



EXHIBIT "A"

Harry Kroos  
Senior Engineering Specialist  
City of Lincoln  
531 Westgate Blvd,  
STE 100  
Lincoln, NE 68528

Dear Mr. Kroos:

Kinport, a Nebraska Corporation, is seeking an Occupancy of Public Property permit for the building commonly known as the Arbor Day Foundation Building. The Building is located at 211 North 12<sup>th</sup> Street in Lincoln.

LEGAL DESCRIPTION:

NATIONAL ARBOR DAY CONDOMINIUM, FIRST AMENDMENT UNIT 2 (47% ALLOCATED INT)

PROPERTY ID:

10-23-424-006-005

OBJECTIVE:

To provide a safe secure second means of egress to a new roof top structure being constructed on the southwest corner of the Kinport condominium. The rooftop structure is being constructed by Qdoba Mexican Grill as part of their leasable space. The new structure will overlook P Street providing a unique dining experience for Lincoln patrons. This new addition to P Street will bring something unique and different to our downtown district. This will be the first Downtown rooftop eating structure in Lincoln.

SCOPE OF WORK:

1. Construct a roof top structure for dining as part of the Qdoba Mexican Grill Restaurant
  - a. See: Exhibit A [Schematic Construction Drawings]
2. Provide a second means of egress off the roof in case of emergency situation(s)
  - a. Build an exterior walkway from the roof top structure located on the southwest corner to the northwest exterior wall of the building.
  - b. Build an exterior stair case from the northwest corner off of the exterior walkway to the ground below approximate one (1) story of vertical travel.
    - i. The exterior staircase shall be designed and engineered by professionals with approved drawings from the City of Lincoln's Building and Safety Department
    - ii. The exterior staircase will be mounted to the north wall of the National Arbor Day Foundation Building.
    - iii. The staircase shall be constructed to meet all minimums in width to meet the National Fire Code for egress. The estimated width shall not be greater than 4'-0"



- iv. The stair shall be constructed of power-coated steel welded and cold fastened.
- v. Proper footings and foundations shall be designed and installed to bear the weight of the staircase
- vi. The staircase shall be designed to prevent any intrusion or access to the roof. The staircase shall only be used in case of emergency providing an exit only use. No access shall be permitted or allowed from grade to roof.
- vii. Landlord shall maintain and keep both exterior staircase and exterior walkway in good working condition. Landlord shall do a quarterly review and maintenance of both the stair and walkway and shall repair or replace all items necessary to keep in good working conditions for safe use.

**CHAPTER 14.54 REQUIREMENTS**

**14.54.040 – Bond and Public Liability Insurance**

- 1. Landlord shall provide all necessary bonds and liability insurance
  - a. Bond to be provided upon approval of egress staircase
  - b. See: Exhibit B (Insurance certificate)

**14.54.060 – Interference with Sewer, Gas, or Water Pipes**

- 1. Exterior staircase shall not interfere will any city utilities
  - a. Kinport shall coordinate with City to verify that egress stair case shall not affect utilities.

**14.54.090 – Rental Fee for Space**

- 1. The estimated rental fee shall be \$117.50
  - a. Egress stair case is 47'-0" x 5'-0" = \$.50 per square foot

**CLOSING**

Kinport Corporation, a WRK LLC affiliate, appreciates the opportunity and consideration for the use of the City of Lincoln's public space. Qdoba, Kinport Corporation, and The National Arbor Day Foundation have been working closely in collaboration to make this a great project for Downtown Lincoln. We look forward to the start of this project and the unique amenity that will be created. Please do not hesitate to call us with any questions or comments. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'William D. Scott', is written over a white background.

William D. Scott  
Manager

Enclosure(s) Four  
Exhibits A, B





PROJECT NO. 1516  
 DATE: 02/23/10  
 SHEET 027

RF PATIO SCHEDULING  
 718 S.F.  
 62 SEAT  
 16 PATIO SEAT

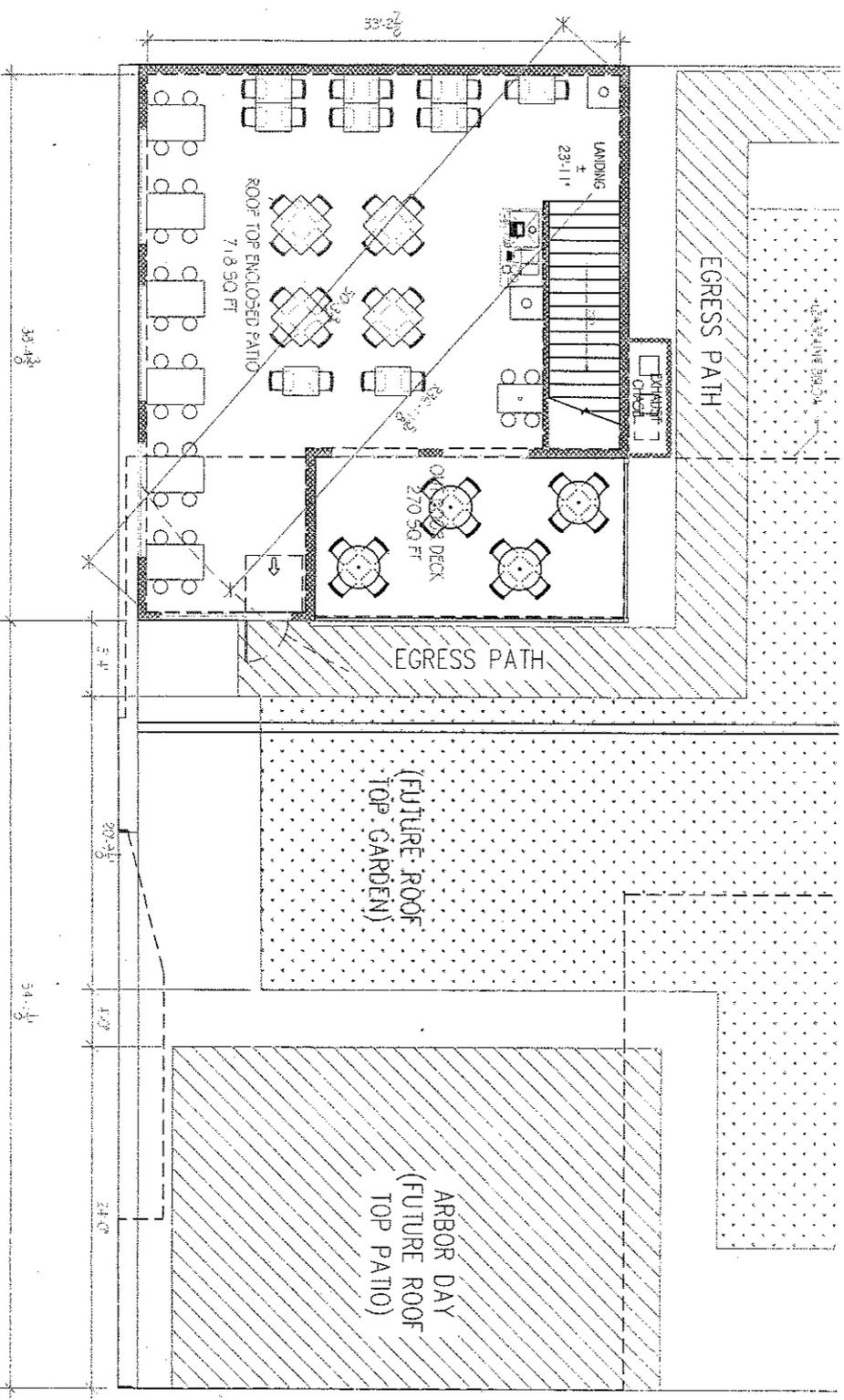
**Spokane**  
 2111 N 12TH STREET  
 LINCOLN, WA 99003

CONTRACT NO. 1516  
 SCALE 1/8" = 1'-0"



Schematic

PROJECT NO. 1516  
 DATE: 02/23/10  
 SHEET 027



027

DATE: 02/28/18  
PROJECT: 027

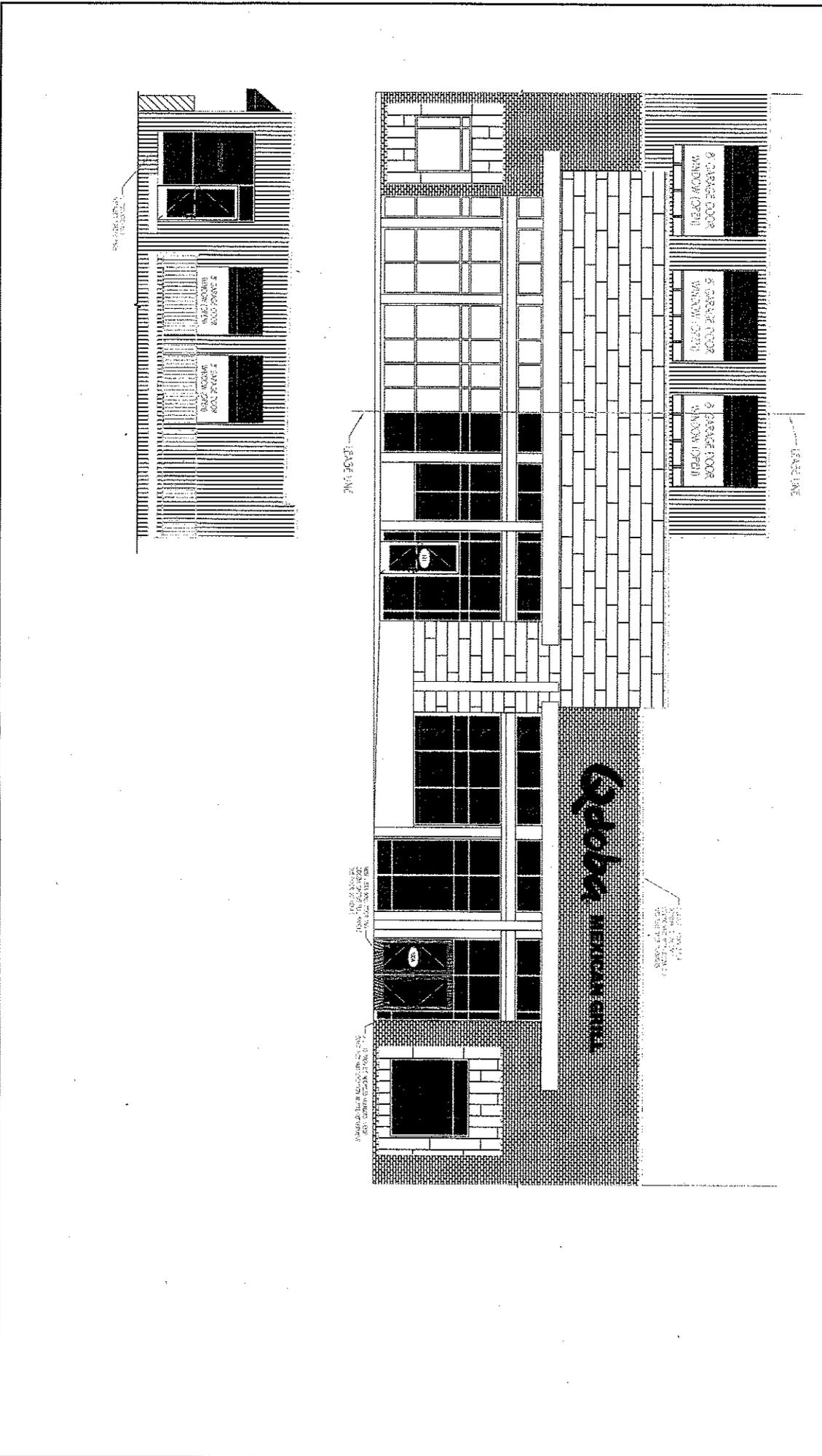
**Quobba**  
211 N 12TH STREET  
LINCOLN, NE 68508

DATE: 02/28/18  
SCALE: 1/4" = 1'-0"

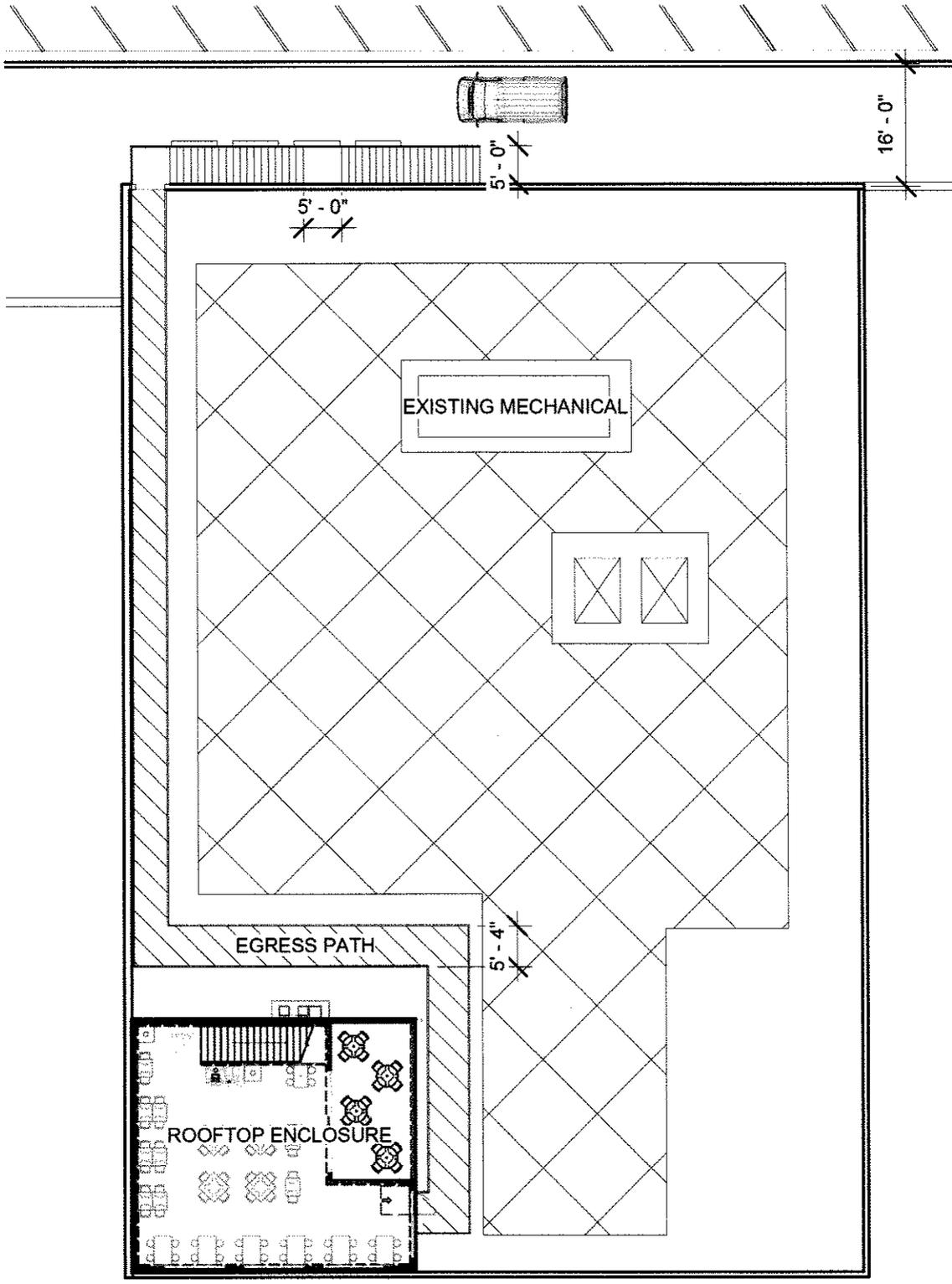


Schematic

1010 S 10TH STREET  
LINCOLN, NE 68508  
TEL: 402.478.1111  
WWW.QUOBBA.COM



027



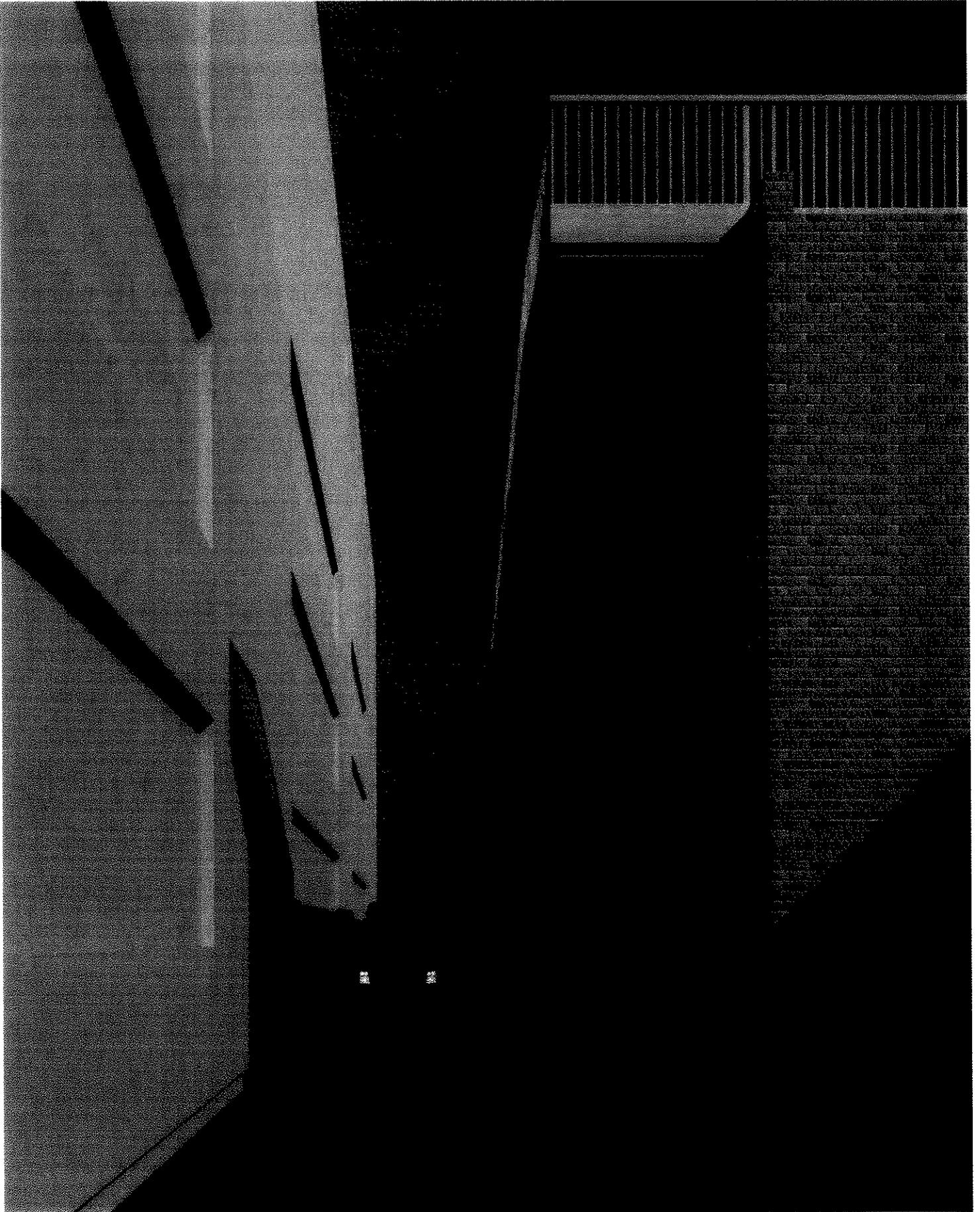
○ Top Elevation  
1" = 20'-0"

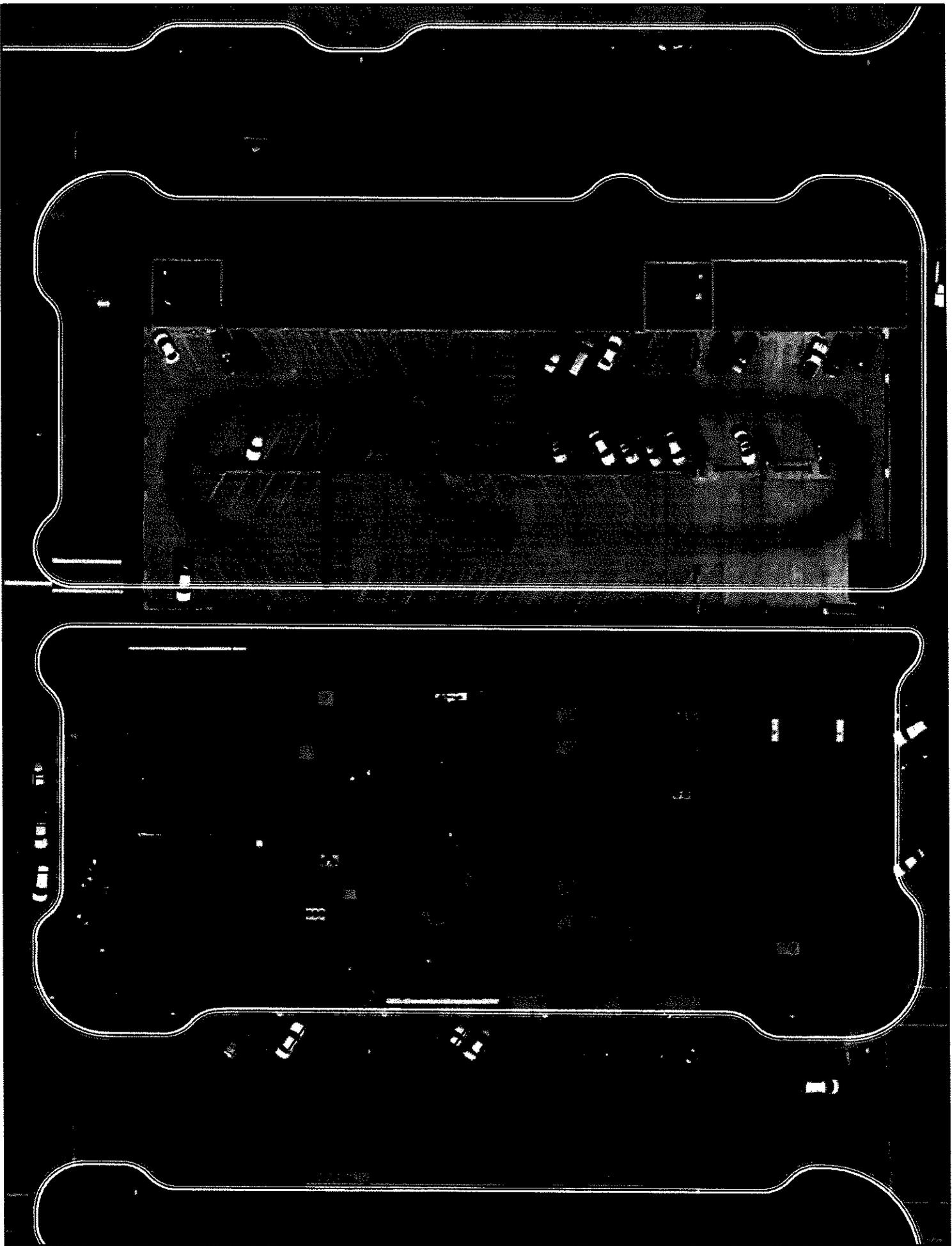


WRK, LLC.  
Arbor Day Alley

**Alley Elevation**

Project number	001	<b>A103</b>
Date	4-16-10	
Drawn by	DRS	
Checked by	DRS	
Scale		1" = 20'-0"







# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
04/15/2010

<b>PRODUCER</b> GARY THOMPSON AGENCY INC PO BOX 445 RED CLOUD, NE 68970 - 0445	<b>THIS CERTIFICATION 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.</b>												
<b>INSURED</b> KINPORT CORPORATION 211 N 12TH ST LINCOLN, NE 68508 - 1411	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURERS AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: DEPOSITORS INSURANCE COMPANY</td> <td>42587</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: DEPOSITORS INSURANCE COMPANY	42587	INSURER B:		INSURER C:		INSURER D:		INSURER E:	
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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	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS								
A	X	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	ACP BPFD 7204306836	12/16/2009	12/16/2010	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$								
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$								
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$								
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$								
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">WC STATU-TORY LIMITS</td> <td style="width: 50%;">OTH-ER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	WC STATU-TORY LIMITS	OTH-ER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$
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E.L. DISEASE - POLICY LIMIT	\$													
		<b>OTHER</b>												

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**

City of Lincoln Nebraska is named as an additional insured for General Liability, as required by written contract, in accordance with policy terms, conditions and exclusions for use of public space for the building at 211 N. 12th Street in Lincoln, NE 68508.

### CERTIFICATE HOLDER

City of Lincoln  
 555 S 10 ST  
 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 30 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  
 John R. Thompson