

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2000 06938
2000 MR 28 AM 11:39

Counter Sa
Verify m
D.E. Jw
Proof _____
Fee \$ 22.00
Ck Cash Chg

Glenn J. Lawding
REGISTER OF DEEDS

Recorder's Note: Indexed
Lot 14 2 BLK 1 Masters Addition
Lot 1 BLK 2 Masters Addition
p. NW 1/4 31-14-12

DECLARATION OF RESTRICTIVE COVENANT

This Declaration is made this 29 day of January, 2000 by Robert L. Masters, herein designated "Declarant".

WITNESSETH THAT:

WHEREAS, Declarant is the owner of the following-described real property in Sarpy County, Nebraska:

(See Exhibit "A" Attached); and

WHEREAS, Declarant has negotiated with Sanitary and Improvement District No. 23 of Sarpy County, Nebraska ("SID 23") for the temporary use of certain utility facilities owned and operated by SID 23 during the initial development of the Property; and

WHEREAS, SID 23 has required, as a condition to the temporary use by Declarant of the utility facilities as aforesaid, that Declarant prohibit the sale of petroleum products from the Property for a limited period of time; and

WHEREAS, Declarant is willing to impose such a restriction upon the Property,

NOW THEREFORE, Declarant, in consideration of the above and foregoing recitals, does hereby declare, covenant and publish, for the benefit of SID 23 and the owners of all real property located therein that the Property shall be owned, used and occupied subject to the restriction that during the five-year period commencing January 29, 2000, and ending January 29, 2005, no gasoline or other petroleum-based fuel for consumption by internal combustion engines shall be dispensed from any facility or device located upon any parcel of ground contained within the boundaries of the Property.

This restriction shall run with the land and shall be binding upon each person or entity hereafter acquiring title to the Property or any portion thereof with the same force and effect as if specifically set forth in the instrument by which any such person or entity acquires title to the Property or any portion thereof.

This Declaration may be modified, altered or amended only by an instrument approved in writing by SID 23.

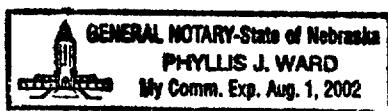
IN WITNESS WHEREOF, Robert S. Masters, as owner of the Property, has executed this document the day and year first above written at Omaha, Nebraska.

Robert S. Masters
Robert S. Masters

STATE OF NEBRASKA)
)ss:
COUNTY OF DOUGLAS)

Before me, a Notary Public, qualified for said county, personally came Robert L. Masters, known to me to be the identical person who signed the foregoing and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal on the 14 day of March, 2000.



Phyllis J. Ward
Notary Public

My commission expires: 8-1-2002

SANITARY AND IMPROVEMENT DISTRICT NO. 164
OF SARPY COUNTY, NEBRASKA

LEGAL DESCRIPTION

ALL OF MASTERS ADDITION, A SUBDIVISION AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NEBRASKA, TOGETHER WITH PART OF THE WEST 1/2 OF THE NW 1/4 OF SECTION 31, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID NW 1/4;

THENCE SOUTH (ASSUMED BEARING) 83.20 FEET ON THE WEST LINE OF SAID NW 1/4 TO THE NW CORNER OF SAID MASTERS ADDITION AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 1600.88 FEET ON THE WEST LINE OF SAID NW 1/4;

THENCE EAST 217.70 FEET;

THENCE SOUTHEASTERLY ON A NON-TANGENT 325.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S53°01'29"E, CHORD DISTANCE 41.50 FEET, AN ARC DISTANCE OF 41.53 FEET;

THENCE S28°54'11"W 8.40 FEET ON A NON-TANGENT LINE;

THENCE SOUTHWESTERLY ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S14°27'06"W, CHORD DISTANCE 87.35 FEET, AN ARC DISTANCE OF 88.28 FEET;

THENCE SOUTH 90.00 FEET;

THENCE EAST 275.07 FEET;

THENCE N69°46'14"E 211.36 FEET;

THENCE N20°13'46"W 125.00 FEET;

THENCE N69°46'14"E 24.11 FEET;

THENCE N20°13'46"W 230.00 FEET;

THENCE N82°56'03"E 95.93 FEET;

THENCE N21°43'16"W 295.45 FEET;

THENCE N27°17'06"W 280.00 FEET;

THENCE N70°00'44"E 92.34 FEET;

THENCE N04°00'00"W 240.00 FEET;

THENCE S86°00'00"W 35.15 FEET TO THE SE CORNER OF LOT 2, BLOCK 1, SAID MASTERS ADDITION;

THENCE N23°48'07"W 316.52 FEET ON THE EASTERLY LINE OF SAID MASTERS ADDITION;

THENCE NORTH 293.17 FEET ON THE EAST LINE OF SAID MASTERS ADDITION;

THENCE N88°55'18"W 363.06 FEET ON THE NORTHERLY LINE OF SAID MASTERS ADDITION TO THE POINT OF BEGINNING.

CONTAINING 20.77 ACRES MORE OR LESS.

SHEET 1 OF 2

2000-06938C

POINT OF COMMENCEMENT
NW CORNER OF THE NW
1/4 OF SECTION 31, T14N,
R12E

HIGHWAY 370

SOUTH 83.20'
POINT OF BEGINNING

N88°55'18"W 363.06'

WALL STREET

NORTH 293.17'

1

BLOCK 1
MASTERS ADDITION

2

N23°48'07"W 316.52'

S86°00'00"W 35.15'

GRISSOM STREET

N04°00'00"W 240.00'

LOT 1
BLOCK 2
MASTERS ADDITION

N70°00'44"E 92.34'

132nd STREET

SOUTH 1600.88'

N27°17'06"W 280.00'

N21°43'16"W 295.45'

N82°56'03"E 95.93'

N20°13'46"W 230.00'

N69°46'14"E 24.11'

N20°13'46"W 125.00'

EAST 217.70'

RADIUS: 325.00'
CHORD BEARING: S53°01'29"E
CHORD DISTANCE: 41.50'
ARC DISTANCE: 41.53'

S28°54'11"W 8.40'

RADIUS: 175.00'
CHORD BEARING: S14°27'06"W
CHORD DISTANCE: 87.35'
ARC DISTANCE: 88.28'

EAST 275.07'

SOUTH 90.00'

N69°46'14"E 211.36'



SCALE 1" = 200'

SHEET 2 OF 2

S.I.D. BOUNDARY

TD2 JOB NO.: 294-111-A.DWG DATE: NOVEMBER 17, 1999

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860