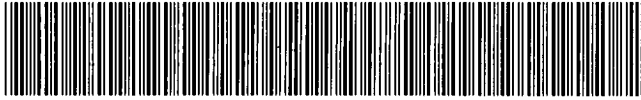




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Register of Deeds, Douglas County, NE  
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## DEED RESTRICTION

THIS DEED RESTRICTION is made this 20 day of June, 2017, by MII Bennington, LLC, Owner of the property as described on Exhibit "A", attached hereto, hereinafter referred to as the "Grantor", including the Grantor's heirs, administrators, legal representatives, devisees, successors, and assigns hereby imposes the following deed restrictions on the parcel of land described in Exhibit "A":

The discharge of storm water runoff from a fully developed whole or part of the area described in Exhibit "A" shall be limited to the pre-development discharge as computed for a fifty (50) year frequency rainfall event. A drainage study demonstrating compliance with this requirement together with a grading plan and storm water retention plan shall be prepared by a registered civil engineer in the State of Nebraska and submitted to and approved by the Nebraska Department of Roads or Department of Transportation prior to construction of any parking, building or other improvements of any proposed development on the whole or part of the land described in Exhibit "A".

This deed restriction shall run with the land and shall be binding upon the Grantor, tenants and any subsequent owners and tenants, their successors, heirs or assigns. Any lease of said specific parcels shall be subject to this restriction.

The above represent enforceable conditions established by the Nebraska Department of Roads or Department of Transportation that are necessary to limit the amount of storm water runoff being discharged and conveyed to an existing culvert under State Hwy 36.

IN WITNESS WHEREOF, I hereby set my hand this 20 day of June, 2017.

GRANTOR:  
MII Bennington, LLC

By: [Signature]  
Geoff McGregor

STATE OF NEBRASKA  
County of ~~Washington~~ Douglas

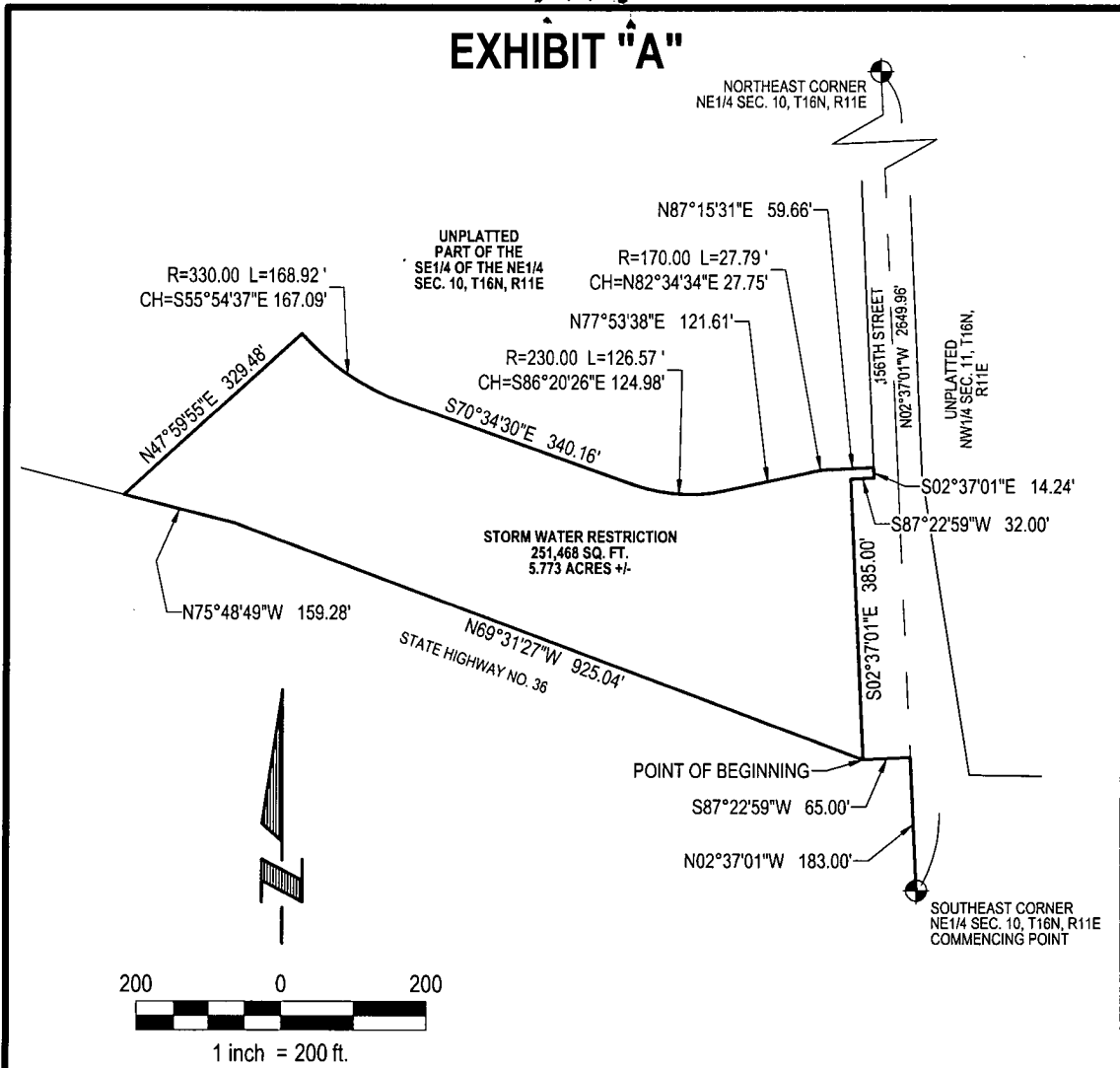
On this 20 day of June, 2017, before me personally appeared Geoff McGregor, who acknowledged himself to be the Manager of MII Bennington, LLC, and that he, as Manager, being so authorized to do so, executed the foregoing instrument for the purposes contained therein.

In witness whereof, I have set my hand and official seal.

[Signature]  
Notary signature  
My Commission Expires:



# EXHIBIT "A"



## LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NE 1/4 OF SAID SECTION 10, THENCE N02°37'01"W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID NE 1/4 OF SECTION 10, A DISTANCE OF 183.00 FEET; THENCE S87°22'59"W, A DISTANCE OF 65.00 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36 AND THE WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N69°31'27"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36, A DISTANCE OF 925.04 FEET; THENCE N75°48'49"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36, A DISTANCE OF 159.28 FEET; THENCE N47°59'55"E, A DISTANCE OF 329.48 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 330.00 FEET, A DISTANCE OF 168.92 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S55°54'37"E, A DISTANCE OF 167.09 FEET; THENCE S70°34'30"E, A DISTANCE OF 340.16 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 230.00 FEET, A DISTANCE OF 126.57 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°20'26"E, A DISTANCE OF 124.98 FEET; THENCE N77°53'38"E, A DISTANCE OF 121.61 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 170.00 FEET, A DISTANCE OF 27.79 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N82°34'34"E, A DISTANCE OF 27.75 FEET; THENCE N87°15'31"E, A DISTANCE OF 59.66 FEET TO A POINT BEING 33.00 FEET WEST OF SAID EAST LINE OF THE NE 1/4 OF SECTION 10; THENCE S02°37'01"E ALONG A LINE BEING 33.00 FEET WEST OF AND PARALLEL TO SAID EAST LINE OF THE NE 1/4 OF SECTION 10, A DISTANCE OF 14.24 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET; THENCE S87°22'59"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET, A DISTANCE OF 32.00 FEET TO A POINT BEING 65.00 FEET WEST OF SAID EAST LINE OF THE NE 1/4 OF SECTION 10; THENCE S02°37'01"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET, SAID LINE BEING 65.00 FEET WEST OF AND PARALLEL TO SAID EAST LINE OF THE NE 1/4 OF SECTION 10, A DISTANCE OF 385.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 251,468 SQUARE FEET OR 5.773 ACRES, MORE OR LESS.



**E & A CONSULTING GROUP, INC.**

Engineering • Planning • Environmental & Field Services

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599

Drawn by: FCE | Chkd by:

Date: 06/15/2017

Job No.: P2015.717.001

**STORM WATER RESTRICTION**

**PART OF THE SE 1/4 OF THE NE 1/4  
SECTION 10, T16N, R11E**

DOUGLAS COUNTY, NEBRASKA