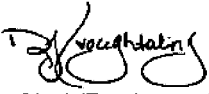



COUNTER\_AH \_\_\_\_\_  
VERIFY\_AH \_\_\_\_\_  
FEES \$ 34.00 \_\_\_\_\_  
CHG\_SFILE \_\_\_\_\_  
SUBMITTED\_TITLECORE NATIONAL, LLC \_\_\_\_\_

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
**2019-22528**  
2019 Sep 23 11:29:50 AM  
  
County Clerk/Register of Deeds  
Deb Houghtaling  


Upon Recording, Please Return To:  
Farnham & Griffin, PC, LLO  
220 N. 89<sup>th</sup> Street, Suite 201  
Omaha, NE 68114

**CORRECTIVE AFFIDAVIT**

STATE OF NEBRASKA            )  
  )SS.  
COUNTY OF DOUGLAS        )

COMES NOW Duane J. Dowd, President of Dowd Grain Company, Inc., a Nebraska Corporation, Declarant under that certain DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR 370 NORTH dated June 19, 2017 and filed in the Sarpy County Register of Deeds on June 21, 2017 as Instrument No. 2017-1441, hereby states as follows:

1. I am the President of Dowd Grain Company, Inc., a Nebraska Corporation, Declarant under that certain DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR 370 NORTH dated June 19, 2017 and filed in the Sarpy County Register of Deeds on June 21, 2017 as Instrument No. 2017-1441 (the "Declaration").

2. The Declaration was recorded against certain real property legally described as:

Lots 1 through 17 and Outlots A through E, 370 North being a platting of Tax Lot 5 and part of the South 1/2 of the SE 1/4 all in the South 1/2 of Section 26, T14N, R11E of the 6<sup>th</sup> P.M., a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska (referred to collectively as the "Property").

3. The Declaration references Exhibits A, B and C; due to error, Exhibits A, B and C were not attached to the Declaration at the time of recording.

4. Exhibit A, Exhibit B and Exhibit C attached hereto and incorporated herein by this reference shall be and hereby are incorporated into the Declaration as if the same had been attached thereto at the time of recording.

5. On or about April 29, 2019, 370 North Replat One was recorded as Instrument No. 2019-08230 in the Office of the Sarpy County Register of Deeds; said 370 North Replat One being a replatting of Lots 8 and 9, 370 North, a Subdivision in Sarpy County, Nebraska.

6. On or about June 4, 2019, 370 North Replat Two was recorded as Instrument No. 2019-11393 in the Office of the Sarpy County Register of Deeds; said 370 North Replat Two being a replatting of Lot 15, 370 North, a Subdivision in Sarpy County, Nebraska.

7. On or about July 2, 2019, 370 North Replat Three was recorded as Instrument No. 2019-14136 in the Office of the Sarpy County Register of Deeds; said 370 North Replat Two being a replatting of Outlots "C" and "D", 370 North, a Subdivision in Sarpy County, Nebraska.

8. This Corrective Affidavit shall be filed of record against all of the lots and parcels in 370 North and Replats One, Two and Three thereof, more specifically listed as follows:

Lots 1 through 7, Lots 9 through 14, Lots 16 and 17 Outlots A, B and E, 370 North being a platting of Tax Lot 5 and part of the South 1/2 of the SE 1/4 all in the South 1/2 of Section 26, T14N, R11E of the 6<sup>th</sup> P.M., a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

Lots 1 and 2, 370 North Replat One, a Subdivision in Sarpy County, Nebraska.

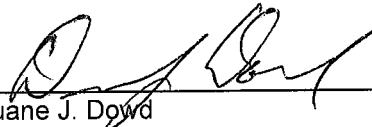
Lots 1 through 7, 370 North Replat Two, a Subdivision in Sarpy County, Nebraska.

Outlots "A" and "B", 370 North Replat Three, a Subdivision in Sarpy County, Nebraska.

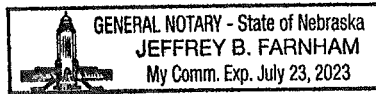
and the Declaration and all of its provisions shall continue to be and are covenants to run with the above described property and shall be binding on the present owners thereof and all its successors and assigns and all subsequent owners of the above described property and improvements thereon, together with their grantees successors, heirs, executors, administrators, devisees and assigns, all as described in the Declaration.

FURTHER AFFIANT SAYETH NOT.

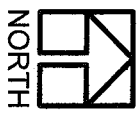
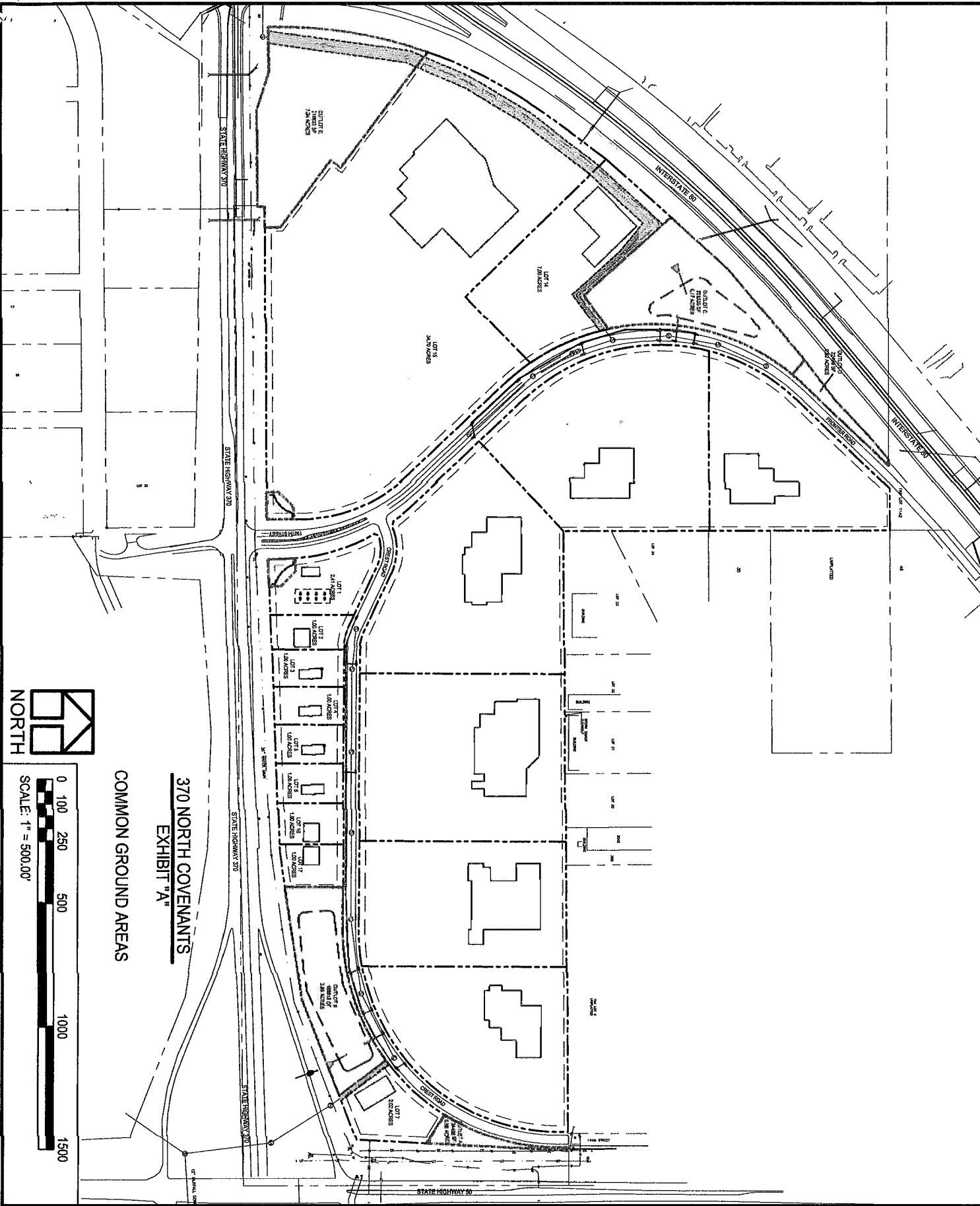
DATED this 18<sup>th</sup> day of September, 2019.

  
\_\_\_\_\_  
Duane J. Dowd

The foregoing Corrective Affidavit was acknowledged before me this 18<sup>th</sup> day of September, 2019.



  
\_\_\_\_\_  
Notary Public



**370 NORTH COVENANTS**  
**EXHIBIT "A"**  
**COMMON GROUND AREAS**

**DLR Group**  
 Architecture Engineering Planning Interiors  
 © 2017, DLR Group Inc., a Nebraska corporation, ALL RIGHTS RESERVED.

Exhibit  
 "A"

**COMMON GROUND AREAS**  
**370 North Covenants**

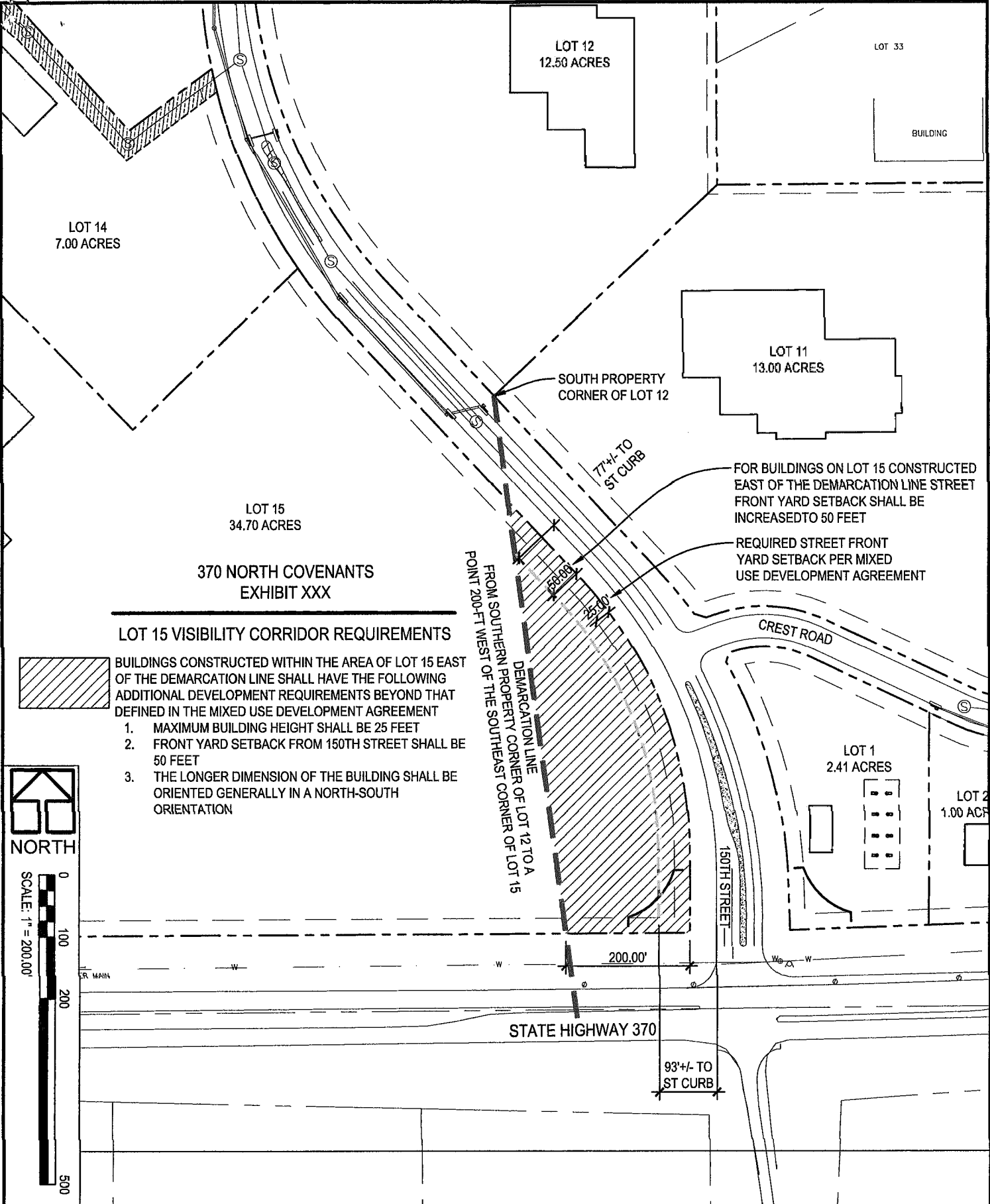
Client Name: 370 North, LLC  
 6.01.2017  
 DLR Project No. 10-17111-00

**EXHIBIT "B"**  
**TO**  
**DECLARATION OF COVENANTS, CONDITIONS,**  
**RESTRICTIONS AND EASEMENTS**  
**FOR 370 NORTH**

**NET ACRES AND MEMBERSHIPS**

<b>LOT NUMBER</b>	<b>NET ACRES</b>	<b>MEMBERSHIPS</b>
1	2.413	2.413
2	1.000	1.000
3	1.000	1.000
4	1.000	1.000
5	1.000	1.000
6	1.000	1.000
7	2.017	2.017
8	9.782	9.782
9	9.782	9.782
10	13.000	13.000
11	13.000	13.000
12	12.500	12.500
13	8.256	8.256
14	7.000	7.000
15	34.713	34.713
16	1.000	1.000
17	1.000	1.000
<b>TOTALS:</b>	<b>119.463</b>	<b>119.463</b>

P:\10-17111-00\3dwg\CV\zz-Lot15-ViewCorridor.dwg May 31, 2017 12:21pm - lbojvess



LOT 15  
34.70 ACRES

LOT 12  
12.50 ACRES

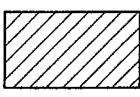
LOT 33

LOT 14  
7.00 ACRES

LOT 11  
13.00 ACRES

**370 NORTH COVENANTS  
EXHIBIT XXX**

**LOT 15 VISIBILITY CORRIDOR REQUIREMENTS**



BUILDINGS CONSTRUCTED WITHIN THE AREA OF LOT 15 EAST OF THE DEMARCATION LINE SHALL HAVE THE FOLLOWING ADDITIONAL DEVELOPMENT REQUIREMENTS BEYOND THAT DEFINED IN THE MIXED USE DEVELOPMENT AGREEMENT

1. MAXIMUM BUILDING HEIGHT SHALL BE 25 FEET
2. FRONT YARD SETBACK FROM 150TH STREET SHALL BE 50 FEET
3. THE LONGER DIMENSION OF THE BUILDING SHALL BE ORIENTED GENERALLY IN A NORTH-SOUTH ORIENTATION

FOR BUILDINGS ON LOT 15 CONSTRUCTED EAST OF THE DEMARCATION LINE STREET FRONT YARD SETBACK SHALL BE INCREASED TO 50 FEET

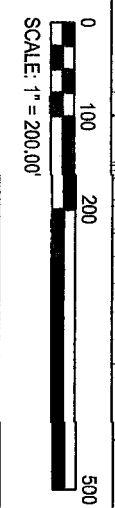
REQUIRED STREET FRONT YARD SETBACK PER MIXED USE DEVELOPMENT AGREEMENT

DEMARCATION LINE  
FROM SOUTHERN PROPERTY CORNER OF LOT 12 TO A POINT 200-FT WEST OF THE SOUTHEAST CORNER OF LOT 15

CREST ROAD

LOT 1  
2.41 ACRES

LOT 2  
1.00 ACR



STATE HIGHWAY 370

93'± TO ST CURB

**DLR Group**  
Architecture Engineering Planning Interiors  
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**Exhibit**  
C

**LOT 15 VISIBILITY CORRIDOR REQUIREMENTS**  
**370 North Covenants**

Client Name: 370 North, LLC  
5.31.2017  
DLR Project No. 10-17111-00