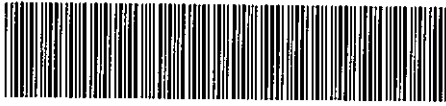




1275 718 MISC



18983 98 718-722

Nebr Doc
Stamp Tax

Date

\$

By

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

18983 23-06170
m ~~FE 26.00~~ ~~FB 23-06173~~
~~EXP COMP CO~~ ~~CO~~ ~~COMP~~ ~~IP~~
~~CO~~ ~~SCW~~ ~~AN~~ ~~IV~~

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

Dec 28 8 30 AM '98

RECEIVED

After recording, return to:
Bob Dailey
Suite 1400, One Central Park Plaza
222 S. 15th St.
Omaha, Nebraska 68102

EASEMENT AGREEMENT

OMAHA REAL ESTATE INVESTMENT PARTNERSHIP, a Minnesota general partnership ("Grantee"), the owner of LOT 17, CENTRAL PARK EAST, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA (the "Burdened Parcel"), for itself and its successors and assigns, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to OPUS ESTATES CORPORATION, a Minnesota corporation, and its successors and assigns ("Grantee"), a perpetual easement for the purpose of keeping the "Easement Area" (as that term is defined below) free and clear of any buildings or other above-ground structures, which, if hereafter constructed or installed, would encroach on the separation requirements of U.B.C. Section 505.1.2 as they apply to Grantee's building being constructed on LOT 1, CENTRAL PARK EAST REPLAT 2, AN ADDITION TO THE CITY OF OMAHA, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA (the "Benefited Parcel").

The "Easement Area" for which this easement applies is described and shown on Exhibit A attached hereto and incorporated by reference herein.

This Easement is for the benefit of Grantee and the Benefited Parcel and all future owners and encumbrancers of the Benefited Parcel and shall run with the land and bind the Burdened Parcel and all successive owners and encumbrancers of the Burdened Parcel.

Grantor reserves the right of ingress to and egress from the "Easement Area" and the right to occupy the "Easement Area" for all other uses and purposes except as specifically restricted hereby.

DATED: May 20, 1998.

OMAHA REAL ESTATE INVESTMENT
PARTNERSHIP, a Minnesota general partnership

By ARBEIT & CO. General Partnership

By: 

Gerald Rauenhorst, General Partner

STATE OF Minnesota)
)
COUNTY OF Hennepin)

On this 29th day of May, 1998, before me a Notary Public in and for said county and state, personally appeared Gerald Rauenhorst, known to me to be the identical person who subscribed (his/her) name to the foregoing as General Partner of Arbeit & Co., a Minnesota general partnership, General Partner of OMAHA REAL ESTATE INVESTMENT PARTNERSHIP, a Minnesota general partnership, and acknowledged the execution thereof to be (his/her) voluntary act and deed and the voluntary act and deed of said general partnership.



Katherine M. Moore
NOTARY PUBLIC

~~The undersigned, Principal Mutual Life Insurance Company, the current holder of that certain Deed of Trust, Security Agreement and Assignment of Rents, and Assignment of Leases and Rents and Uniform Commercial Code Financing Statement recorded against the Burdened Parcel, hereby consents to and agrees to be bound by the above-referenced Easement.~~

~~PRINCIPAL MUTUAL LIFE INSURANCE COMPANY~~

~~By: _____
Title: _____~~

STATE OF Iowa)
)
COUNTY OF Polk)

~~On this _____ day of May, 1998, before me a Notary Public in and for said county and state, personally appeared _____, known to me to be the identical person who subscribed (his/her) name to the foregoing as _____ of PRINCIPAL MUTUAL LIFE INSURANCE COMPANY, an Iowa corporation, and acknowledged the execution thereof to be (his/her) voluntary act and deed and the voluntary act and deed of said corporation.~~

~~_____
NOTARY PUBLIC~~

Consent to Easement Agreement

The undersigned, Principal Life Insurance Company (formerly known as Principal Mutual Life Insurance Company), the current holder of that certain Deed of Trust, Security Agreement and Assignment of Rents, and Assignment of Leases and Rents and Uniform Commercial Code Financing Statement recorded against the Burdened Parcel, hereby consents to and agrees to be bound by the above-referenced Easement Agreement.

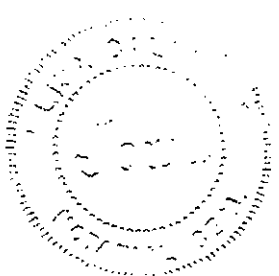
PRINCIPAL LIFE INSURANCE COMPANY
(formerly known as Principal Mutual Life Insurance Company)

By: Todd E. Everett
Title: Todd E. Everett
Director
Commercial Real Estate

By: Thomas J. Bell
Title: Thomas J. Bell, Associate Director
Commercial Real Estate

STATE OF Iowa)
COUNTY OF Polk)

On this 19th day of November, 1998, before me a Notary Public in and for said county and state, personally appeared Todd E. Everett and Thomas J. Bell known to me to be the identical persons who subscribed their names to the foregoing as Director, CRE and Associate Director, CRE respectively, of Principal Life Insurance Company (formerly known as Principal Mutual Life Insurance Company), an Iowa Corporation, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said corporation.



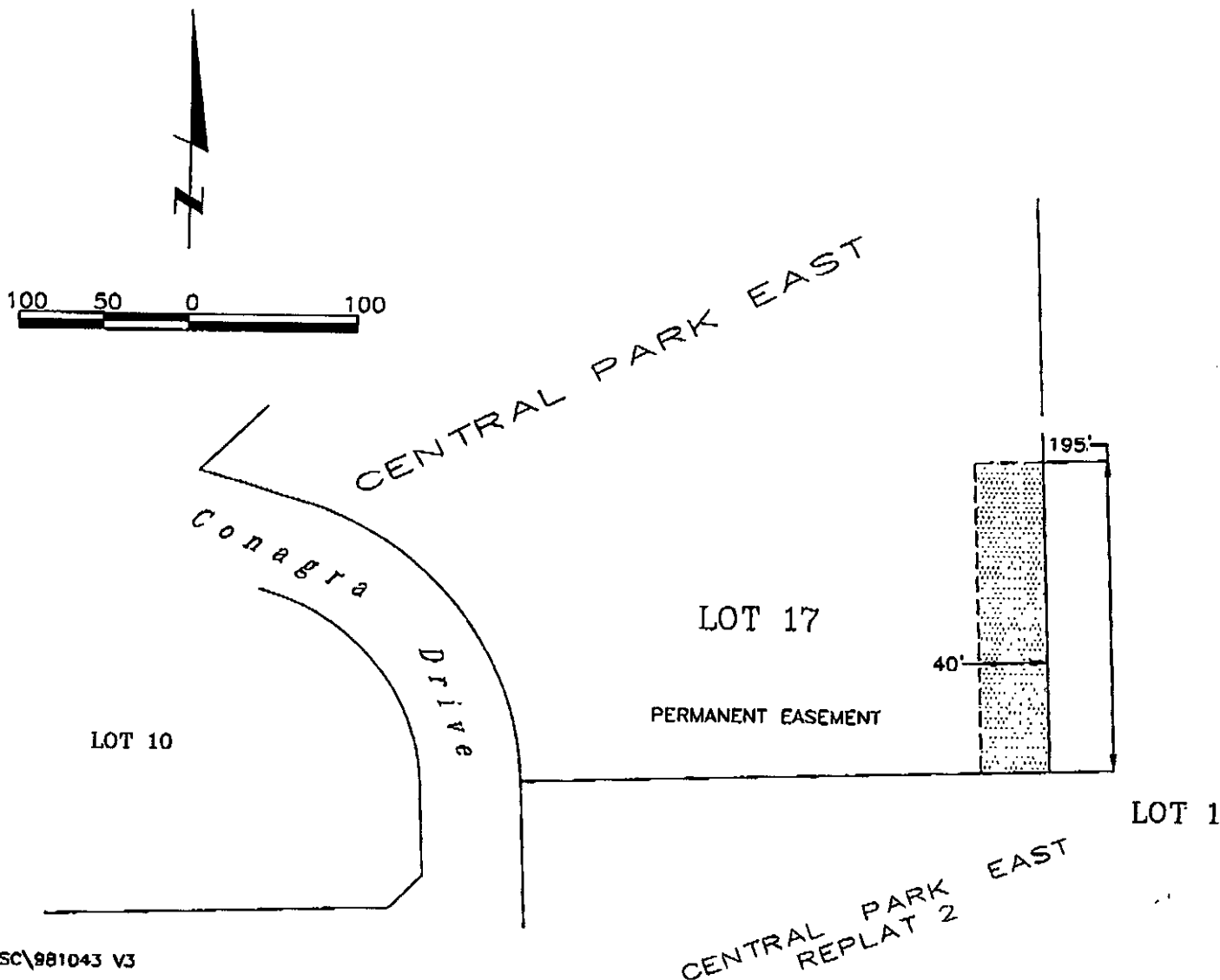
Lisa Callies
NOTARY PUBLIC



EXHIBIT "A"

LEGAL DESCRIPTION

A permanent easement over the West forty foot (40') of the South 195.00' feet of Lot 17, CENTRAL PARK EAST, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska



MISC\981043 V3

Book _____

Page _____

Date MAR. 20. 1998

Dwn.By AET

Job Number 981043



lamp, rynearson & associates, inc.

engineers

surveyors

planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2029

ph 402-496-2498
fax 402-496-2730