

UNIVERSITY OF NEBRASKA AT KEARNEY
Procurement & Payment Services
Warner Hall
2504 9th Ave
Kearney, Nebraska 68849-1240

November 6, 2020

ADDENDUM NO. 1
University of Nebraska at Kearney
Request for Proposals #21-01
Sale of Lot 6 Westlake Acres 2nd Addition

The following questions and corresponding responses and/or clarifications relate to the Request for Proposal #21-01 “Sale of Lot 6 Westlake Acres 2nd Addition” for the University of Nebraska at Kearney, that is scheduled for public receipt on November 11, 2020 at 2:00 PM Local Time.

NOTE: THIS IS ADDENDA: 1 OF 1

1. Question: Do the restrictions prevent development of the property?

Answer: A Declaration of Gift from Betty J. Jester and Royal F. Jester, Jr. and Sharon P. Knapp to the Board of Regents of the University of Nebraska was found. This document seems to indicate the intent of the donors in making this donation to the University. It appears that the document was not filed as a part of the public record. As such, it is unclear if the declaration is enforceable once the University executes a transfer of ownership of the property.

- In part the Declaration says the following: “...In making this gift, it is the intent of Donors that: the Property be used...as an arboretum...”

- Additional discussion on the use and maintenance of the property is included in the Declaration.

2. Question: If the restrictions on the property prevent it from being developed, would the purchaser be required to pay property taxes on the property?

Answer: The University is not able to indicate the future tax status of the property and recommends the purchaser contact the tax assessor.

3. Question: Shown included in the land is an easement off of 19th Ave, that is our only access to the back of our property via vehicle. Regardless of what happens with the sale of the land, would we still have access to that?

Answer: The University does not have jurisdiction to determine how the use of the land will be used in the future.

4. Question: I was under the understanding that the bridge at the end of that easement that goes over the drainage area at the back of our property was on our property, but I saw a photo of it included in the appraisal doc?

Answer: The aerial photos in the appraisal were taken from the Buffalo County GIS.

5. Question: I spoke to the previous owner of our property and he mentioned that he thought when the land was gifted to the University by Jester's, it was stated that it had to remain an arboretum regardless of who owned the property, is this true?

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6. **Question:** What are the average taxes on this land for the last 5 years?

Answer: Taxes on this property have not been paid over the last 5 years due to the Exempt status of the University.

7. **Question:** Does UNK or your office have an opinion as to whether the property will be restricted by the Declaration of Gift from the prior owners?

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