



MISC 2010053218



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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 6/17/2010 13:36:47.41



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PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

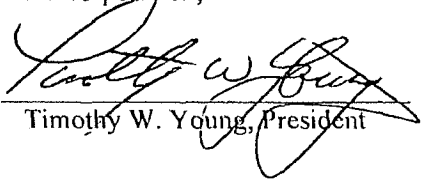
THAT BYE VIII -Arbor Gate, LLC, a Nebraska limited liability company (hereinafter referred to as "Grantor") for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant to Boyer Young Easement Holding Company (hereinafter referred to as "Grantee") and its assigns, a non-exclusive, perpetual easement, and reasonable access thereto, to erect, operate, maintain, repair and renew poles, wires, cables, conduits and other related facilities, and appurtenances thereof above and below ground, and to extend thereon or therein wires for cable for the carrying and transmission of electric current for light, heat and power and for the transmission of signals and sounds of all kinds, including signals provided by a cable television system and/or any other communications system, and the reception on, over, through, under and across a five-foot (5') wide strip of land abutting all front and side boundary lines of Lots 1 through 23, inclusive, Lots 26 through 69, inclusive, Lots 72 through 633, inclusive, and Outlots "A" through "F", inclusive, Arbor Gate, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and Lots 1 through 5, inclusive, and Outlot "A", Arbor Gate Replat One, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska ("Arbor Gate"); and an eight-foot (8') wide strip of land abutting the rear boundary line of all interior lots in said Arbor Gate subdivision; and a sixteen-foot (16') wide strip of land abutting the rear boundary lines of all exterior lots in said Arbor Gate subdivision. The term exterior lots is herein defined as those lots forming the outer perimeter of the above-described subdivision. No permanent buildings or retaining walls shall be placed in said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted.

This easement shall run with the land and inure to the benefit of Grantee's successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this easement on this 10th day of June, 2010.

GRANTOR:

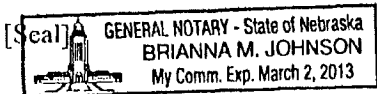
BYE VIII -ARBOR GATE, LLC, a
 Nebraska limited liability company, by
 its Administrative Member Boyer
 Young Development Company, a
 Nebraska corporation,

By: 
 Timothy W. Young, President

RETURN TO:
 FULLENKAMP, DOYLE & JOBEUN
 11440 WEST CENTER ROAD
 OMAHA, NEBRASKA 68144-4482
 ATTN: Brianna Johnson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 10th day of June, 2010, by Timothy W. Young, as president of Boyer Young Development Company, as Administrative Member of BYE VIII – Arbor Gate, LLC, a Nebraska limited liability company, a person known to me who acknowledged the same to his voluntary act and deed on behalf of said entity.



[Handwritten Signature]

Notary Public