of Deeds of Lancaster County, Nebraska and indexed against those parcels annexed into City.

6. This Agreement shall be binding upon and inure to the benefit of the respective parties and their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused to be executed by their duly authorized officers or agents this Agreement on the dates set out beside the signature of their respective authorized officers or agents.

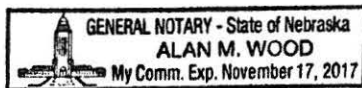
RURAL WATER DISTRICT NO. 1,
LANCASTER COUNTY, NEBRASKA

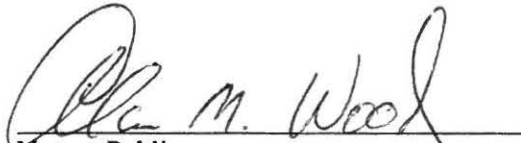
Date: 10-11-17

By: 
Randy Kempkes
Chairman of the Board of Directors

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 11th day of October, 2017, by Randy Kempkes, Chairman of the Board of Directors of Rural Water District No. 1, Lancaster County, Nebraska on behalf of the Rural Water District.




Notary Public

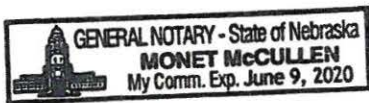
CITY OF LINCOLN, NEBRASKA

Date: 12/14/17

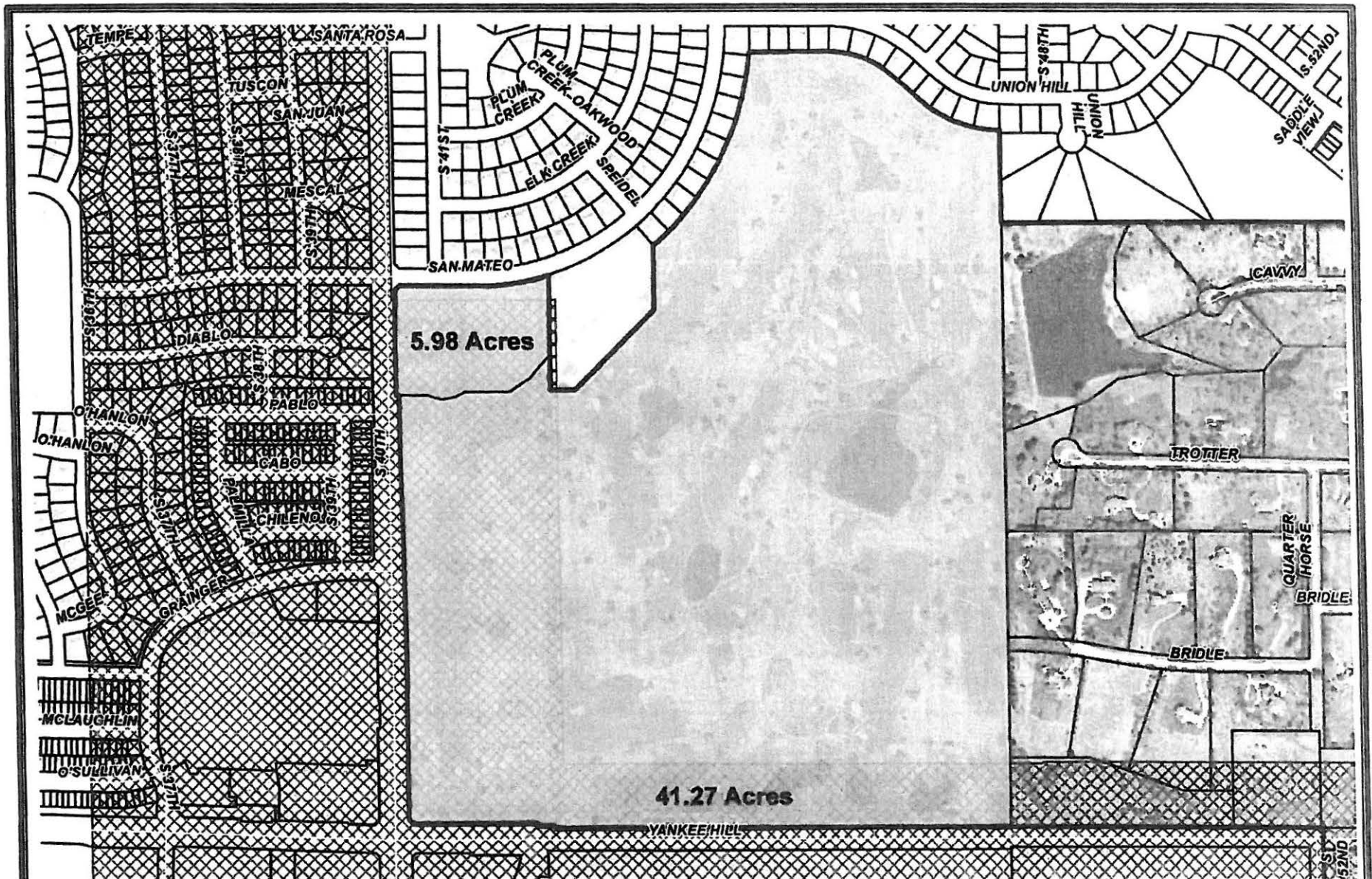
By: [Signature]
Chris Beutler, Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing was acknowledged before me this 14th day of December, 2017
by Chris Beutler, Mayor of the City of Lincoln on behalf of the City of Lincoln.




[Signature]
Notary Public



2017 ANNEXATION STUDY (Area F)

-  2040 Future Service Limit
-  Current City Limits

-  Annexation Subareas
- Dwelling Units = 1

Lancaster County Rural Water District No. 1

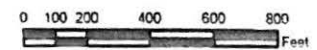
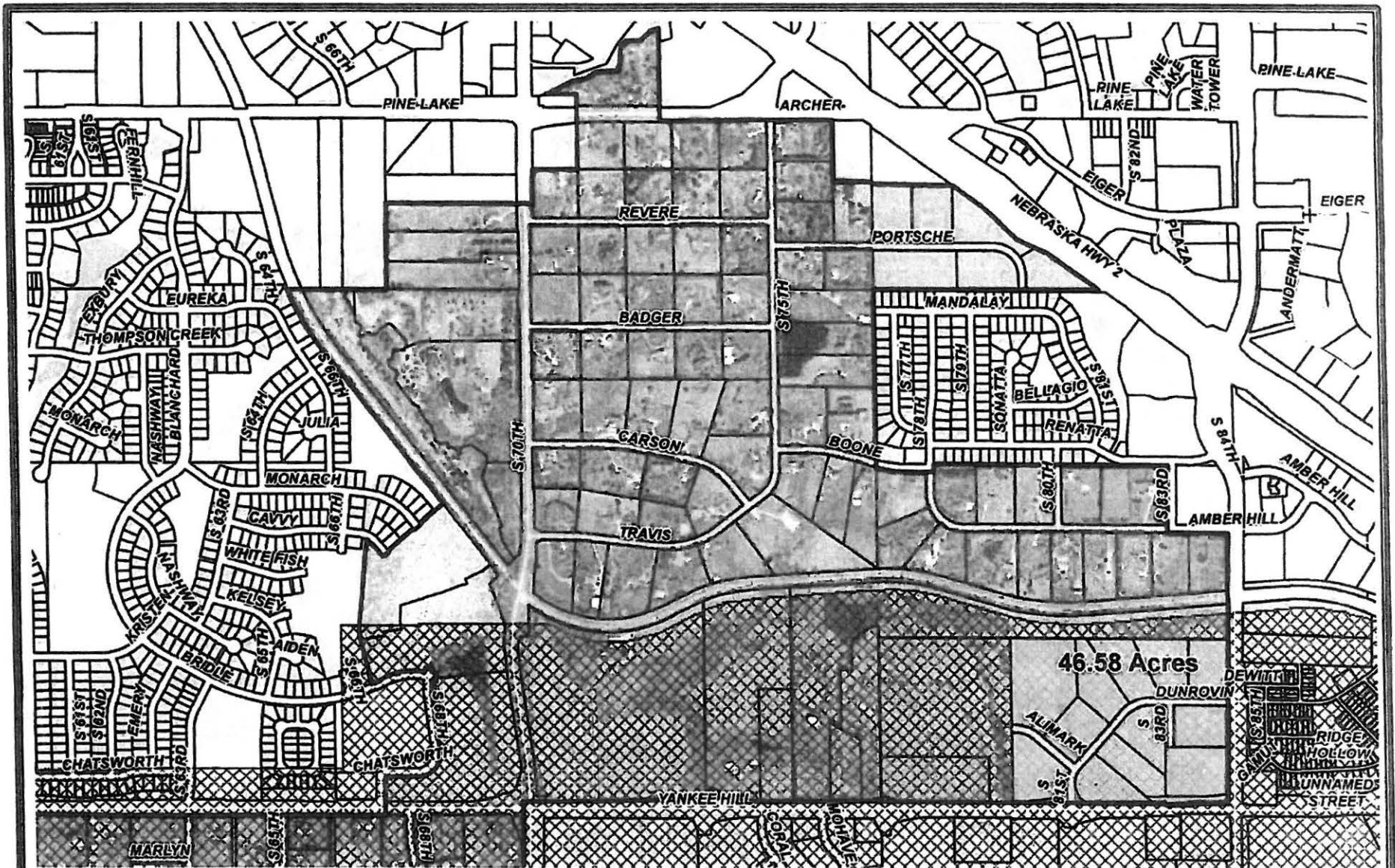






EXHIBIT "A"



2017 ANNEXATION STUDY (Area E)

-  2040 Future Service Limit
-  Current City Limits
-  Parcel Boundary

 Annexation Subareas (Includes Road ROW)
 Dwelling Units = 18
 Lancaster County Rural Water District No. 1

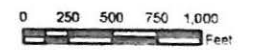


EXHIBIT "B"

EXHIBIT "C"

PARCEL DESCRIPTIONS

1. Parcel Id No. 16-20-301-001-000. Lot 1, Speidel Addition (5.98 acres)
2. Parcel Id No. 16-20-302-001-000. Lot 2, Speidel 1st Addition (41.27 acres)
3. Parcel Id No. 16-22-400-002-000. Lot 74, Section 22, Township 9 Range 7, Lancaster County, Nebraska.
4. Parcel Id No. 16-22-409-001-000. Lot 1, Block 4, Dunrovin Acres.
5. Parcel Id No. 16-22-410-003-000. Lot 3, Block 1, Dunrovin Acres 1st Addition, except part to City for Right-of-Way.
6. Parcel Id No. 16-22-410-002-000. Lot 2, Block 1, Dunrovin Acres 1st Addition, except party to City for Right-of-Way.
7. Parcel Id No. 16-22-410-001-000. Lot 1, Block 1, Dunrovin Acres 1st Addition.
8. Parcel Id No. 16-22-414-001-000. Lot 1, Block 2, Dunrovin Acres 2nd Addition.
9. Parcel Id No. 16-22-415-001-000. Lot 1, Block 1, Dunrovin Acres 3rd Addition.
10. Parcel Id No. 16-23-413-001-000. Lot 1, Block 1, Dunrovin Acres 2nd Addition.
11. Parcel Id No. 16-22-406-001-000. Lot 1, Block 1, Dunrovin Acres.
12. Parcel Id No. 16-22-406-002-000. Lot 2, Block 1, Dunrovin Acres.
13. Parcel Id No. 16-22-406-003-000. Lot 3, Block 1, Dunrovin Acres.
14. Parcel Id No. 16-22-411-001-000. Lot 1, Block 2, Dunrovin Acres 1st Addition.