



MISC 2014022960



APR 01 2014 15:52 P 4

Fee amount: 28.00  
FB: 45-35825  
COMP: SB

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
04/01/2014 15:52:18.00



2014022960

After Recording Return To:  
Elizabeth Sevcik  
Croker, Huck, Kasher, DeWitt  
Anderson & Gonderinger, L.L.C.  
2120 S. 72<sup>nd</sup> Street, Ste. 1200  
Omaha, Ne 68124

### MODIFICATION OF EASEMENT

This Modification of Easement is made by M & V Investments, LLC ("M & V") as of the 31<sup>st</sup> day of March, 2014.

### RECITALS

- A. M & V Investments is the owner of Lot 1, Sierra Properties, an addition to the city of Omaha in Douglas County, Nebraska ("Lot 1").
- B. Part of Lot 1 is subject to a nonexclusive easement agreement filed in the Douglas County Register of Deeds Office on December 28, 1994 in Book 1137 at Page 73 (the "Driveway Easement").
- C. M & V desires to modify the easement area as more particularly described herein.

Now therefore, inconsideration of the foregoing recitals, which are incorporated herein by this reference, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

- 1. The legal description in the Driveway Easement for the easement area, referred to therein and herein as the "Driveway Tract," is hereby amended and replaced by the legal description set forth on Exhibit A attached hereto and incorporated herein by this reference.
- 2. The driveway improvements, referred to in the Easement Agreement and herein as the "Driveway," shall be modified and reconstructed as depicted on Exhibit B attached hereto and incorporated herein by this reference. The depiction of the Driveway on Exhibit A to the Driveway Easement is hereby amended and replaced by the depiction on Exhibit B hereto.
- 3. The scrivener's error in Recital "C" of the Driveway Easement which identifies one of the "Prior Grants" as being filed at Book 112, Page 451 is hereby corrected to reflect that the Prior Grant is filed at Book 1112, Page 451.

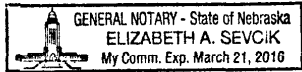
4. All other terms and conditions of the Driveway Easement not expressly modified herein remain in full force and effect, without waiver or amendment.

M & V Investments, LLC

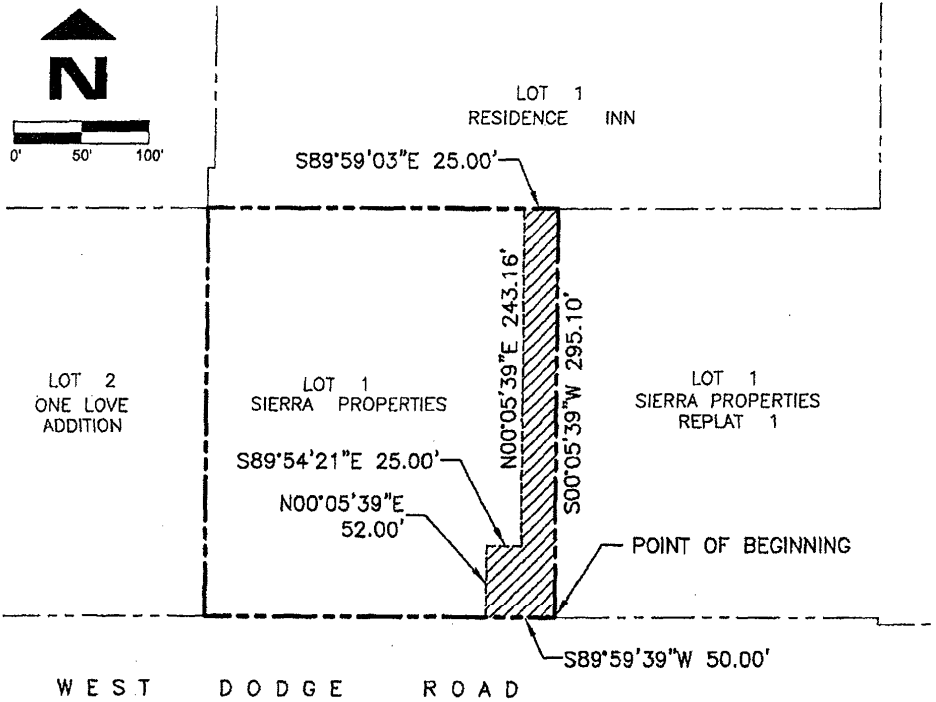
By: [Signature]  
Mark VanArsdel, Manager

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me on this 31<sup>st</sup> day of March, 2014, by Mark VanArsdel, Manager of M & V Investments, LLC, a Nebraska limited liability company, on behalf of said limited liability company.



[Signature]  
Notary Public



**LEGAL DESCRIPTION**

THAT PART OF LOT 1, SIERRA PROPERTIES, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, BEGINNING AT THE SE CORNER OF SAID LOT 1;

THENCE S89°59'39"W (ASSUMED BEARING) 50.00 FEET ON THE SOUTH LINE OF SAID LOT 1;

THENCE N00°05'39"E 52.00 FEET ON A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1;

THENCE S89°54'21"E 25.00 FEET;

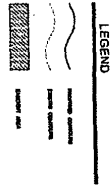
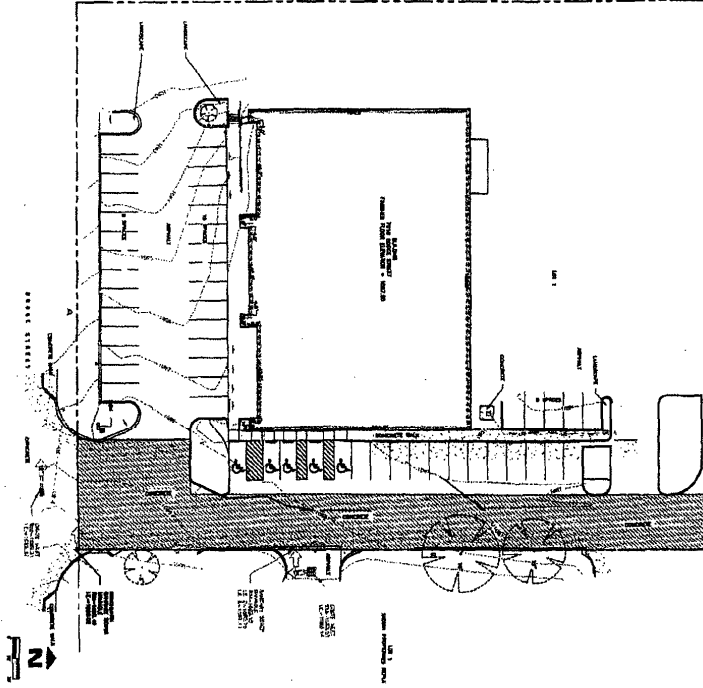
THENCE N00°05'39"E 243.16 ON A LINE 25.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1 TO THE NORTH LINE THEREOF;

THENCE S89°59'03"E 25.00 FEET ON THE NORTH LINE OF SAID LOT 1 TO THE NE CORNER THEREOF;

THENCE S00°05'39"W 295.10 FEET ON THE EAST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

	Job Number: 1790-101-EX thompson, dreessen & dörner, Inc. 10836 Old Mill Rd Omaha, NE 68154 p.402.330.8860 f.402.330.5866 td2co.com	Date: OCTOBER 18, 2013 Drawn By: RJR Reviewed By: JDW Revision Date:	<h2>EXHIBIT "A"</h2>
	7010 DODGE STREET		

EXHIBIT "B"



**CALL BEFORE YOU DIG**  
 800-4-A-DIG  
 1-800-451-5444  
 711  
 34-7365



Terra Design Services & Survey, Inc.  
 10007 Old Mill Rd  
 P.O. Box 1000  
 Piedmont, CA 94629  
 www.tds2.com

Lot 1  
 Sierra Parking Lot  
 7010 Dodge Street



NO.	DATE	DESCRIPTION
1	10/1/08	ISSUED FOR PERMITTING
2	10/1/08	ISSUED FOR PERMITTING
3	10/1/08	ISSUED FOR PERMITTING
4	10/1/08	ISSUED FOR PERMITTING
5	10/1/08	ISSUED FOR PERMITTING
6	10/1/08	ISSUED FOR PERMITTING
7	10/1/08	ISSUED FOR PERMITTING
8	10/1/08	ISSUED FOR PERMITTING
9	10/1/08	ISSUED FOR PERMITTING
10	10/1/08	ISSUED FOR PERMITTING

**Paving Plan**

**C2.0**