

Lancaster County

BOARD OF ZONING

APPEALS AGENDA

BOARD OF ZONING APPEALS

Tai Pleasant
James Pinkerton
Joe Shaw
Matthew Warner
Ed Woepfel

February 14, 2025

COUNTY BOARD OF ZONING APPEALS

NOTICE: Notice is hereby given that the County Board of Zoning Appeals will hold a public hearing on Friday, **February 14, 2025** at **2:30 p.m.**, in the City Council Chambers, 555 South 10th Street, County-City Building, Lincoln, Lancaster County, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

AGENDA

February 14, 2025

1. Approval of minutes of the County Board of Zoning Appeals meeting held August 11, 2023.
2. Approval of minutes of the County Board of Zoning Appeals meeting held September 13, 2024.

PUBLIC HEARING AND ACTION:

3. **BOARD OF ZONING APPEALS 25001** requested by Roland Meyer, for a variance to reduce the minimum lot area requirement from 20 acres to 17 acres, on a property generally located at S 148th Street and Hooper Road.

The County Board of Zoning Appeals agenda may be accessed on the Internet at <http://www.lincoln.ne.gov/city/plan/bdscom/cbza/index.htm>

MEETING RECORD

Advanced public notice of the County Board of Zoning Appeals meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Thursday, August 3, 2023.

NAME OF GROUP:	COUNTY BOARD OF ZONING APPEALS
DATE, TIME AND PLACE OF MEETING:	Friday, August 11, 2023, 2:30 p.m., County-City Building, City Council Chambers, 555 S. 10 th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Jeff Frack, Jim Pinkerton, Tai Pleasant and Ed Woeppel. Matt Warner absent.
OTHERS IN ATTENDANCE	Tom Cajka and Clara McCully of the Planning Dept.; John Ward of County Attorney's Office; and other interested parties
STATED PURPOSE OF MEETING:	Regular County Board of Zoning Appeals Meeting

Chair Woeppel opened the meeting and acknowledged the posting of the Open Meetings Act in the room.

Woeppel then called for a motion approving the minutes of the regular meeting held March 10, 2023. Motion for approval made by Frack, seconded by Pinkerton and carried 4-0: Frack, Pinkerton, Pleasant and Woeppel voting 'yes'; Warner absent.

COUNTY BOARD OF ZONING APPEALS 23005

REQUESTED BY ANDRE AND ERIN ORDUNA, FOR A VARIANCE TO LOT AREA AND FRONT YARD SETBACK, ON PROPERTY GENERALLY LOCATED AT 8401 SOUTH 162ND STREET.

PUBLIC HEARING: August 11, 2023

Members present: Frack, Pinkerton, Pleasant and Woeppel. Warner absent.

There were no ex parte communications disclosed.

APPLICANT:

Erin Oduna, 8401 S. 162nd Street, Bennet, NE 68317 stated she did not receive the resolution from the previous hearing for the same appeal and was unaware they needed to file the resolution. She stated the gentlemen at the December 9, 2022 Board meeting told her she could pull a permit directly following the hearing. In the situation related to this appeal, the required protocol was not appropriately followed by the County with no responsibility assigned to the oversight. In this instance where the citizen was at fault it was accompanied by additional financial burden and significant time delays. The house is unsafe to live in. It has been in her possession since October of 2022, is not up to code, and she is unable to get a permit to fix the house without a filed resolution. The Register of deeds and County Clerk should correct mistakes, follow through on resolutions or help citizens.

STAFF QUESTIONS:

Tom Cajka, Planning Department, 555 South 10th Street stated this is an unusual circumstance. This is the same application from last December. The issue is there's a regulation in the zoning code that says the resolution must be filed by the applicant appellant within 60 days of approval. The applicant was sent a letter and the department has a copy, which is dated December 12, 2022. He is unable to prove if it was lost in the mail or if it was ever sent. The letter outlines the regulations and what the applicant needed to do. The applicant said she didn't get it and he is not disputing that. He looked into ways to avoid coming back to this Board, but how it's written in the zoning code, there isn't.

The application is to reduce the lot acres from 28 to 5.6 and to reduce the front yard setback along 162nd Street from the required 50 feet to 32 feet. The house is 35-40 feet from the front lot line, and he used 32 feet as the measurement. The issue came up because the 5.6-acre lot was parceled off in 1998 without going into the proper process. When the lot was sold to the applicants and they tried to get the Building Permit, Building and Safety said it doesn't meet zoning code or the lot size so the applicants need to go to the Board. It was approved in December, with a vote of 3-0. The item is in front of the Board again to make it legal and file the Resolution with Register of Deeds. He is in the process of amending the zoning code to remove the 60-day requirement, and instead, the code will require the resolution to be filed by the applicant prior to filing for a Building Permit.

Pleasant asked, will the same letter go out again, or could the applicant get the letter today?

Cajka stated the letter would not be ready today. It is prepared by someone else in the Planning Department.

Woepfel stated he guesses someone will follow up on the letter.

Woepfel told the applicant the Board doesn't make any rules, that would be staff. The Board just sits as the appeals board. The board can have influence, but it seems Tom has already addressed the issue. The Board heard what the applicant said but they cannot make changes.

SUPPORT:

No one appeared in support.

OPPOSITION:

No one appeared in opposition.

APPLICANT REBUTTAL:

Oduna asked if the Board would be able to talk to David Cary. She made every step possible to do what is needed and had to pay twice. Oduna asked if the Board could consider speaking with David Cary so she could have a portion of the fee returned to her.

John Ward, Lancaster County Attorney, 605 South 10th Street stated the board's authority is limited and they are authorized to hear zoning appeals, variances, and similar items. The applicant is free to speak with the Planning Department regarding the fee.

Tai Pleasant asked Oduna if she plans on getting the letter submitted within 60 days.

Oduna stated yes.

APPEAL NO. 23005

ACTION BY THE COUNTY BOARD OF ZONING APPEALS:

August 11, 2023

Woepfel closed public hearing.

Pinkerton moved to approve the variance to lot area and front yard setback, seconded by Pleasant and carried 4-0: Frack, Pinkerton, Pleasant, and Woepfel voting 'yes'; Warner absent.

There being no further business, the meeting was adjourned at 2:45 p.m.

MEETING RECORD

Advanced public notice of the County Board of Zoning Appeals meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Thursday, September 5, 2024.

NAME OF GROUP: COUNTY BOARD OF ZONING APPEALS

DATE, TIME AND PLACE OF MEETING: Friday, September 13, 2024, 9:30 a.m., County-City Building, City Council Chambers, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Tai Pleasant, Joe Shaw and Ed Woeppel attending.
James Pinkerton, Matt Warner absent.

OTHERS IN ATTENDANCE: George Wesselhoft, Jennifer McDonald and Juan Carrasco of the Planning Department; Andrew Barness of County Attorney's Office; and other interested parties.

STATED PURPOSE OF MEETING: Regular County Board of Zoning Appeals Meeting

Chair Woeppel opened the meeting and acknowledged the posting of the Open Meetings Act in the room.

Woeppel then called for a motion approving the minutes of the regular meeting held August 11, 2023. Approval of minutes for the August 11th, 2023, hearing will be postponed until the next County Board of Zoning Appeals hearing due to a quorum not being met. (Pinkerton and Warner absent, Shaw abstained)

BOARD OF ZONING APPEALS 24002

REQUESTED BY VLADIMIR AND SVETLANA NETSVETAYEV, FOR A VARIANCE TO REAR YARD SETBACK FROM 100 FEET TO 50 FEET, ON PROPERTY GENERALLY LOCATED AT 3475 OLIVE CREEK ROAD.

PUBLIC HEARING:

September 13, 2024

Members present: Pleasant, Shaw and Woeppel. Pinkerton and Warner absent.

There were no ex parte communications disclosed.

APPLICANT:

Vladimir Netsvetayev, 4120 W Thatcher Circle, Lincoln, NE 68528 stated that he inquired about the setbacks before he purchased the property. He was told that there was a 50-foot rear yard setback. With that information, Netsvetayev proceeded to purchase and to clear the lot to prepare for building. Netsvetayev stated when he submitted plans for approval, it was discovered that he was given the incorrect information. Netsvetayev stated that the regulation states 300 feet, it does not state an average of 300 feet. There is just a small portion of the property that does not meet the 300 feet requirement; therefore, a permit cannot be issued.

Pleasant asked if Netsvetayev started clearing the property before the permit was applied for. Netsvetayev stated that a permit is not needed to clear the land.

Shaw asked if the time, efforts and money spent was with the intention of building a house. Netsvetayev stated time, money and efforts was spent and now is in this predicament.

Woepfel asked approximately how much of money was spent. Netsvetayev stated he spent a lot of time and money but did not keep track of it. He did most of the work himself, countless days and hours and the rental of equipment. Woepfel asked what the timeline was for completion. Netsvetayev stated that he was hoping to be moved in before the school year started. Woepfel wanted to clarify that that there was an old structure there previously. Netsvetayev stated that there was an old barn that burned down years ago and it was cleared out, and a house currently there that is going to be demolished.

STAFF QUESTIONS:

George Wesselhoft, Planning Department, 555 South 10th Street, Lincoln, NE came forward and stated there is an exhibit that is consistent with what the applicant presented (Exhibit 1). Wesselhoft referenced 3 points where it is less than 300 feet and one point that it exceeds 300 feet. Because of this one unusual projection, this is what disqualifies the applicant from having the 50-foot required rear yard. Wesselhoft stated that this is not a frequently referenced provision, so it is unusual.

Shaw stated that there is a home adjacent to the property, and asked if the neighbors have any objection or anything to say. Wesselhoft stated that one property owner contacted him and did not have any objection.

Pleasant noted in the staff report it mentions saving of the matured trees for the state of proposal and is curious what this language means. Wesselhoft stated that is additional information that the applicant provided that explains the rationale with the future plans to apply for a future accessory dwelling unit.

Woepfel stated that this is a unique property line which complicates a lot of things. This is a unique situation, and the best use for the property is what is needed to be decided on.

Svetlana Netsvetayev, 4120 W Thatcher Circle, Lincoln, NE 68528 came forward and stated that when they purchased the property, they were told that there was a 50-foot setback. Netsvetayev stated that they did their research and did what was recommended and a year later, they still are not building. This has been difficult for her family.

SUPPORT:

No one appeared in support.

OPPOSITION:

No one appeared in opposition.

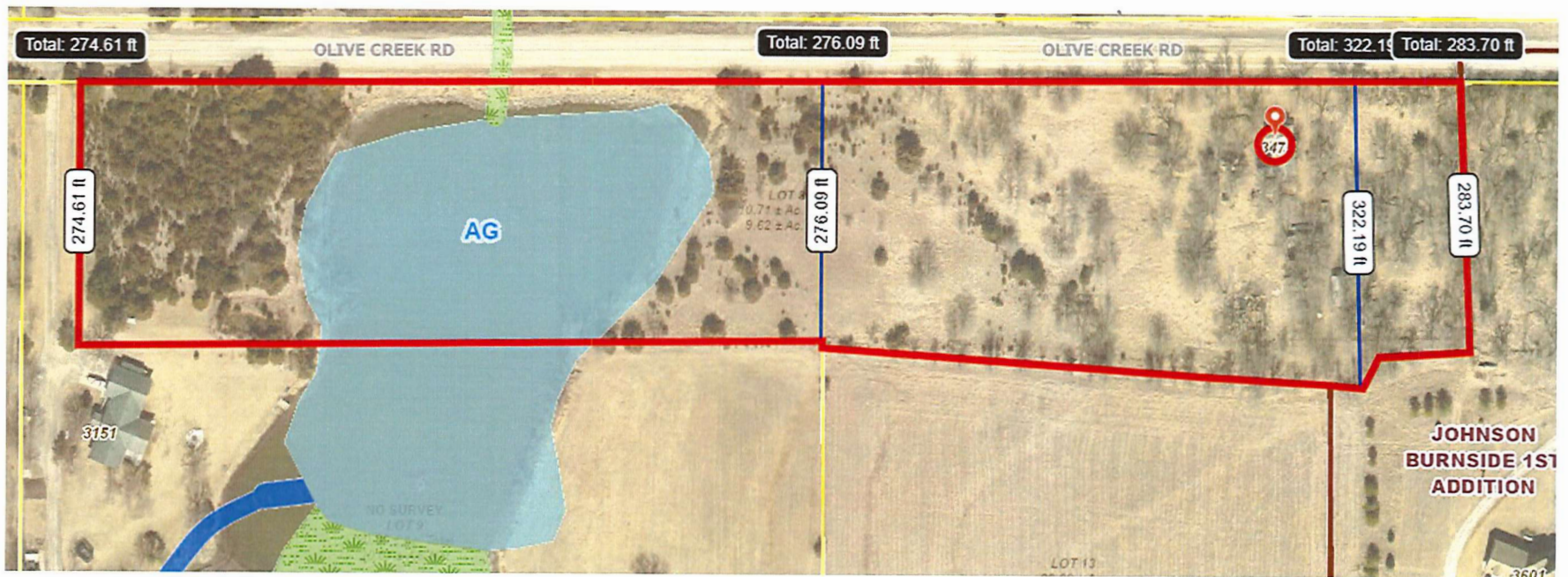
Motion for approval with a variance to the rear yard setback to allow a building on the property, made by Shaw, seconded by Pleasant.

Motion carried 3-0: Pleasant, Shaw and Woeppel voting 'yes'; Pinkerton and Warner absent.

Motion to adjourn made by Pleasant seconded by Shaw.

Motion to adjourn 3-0. Pleasant, Shaw and Woeppel voting 'yes'; Pinkerton and Warner absent.

There being no further business, the meeting was adjourned at 9:52 p.m.





COUNTY BOARD OF ZONING APPEAL #25001

DATE: January 31, 2025

DATE SCHEDULED FOR PUBLIC HEARING: February 14, 2025

LOCATION: Generally located at S. 148th St. and Hooper Road

ADDRESS: 9070 S 148th Street (Vicinity Address)

LEGAL DESCRIPTION: Lot 30 Irregular Tract, NW ¼ of Section 27, Township 9, North, Range 8 East, Lancaster County, NE

APPLICANT: Roland Meyer

LOT AREA: 17.3 acres

ZONING: AG-Agricultural

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:

North:	AG-Agricultural	farm ground
South:	I-Industrial	utility buildings, farm ground
East:	AG-Agricultural	farm ground
West:	AG-Agricultural	farm ground

TYPE OF APPEAL:

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO

Article 4.017(a) of the Lancaster County Zoning Regulations requires a minimum lot area of 20 acres for the AG Agricultural District. This is a request to reduce the minimum lot area from 20 acres to 17 acres.

STAFF FINDINGS:

1. The applicant is requesting to reduce the minimum lot area from 20 acres to 17 acres so that Lot 30 is a buildable lot which would allow for a building permit to be issued for an acreage residence.

2. In 2007, the applicant acquired the property consisting of approximately 38.51 acres, which was Lot 12 I.T. at the time.
3. In 2009, the State of Nebraska Department of Roads (now the Department of Transportation or NDOT) acquired an approximately 8-acre area to be used as right-of-way for the construction of Hooper Road. This right of way acquisition bisected the property, resulting in a 17.3-acre part north of Hooper Road and a 12.98-acre part to the south. Although the property was bisected into two parts, they were still considered one lot and were assigned a single I.T. number, Lot 27. When NDOT deeded the right of way to Lancaster County it was left as Lot 27.
4. In 2014, the County Board approved Change of Zone 14015 to rezone the part of Lot 27 south of Hooper Road from AG Agricultural District to I Industrial District.
5. In 2023, Preliminary Plat 23002 was approved by the Planning Commission for the part of Lot 27 south of Hooper Road. This included two commercial/industrial lots on the 12.98-acre part of Lot 27. One of the lots has four existing storage buildings. The other lot is for future development.
6. In 2024, Final Plat 24095 was submitted to the Planning Department. This included the division of the Lot 27 Irregular Tract into two buildable lots for that part of the lot on the south side of Hooper Road and an outlot for that part of the lot on the north side of Hooper Road which is now Lot 30. The Director's Letter dated November 12, 2024 included the comment that this outlot (Outlot A) be designed for Agriculture or Future Development. Lot 30 will need to be removed from the Final Plat as it is now its own separate lot.
7. Lots 30 and 31 were created at the owner request and by the filing of warranty deed 2024-39712 on December 20, 2024. Lot 30 comprises what was Lot 27 part north of Hooper Road. Lot 31 comprises what was Lot 27 part south of Hooper Road.
8. The creation of Lot 30 in December of 2024 on the north side of Hooper Road created a non-conforming lot in that the lot size is 17.3 acres approximately and the minimum lot area is 20 acres for the AG Agricultural Zoning District. Lot 31 on the south side of Hooper Road is conforming because the zoning is I Industrial. The minimum lot size for the I Zoning District is 10,000 square feet.
9. Lancaster Zoning Regulations 4.017(2)(i) provides for purposes of determining lot area, abutting County section line and on-half section line road right-of-way is included in the total area. However, in this case this provision does not apply because the adjoining Hooper Road does not include a County section line. If the road right of way could be included, it would comprise approximately 20.01 acres.

10. Lancaster Zoning Regulations 17.029(c) provides that in those instances where a governmental agency acquires land for the purposes of road right of way from lots that said acquisition shall not affect the status of said lot as a buildable lot with respect to the minimum lot area, width or frontage requirements. However, in this case when NDOT acquired the right of way it did not result in any nonconforming condition. The Lot 27 included area on both sides of Hooper Road and thus the lot area, approximately 30 acres, exceeded the minimum lot area requirement of 20 acres. It was not the NDOT acquisition but rather the applicant that created the non-conforming lot with the filing of the aforementioned deed in 2024 creating two lots out of the prior Lot 27.
11. The Future Land Use map of the 2050 Comprehensive Plan while it identifies the south side of Hooper Road for commercial use, identifies the north side of Hooper Road for agricultural use.
12. There are other instances in Lancaster County where an Irregular Tract lot is bisected by right of way, including road and railroad right of way. However, this is not typical. Most lots in Lancaster County do not have this condition. Thus, the acquisition of right of way by NDOT resulting in the prior Lot 27 being bisected was atypical. Though the result of that acquisition did not in itself render the lot nonconforming, that was done subsequently by the applicant with the division of Lot 27 into Lots 30 and 31.
13. The property owner was compensated by NDOT for the value and impact of the acquisition on the property. It is unknown how this compensation was calculated.
14. If the variance is not granted, no building permit could be issued for a dwelling unit on the lot in question as it is non buildable at less than the 20-acre minimum lot area. The property could still be used for agriculture.
15. Section 19.003 (2) Powers Relative to Variances. The Board of Zoning Appeals is authorized, upon petitions for variances, to vary the strict application of the height, area, parking or density requirements to the extent necessary to permit the owners a reasonable use of their land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned.

Prepared by

George Wesselhoft
County Planner



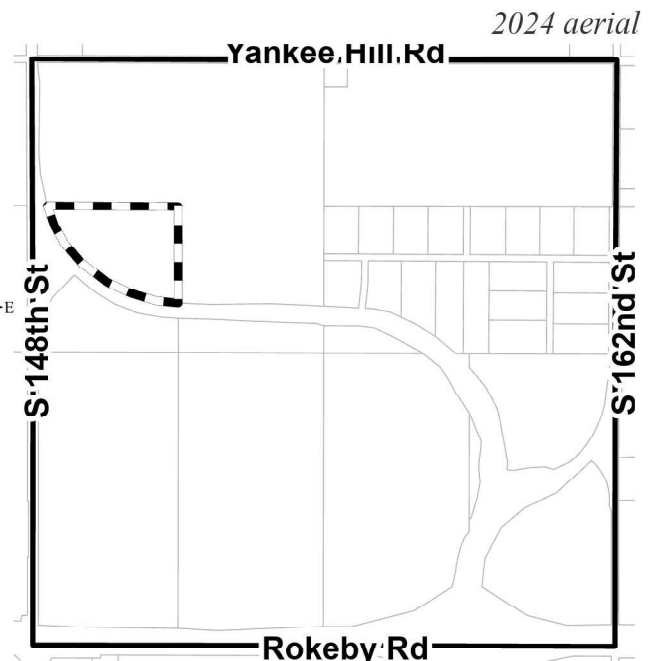
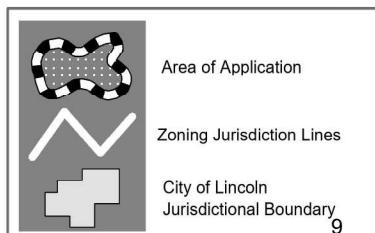
Lancaster County, NE GIS, Maxar

Board of Zoning Appeals #: BZA25001 S 148th St & Hooper Rd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.27 T09N R08E



Legal Description

Lot 30, irregular tracts, located in the NW1/4 of Section 27, Township 9 North, Range 8 East, of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Referring to the West 1/16th Corner of the Northwest Quarter of Section 27; Thence East, on the North Line of the Southwest Quarter of the Northwest Quarter, on an assumed bearing of S 89°46'25" E for a distance of 134.66' to a point on the Easterly Right-of-way Line of Hooper Rd., said point being the **Point of Beginning**:

Thence S 89°46'25" E, continuing on the North Line of the Southwest Quarter of the Northwest Quarter for a distance of 1179.26' to the Northeast Corner of the Southwest Quarter of the Northwest Quarter; Thence S 00°04'26" E, on the East Line of the Southwest Quarter of the Northwest Quarter for a distance of 875.88' to a point of intersection with the Northerly Right-of-way Line of Hooper Rd.; Thence Westerly, on the Northerly Right-of-way Line of Hooper Rd., the following 7 courses:

Thence N 84°29'21" W for a distance of 197.21';

Thence N 73°29'35" W for a distance of 236.18';

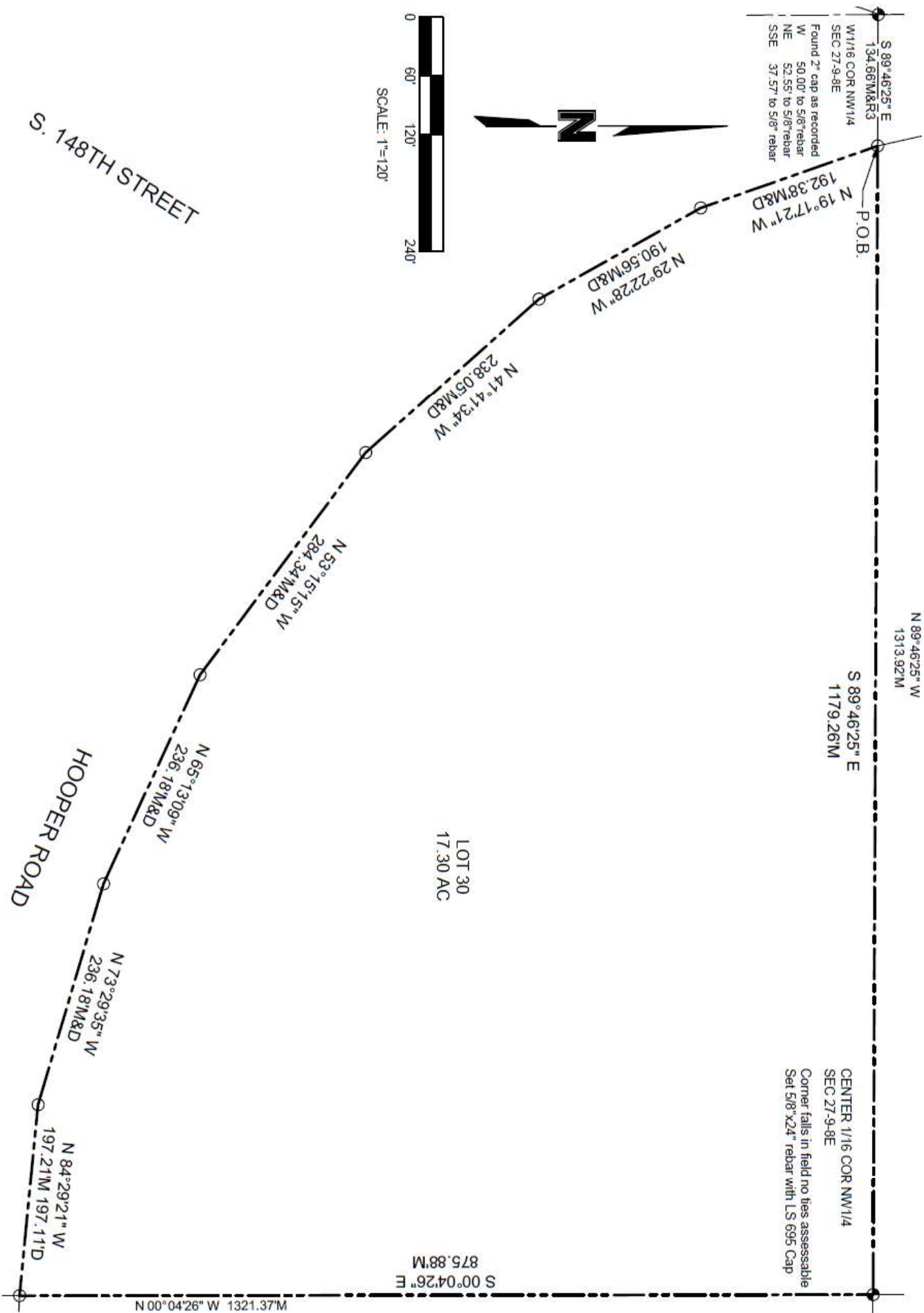
Thence N 65°13'09" W for a distance of 236.18';

Thence N 53°15'15" W for a distance of 284.34';

Thence N 41°41'34" W for a distance of 238.05';

Thence N 29°22'28" W for a distance of 190.56';

Thence N 19°17'21" W for a distance of 192.38' to the **Point of Beginning** and having a calculated area of 17.30 acres more or less.



Anthony M. Aerts
 Sheila A. Bentzen
 Jasmine L. Beringer
 Kurth A. Brashear ♦
 Amber R. Buskness
 Timothy F. Clare
 Sam D. Colwell
 Aden J. Davis
 Abbie L. DeWitte
 Timothy R. Engler
 Mark A. Fahleson
 Spencer R. Hartman
 Mark A. Hunzeker
 Ramzi J. Hynek
 Robert S. Keith II ±
 Troy S. Kirk
 Daniel E. Klaus *
 Adam J. Kost ±
 Jane F. Langan Mach
 Elizabeth A. Leise
 Timothy L. Moll ±
 Benjamin E. Moore
 Jeffrey Owusu-Ansah
 Tara Tesmer Paulson
 Andrew S. Pollock
 Ann K. Post
 Adam J. Prochaska
 Mark R. Richardson
 Julie A. Schumacher
 Alan D. Slattery
 Scott G. Smith ±
 Benjamin J. Swanson
 Ryan M. Swaroff
 Peter C. Wegman

* also admitted in Colorado
 ± also admitted in Iowa
 ♦ also admitted in South Dakota

January 17, 2025

VIA HAND DELIVERY

Lancaster County Board of Zoning Appeals
 c/o George Wesselhoft, Planner
 555 S 10th Street, Ste 213
 Lincoln, NE 68508

Dear Mr. Wesselhoft:

Rembolt Ludtke LLP represents Roland Meyer, the owner of real estate generally located north of Hooper Road at its intersection with S 149th Street near Bennet, Nebraska regarding the enclosed application to the Lancaster County Board of Zoning Appeals (the "Board"). Meyer is requesting a variance to reduce the minimum lot area of his property located northeast of S 149th Street and Hooper Road from 20 acres to 17 acres.

Background

In 2007, Roland and Jennifer Meyer acquired real property consisting of approximately 38.51 acres, then-described as: Lot 12, Irregular Tract located in the Northwest ¼ of Section 27, Township 9 North, Range 8 East of the 6th P.M. Lancaster County, Nebraska ("Property"). In 2009, the State of Nebraska Department of Roads (now the Department of Transportation, "NDOT") acquired an approximately 8-acre area to be used as right-of-way for the construction of Hooper Road. NDOT's right-of-way crossed through the middle of the Property, completely bisecting. This resulted in a 17.3 acre section north of Hooper Road and a 12.98 acre section to the south. (See map at right). Although the Property was bisected into two non-



Rembolt Ludtke LLP

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contiguous sections, the sections were together assigned a single I.T. number: Lot 27. In December 2024, Meyer put the south section into an LLC, and the two sections were for the first time given separate I.T. numbers. The north section is now Lot 30 and the south section is Lot 31.

Issue

In 2023, Meyer sought to rezone and build on the south property, and to retain the north for an acreage residence. Though he received approvals for plans on the south property, Lancaster County considered the north 17 acre parcel unbuildable. The minimum lot area in the AG zoning district is 20 acres, and because the north section is less than 20 acres, it is considered unbuildable.

Lancaster County Zoning Code includes an exception from minimum area requirements where lots smaller than the requirements are created by government acquisition of right-of-way. However, Lancaster County contends that this exception does not apply to Meyer's property because, even though the acquisition created two distinct sections, when the right of way was taken the property was assigned one I.T. number and therefore legally recognized as one lot which exceeded the minimum area requirements. Lancaster County further contends that it was Meyer deeding the south section to the LLC in 2024 that created two legally separate lots below the minimum area requirements. To summarize, even though right-of-way created two separate sections that are practically impossible to utilize as a single lot, because they were legally considered a single lot after the right-of-way was taken, Lancaster County will not apply this exception.

Conclusion

It is due to these exceptional and unusual circumstances, which are unique to this property, that Meyer is seeking a variance to reduce the minimum area requirements for Lot 30 from 20 acres to 17 acres. Though the north and south sections may have technically remained one legal lot, practically, NDOT's acquisition of right of way created two separate and distinct lots. Therefore, a variance is necessary to permit Meyer reasonable use of the property.

With this application, please find enclosed:

- Lancaster County Application Form.
- Application fee of \$476.00.
- Copies of relevant deeds.
- Legal description and survey of the Property.

January 28, 2025

Page 3

Thank you for your consideration of this application, please contact me with any additional questions or to request further information.

Sincerely,



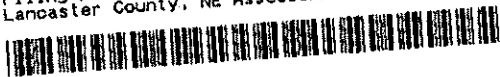
Benjamin J. Swanson

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Ann K. Post

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4908-8181-4804, v. 2



C4267
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SURVIVORSHIP WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT Nancy Peterson, formerly known as Nancy Williams, a single person, Grantor, whether one or more, in consideration of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto Roland L. Meyer and Jennifer T. Meyer, husband and wife, as joint tenants with right of survivorship, and not as tenants in common, Grantee, the following described real property in Lancaster County, Nebraska:

Lot 12, Irregular Tract located in the Northwest 1/4 of Section 27, Township 9 North, Range 8 East of the 6th P.M., Lancaster County, Nebraska

To have and to hold the above described premises together with all tenements, hereditaments, appurtenances and reservations thereto belonging unto the grantees and to their assigns, or to the heirs and assigns of the survivor of them forever.

And the grantor does hereby covenant with the grantees and with their assigns and with the heirs and assigns of the survivor of them that grantor is lawfully seized of said premises; that they are free from encumbrance except covenants, easements and restrictions of record; all regular taxes and special assessments, except those levied or assessed subsequent to date hereof; that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

It is the intention of all parties hereto that in the event of the death of either of the grantees, the entire fee simple title to the real estate shall vest in the surviving grantee.

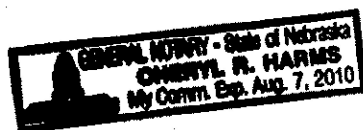
Dated this 10th day of October, 2007

Nancy Peterson
Nancy Peterson

STATE OF Nebraska

COUNTY OF OTOE

The foregoing instrument was acknowledged before me this 10th day of October, 2007 by Nancy Peterson, formerly known as Nancy Williams, a single person.



Cheryl R. Harms
Notary Public

Pro Title / pd

694 N. 4th Road, Palmyra, NE 68918

#20.50

Inst # 2009023937 Fri May 08 10:14:24 CDT 2009
Filing Fee: \$20.50 Stamp Tax: \$0.00 Exempt 2 cpoockg
Lancaster County, NE Assessor/Register of Deeds Office WDEED
Pages 4



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WARRANTY DEED – INDIVIDUAL (page 1)

PROJECT: 2-6(1027)

C.N.: 12816

TRACT: 5 Opt. A

KNOW ALL MEN BY THESE PRESENTS:

THAT Roland L. Meyer + Jennifer T. Meyer, H+W

hereinafter known as the Grantor, whether one or more, for and in consideration of the sum of **ONE AND NO/100----(\$1.00)----DOLLAR AND OTHER VALUABLE CONSIDERATION** in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, the following described real estate situated in **LANCASTER** County, and State of Nebraska, to-wit;

A TRACT OF LAND LOCATED IN LOT 12 IRREGULAR TRACT, IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE SIXTH PRINCIPLE MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF NORTHWEST QUARTER; THENCE EASTERLY A DISTANCE OF 50.00 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE EASTERLY EXISTING 148TH STREET RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 25 MINUTES, 54 SECONDS LEFT, A DISTANCE OF 185.20 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 317.39 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 042 DEGREES, 23 MINUTES, 27 SECONDS RIGHT, A DISTANCE OF 153.70 FEET; THENCE NORTHEASTERLY DEFLECTING 003 DEGREES, 29 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 170.06 FEET; THENCE NORTHERLY DEFLECTING 043 DEGREES, 29 MINUTES, 15 SECONDS LEFT, A DISTANCE OF 44.08 FEET; THENCE NORTHWESTERLY DEFLECTING 040 DEGREES, 24 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 152.50 FEET; THENCE NORTHWESTERLY DEFLECTING 004 DEGREES, 19 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 152.85 FEET; THENCE WESTERLY DEFLECTING 036 DEGREES, 45 MINUTES, 46 SECONDS LEFT, A DISTANCE OF 51.80 FEET TO A POINT ON THE EASTERLY EXISTING 148TH STREET RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 070 DEGREES, 27 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 213.14 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 17.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 65.83 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE EASTERLY DEFLECTING 090 DEGREES, 27 MINUTES, 29 SECONDS RIGHT, A DISTANCE OF 101.59 FEET ALONG THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE

WARRANTY DEED – INDIVIDUAL (page 3)

PROJECT: 2-6(1027)

C.N.: 12816

TRACT: 5 Opt. A

TO HAVE AND TO HOLD the premises above described, together with all Tenements, Hereditaments and Appurtenances thereunto belonging, unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors and assigns forever.

And the Grantor does hereby covenant with THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and with its successors and assigns that the Grantor is lawfully seized of said premises; that they are free from encumbrance; that the Grantor has good right and lawful authority to sell the same; and the grantor does hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons, whomsoever.

Signed this 13th day of MARCH, A.D. 2009.

Roland L Meyer

Quinn Meyer

WARRANTY DEED - INDIVIDUAL (page 4)

PROJECT: 2-6(1027)

C.N.: 12816

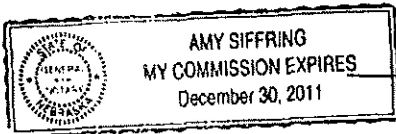
TRACT: 5 Opt. A

STATE OF NEBRASKA
LANCASTER)ss.
County)

On this 13th day of MARCH, A.D., 2009, before me, a
General Notary Public, duly commissioned and qualified, personally came Roland L. Meyer
and Jennifer T. Meyer, husband and wife

to me known to be the identical persons whose name s affixed to the foregoing instrument
as Grantors and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and notarial seal the day and year last above written



Amy Siffring Notary Public.

My commission expires the 30th day of December, 2011.

STATE OF _____)
_____)ss.
County)

On this _____ day of _____, A.D., 20____, before me, a
General Notary Public, duly commissioned and qualified, personally came _____

to me known to be the identical person _____ whose name _____ affixed to the foregoing instrument
as Grantor _____ and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and notarial seal the day and year last above written

Notary Public.

My commission expires the _____ day of _____, 20_____.

AFTER RECORDING RETURN TO:

Charter Title & Escrow Services, Inc.
6333 Apples' Way # 115
Lincoln, NE 68516
402-435-1244

WARRANTY DEED

Roland L. Meyer, a single person, GRANTOR, in consideration of Two Dollars (\$2.00) and other good and valuable consideration received from GRANTEE convey to GRANTEE

HC

Gulf C&C, LLC, a Nebraska limited liability company,

the following described real estate (as defined in Neb. Stat. 76-201) in Lancaster County, Nebraska:

SEE EXHIBIT "A" ATTACHED

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seised of such real estate, that it is free from encumbrances, except easements, restrictions and reservations of records, and subject to all regular taxes and special assessments;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed this 13 day of December, 2024.

Roland L Meyer

Roland L. Meyer

Charter Title 2476871

STATE OF Nebraska
COUNTY OF Lancaster

The foregoing instrument was acknowledged before me this 13 day of December, 2024 by Roland L. Meyer, a single person.

Carly Davis

Notary Public



EXHIBIT "A"

A legal description of Lot 27 Irregular Tracts, located in the Northwest Quarter of Section 27, Township 9 North, Range 8 East, of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:

11

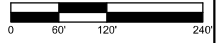
Referring to the Southwest Corner of the Northwest Quarter of said Section 27; Thence East, on the South Line of the Northwest Quarter, on an assumed bearing of S 89°48'11" E for a distance of 50.00' to a point on the East Right-of-way Line of S. 148th St., said point being the Point of Beginning:

Thence Northerly, on the Easterly Right-of-way Line of S. 148th St., the following 4 courses: N 00°13'54" W for a distance of 185.20'; Thence N 19°31'34" E for a distance of 190.86'; Thence N 26°35'47" E for a distance of 141.36'; Thence N 44°21'51" E for a distance of 280.73' to a point of intersection with the Southerly Right-of-way Line of Hooper Rd.; Thence Easterly, on the Southerly Right-of-way Line of Hooper Rd., the following 5 courses: S 50°25'29" E for a distance of 240.48'; Thence S 59°26'38" E for a distance of 209.94'; Thence S 69°21'23" E for a distance of 210.25'; Thence S 79°16'08" E for a distance of 209.94'; Thence S 85°36'14" E for a distance of 168.58' to a point on the East Line of Lot 27 Irregular Tracts, said Line also being the East Line of the Southwest Quarter of the Northwest Quarter; Thence S 00°04'26" E, on the East Line of Lot 27 Irregular Tracts and on the East Line of the Southwest Quarter of the Northwest Quarter, for a distance of 310.44' to the Southeast Corner of said Lot 27, said point also being the South 1/16TH Corner of the Northwest Quarter; Thence N 89°48'11" W, on the South Line of Lot 27 Irregular Tracts and on the South Line of the Northwest Quarter, for a distance of 1260.28' to the Point of Beginning

HOOPER INDUSTRIAL PARK

FINAL PLAT

BASED ON COUNTY PRELIMINARY PLAT #23002 & CZ#14015



LEGEND

- R1 = SURVEY AA26671
- R2 = SURVEY BOOK H, PAGE 19
- R3 = SURVEY BOOK T, PAGE 536
- M = MEASURED DISTANCE
- D = DEED DISTANCE
- ◆ = FOUND SECTION CORNER AS NOTED IN TIES
- = SET 5/8"X24" REBAR W/695 CAP
- △ = CALCULATED POINT

LOT 26
SEC. 27, T9N, R8E
(NOT PART OF FINAL PLAT)

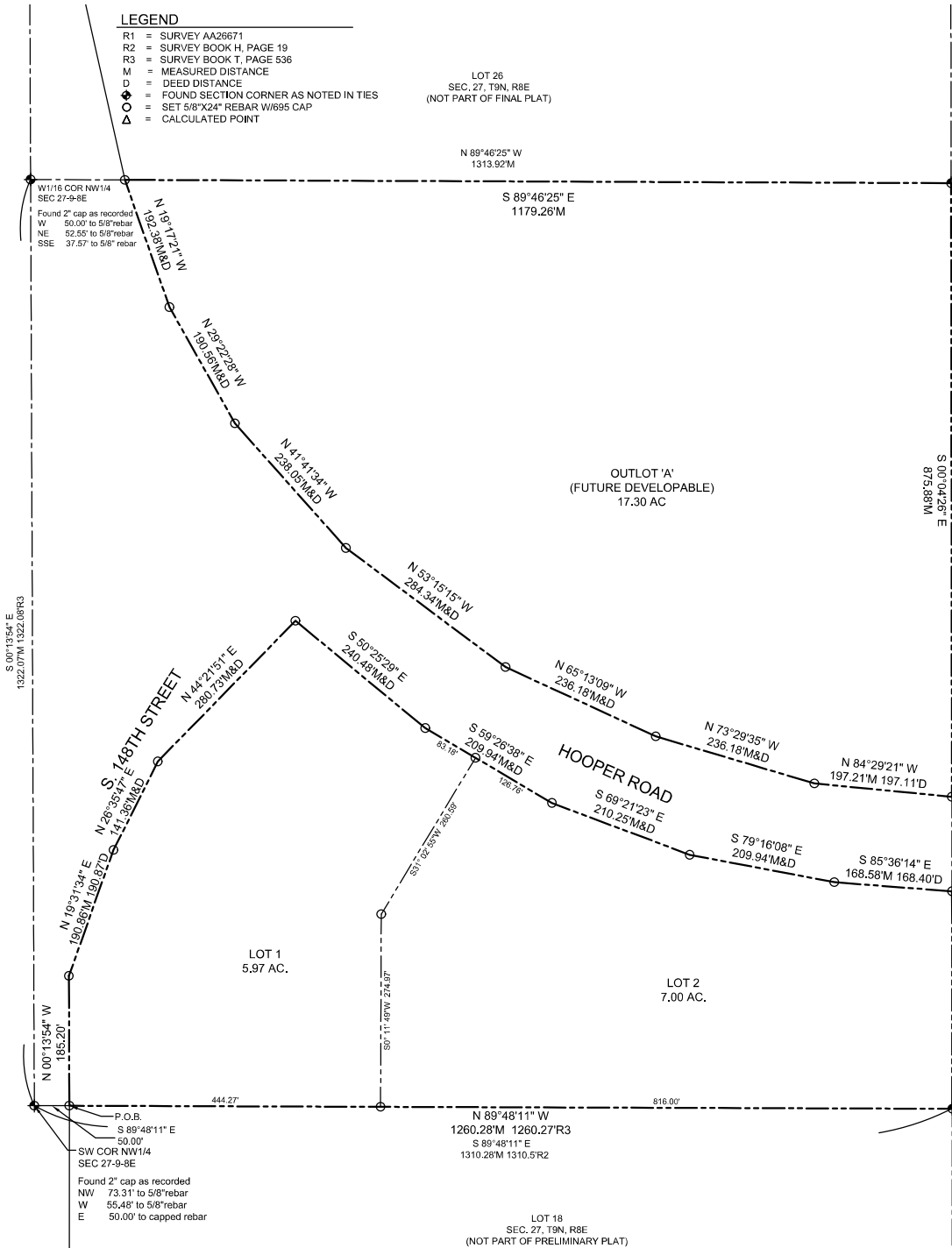
A PORTION OF
LOT 25
SEC. 27, T9N,
R8E
(NOT PART OF
FINAL PLAT)

E1/16 COR NW1/4
SEC 27-9-8E
Found capped rebar
N 27.20' to 5/8" rebar
ENE 32.20' to 5/8" rebar
SSW 33.74' to 5/8" rebar

A PORTION OF
LOT 25
SEC. 27, T9N,
R8E
(NOT PART OF
FINAL PLAT)

A PORTION OF LOT 25
SEC. 27, T9N, R8E
(NOT PART OF FINAL PLAT)

LOT 14
SEC. 27, T9N, R8E
(NOT PART OF FINAL PLAT)



CURVE DATA

CURVE #	RADIUS	ANGLE	TANGENT	LENGTH	CH DIST	CH BRG
C1	74.00'	64°30'25"	46.70'	83.31'	78.98'	N57°32'58"W
C2	101.00'	64°30'25"	63.73'	113.71'	107.80'	N57°32'58"W
C3	99.00'	64°30'25"	62.47'	111.46'	105.67'	N57°32'58"W
C4	126.00'	64°30'25"	79.51'	141.86'	134.48'	N57°32'58"W
C5	1226.00'	7°17'33"	78.13'	156.04'	155.93'	N54°04'15"W
C6	1199.00'	7°15'52"	76.11'	152.02'	151.92'	N54°03'25"W
C7	99.00'	18°58'29"	16.54'	32.79'	32.64'	N59°54'43"W
C8	126.00'	18°58'29"	21.06'	41.73'	41.54'	N59°54'43"W