

James D. Buser
Gaines, Mullen, Pansing & Hoge
10050 Regency Circle, Ste. 201
Omaha, NE 68114



RECEIVED

Dec 9 2 40 PM '96

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

INGRESS AND EGRESS EASEMENT AGREEMENT

This Easement Agreement is made and entered into this 9 day of December, 1996, by and between LANOHA-PACIFIC DEVELOPMENT, INC., a Nebraska corporation (herein "Lanoha"), and VERNOEL C. SCHMIDT and ELSIE E. SCHMIDT, husband and wife (herein collectively "Schmidt").

Preliminary Statement

Lanoha owns real property in Douglas County, Nebraska, legally described as follows (herein the "Lanoha Property"):

Lot 1 and Lot 2, Pacific Springs Replat 3, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, being a replat of Lot 32, Pacific Springs, a platted and recorded subdivision in Douglas County, Nebraska.

Schmidt is the owner of property in Douglas County, Nebraska, legally described as follows (herein the "Schmidt Property"):

One Acre of Land in the Southwest Corner of the Southwest Quarter of Section Twenty-one (21), Township Fifteen (15), North, Range Eleven (11), East of the Sixth Principal Meridian, described as follows: Beginning at a point 33 feet East and 33 Feet North of the Southwest corner of said Section 21, thence North 208.7 Feet, thence East 208.7 Feet, thence South 208.7 Feet, thence West 208.7 Feet to place of beginning, in Douglas County, Nebraska.

Concurrently herewith, Schmidt has released two (2) twenty-four (24) foot permanent ingress/egress easements as such were reserved in the plat and dedication of Pacific Springs, Lots 1 through 33, filed with the Douglas County Register of Deeds on May 23, 1996, in Book 2833, at Page 102. In connection with the release of the foregoing easements, Lanoha has agreed to grant Schmidt permanent nonexclusive ingress and egress easements along the easement areas which are legally described and pictorially illustrated on Exhibit "A" attached hereto (herein the "Easement Area").

NOW, THEREFORE, in consideration of the foregoing Preliminary Statement, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lanoha and Schmidt do hereby agree as follows:

1. The owner of the Schmidt Property shall have a perpetual nonexclusive right, privilege and easement to come upon and travel across the Easement Area for ingress to and egress from the Schmidt Property to publicly dedicated streets (herein the "Ingress and Egress Easement").
2. The owner of the Lanoha Property may, from time to time, change the location of the Ingress and Egress Easement within the Lanoha Property so long as the new Easement Area provides reasonably direct and unimpeded ingress to and egress from the Schmidt Property to Marcy Street on the North and from the Schmidt Property to 178th Street on the East.
3. Notwithstanding anything to the contrary herein, Lanoha may from time to time grant additional nonexclusive ingress and egress easements on and along the Easement Area and may grant other easements, i.e., for public utilities, on and along the Easement Area without the consent or approval of the owner of the Schmidt Property.
4. The respective owners of the Schmidt Property and the Lanoha Property shall each prohibit and take reasonable action to prevent any parking on and along the Easement Area, or any other blockage of the Easement Area.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement to be effective as of the date and year first above written.

LANOHA-PACIFIC DEVELOPMENT, INC.

14114 21-15-11 01-60000
16-50A PROC-29202
DS CO
MAY 21 1996

David F. Lanoha
David F. Lanoha, President

Vernoel C. Schmidt
Vernoel C. Schmidt

Elsie E. Schmidt
Elsie E. Schmidt

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 9 day of December 1996, by David F. Lanoha, President of Lanoha-Pacific Development, Inc., a Nebraska corporation, on behalf of the corporation.



Patricia A. Sorensen
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 9 day of Dec, 1996, by Vernoel C. Schmidt and Elsie E. Schmidt, husband and wife.

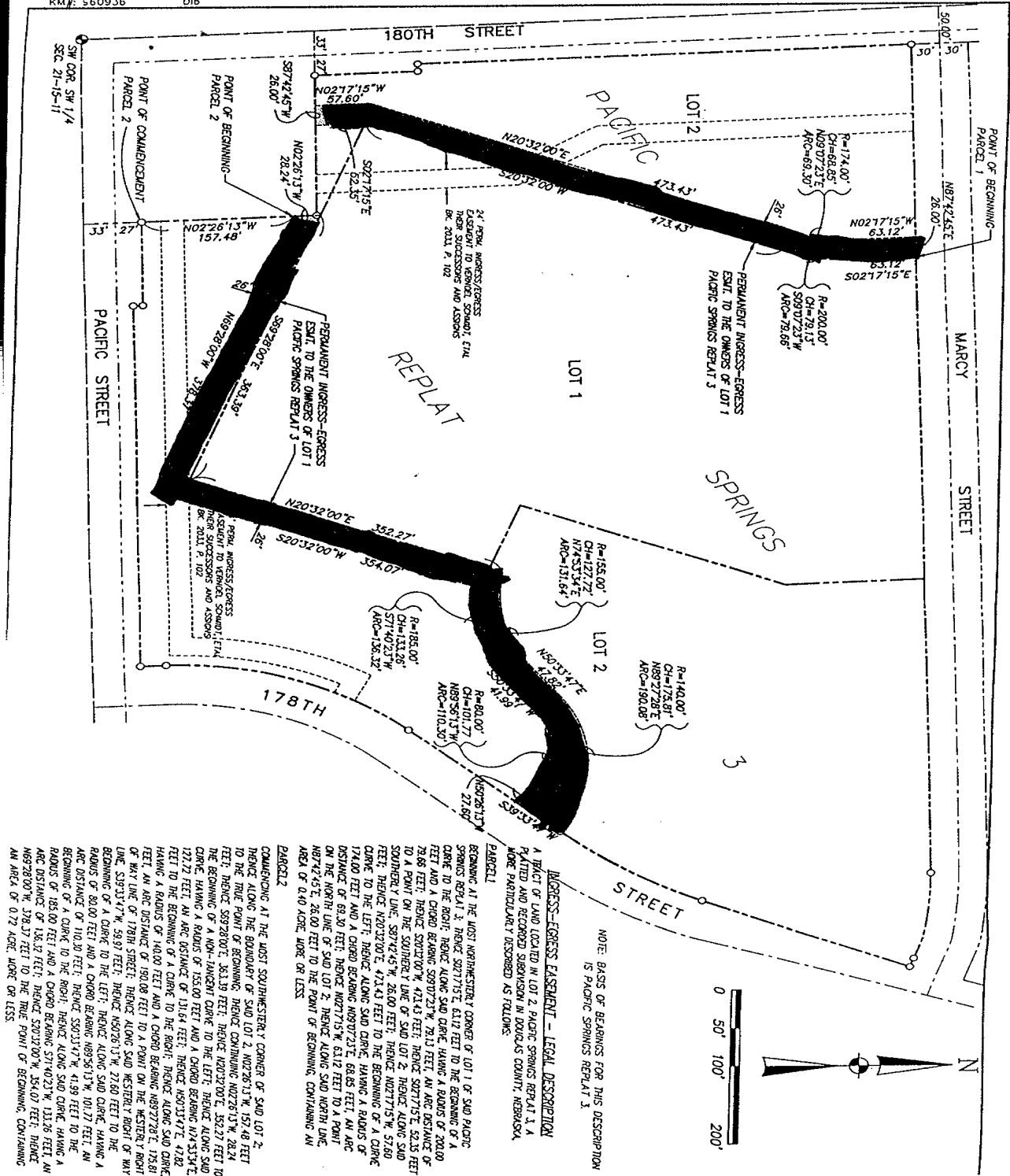


Margaret J. Rood
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

EXHIBIT "A"

NOV-13-1996 09:03:20 S:\940738\EXH-ESMT.DWG
KMP: 560936 Dib



INGRESS-EGRESS EASEMENT

PACIFIC SPRINGS COMMERCIAL DEVELOPMENT

DOUGLAS COUNTY NEBRASKA

KIRKHAM MICHAEL CONSULTING ENGINEERS

DATE: 11/1

INGRESS-EGRESS EASEMENT - LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 2, PACIFIC SPRINGS REPLAT 1, A PLATTED AND RECORDED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF LOT 1 OF SAID PACIFIC SPRINGS REPLAT 1; THENCE S02°17'15" E, 63.12 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 200.00 FEET AND A CHORD BEARING S09°07'23" W, 79.15 FEET; AN ARC DISTANCE OF 79.66 FEET; THENCE S02°17'15" W, 471.43 FEET; THENCE S02°17'15" E, 63.12 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE ALONG SAID SOUTHERLY LINE, S87°42'45" W, 26.00 FEET; THENCE N02°17'15" W, 57.80 FEET; THENCE N20°32'00" E, 471.43 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 174.00 FEET AND A CHORD BEARING N09°07'23" E, 68.85 FEET; AN ARC DISTANCE OF 68.30 FEET; THENCE N02°17'15" W, 63.12 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2; THENCE ALONG SAID NORTH LINE, N87°42'45" E, 26.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.10 ACRES, MORE OR LESS.

PARCEL 2

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 2; THENCE ALONG THE BOUNDARY OF SAID LOT 2, N02°26'13" W, 157.48 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N02°26'13" W, 28.24 FEET; THENCE S89°28'00" E, 363.39 FEET; THENCE N20°32'00" E, 552.27 FEET TO THE BEGINNING OF A NON-RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 153.00 FEET AND A CHORD BEARING N14°53'54" E, 127.72 FEET; AN ARC DISTANCE OF 131.64 FEET; THENCE N02°17'15" W, 47.82 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 140.00 FEET AND A CHORD BEARING N09°07'23" E, 175.81 FEET; AN ARC DISTANCE OF 190.08 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 178TH STREET; THENCE N50°28'13" W, 27.60 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 80.00 FEET AND A CHORD BEARING N89°56'13" W, 101.27 FEET; AN ARC DISTANCE OF 110.20 FEET; THENCE S02°17'15" W, 43.99 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 185.00 FEET AND A CHORD BEARING S71°40'23" W, 101.28 FEET; AN ARC DISTANCE OF 135.12 FEET; THENCE S02°17'15" W, 33.40 FEET; THENCE N89°28'00" W, 378.37 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING AN AREA OF 0.72 ACRES, MORE OR LESS.

NOTE: BASIS OF BEARINGS FOR THIS DESCRIPTION IS PACIFIC SPRINGS REPLAT 1.