



MISC 2008032325



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/3/2008 11:16:17.45



2008032325

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**FIRST AMENDMENT
TO
DECLARATION
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS**
MIAMI HEIGHTS, A SUBDIVISION IN DOUGLAS COUNTY NEBRASKA

The undersigned, MIAMI HEIGHTS DEVELOPMENT CO., LLC, is the DECLARANT ("**Declarant**") under and pursuant to a certain Declaration of Covenants, Conditions, Restriction and Easements originally executed under date of May 28, 2003, and recorded May 29, 2003 in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2003-02765 (hereafter, the "**Declaration**"). 102743

Miami Heights Subdivision

At the time of execution and recordation of the Declaration, Declarant was the owner of then Lots 1 through 18, Miami Heights, a subdivision in Douglas County, Nebraska, and the Declaration pertained to such Lots. The Plat of Miami Heights was recorded April 30, 2003 in the Office of the Register of Deeds of Douglas County Nebraska as Instrument No. 2003006329 (DEED). A copy of the Plat of Miami Heights (which was a replatting of certain lots, alleys and streets as described therein), is attached hereto for informational purposes as **Exhibit "A"**. 05-25350

Miami Heights Replat 1

Subsequent to the recordation of the Declaration, Declarant arranged for an administrative replatting of original Lot 18 Miami Heights (which itself had consisted of former Lots 1 and 2, Block 22, Omaha View Extension), together with Lots 3 and 4, Block 22, Omaha View Extension, into Lots 1 and 2, Miami Heights Replat 1. Miami Heights Replat 1 was recorded August 5, 2003 in the Office of the Register of Deeds of Douglas County as Instrument Number 2003-146498 (MISC), and a copy thereof is attached hereto for informational purposes as **Exhibit "B"**. Lot 1 of Miami Heights Replat 1 is presently owned by Patricia Toolles, and consists of former Lot 18, Miami Heights, and the East Half of former Lot 3, Block 22, Omaha View Extension. Lot 2, Miami Heights Replat 1 is presently owned by Declarant, and consists of former Lot 4 and the West Half of former Lot 3, Block 22, Omaha View Extension. * Book 2241 Page 135

Miami Height Replat 2

Subsequent to the recordation of Miami Heights Replat 1, Declarant arranged for an administrative replatting of former Lots 4 and 11, Miami Heights 05-25352

into Lots 1 and 2, Miami Heights Replat 2. Miami Heights Replat 2 was recorded in the Office of the Register of Deeds of Douglas County on November 3, 2003 as Instrument Number 2003 214395 (DEED), and a copy thereof is attached hereto for informational purposes as ³¹⁶¹⁷⁸Exhibit "C". Lot 1 of Miami Heights Replat 2 consists of all of former Lot 4, Miami Heights, together with that part of former Lot 11, Miami Heights, lying west of the east face of a certain retaining wall located on former Lot 11, as more particularly described in the "Complete Legal Description" set forth in an attachment to Miami Heights Replat 2. Lot 2, Miami Heights Replat 2 consists of that part of former Lot 11, Miami Heights, lying east of the east face of the foregoing retaining wall. Lot 1, Miami Heights Replat 2 is presently owned by Rosalee Williams. Lot 2, Miami Heights Replat 2 is presently owned by Declarant.

Omaha View Extension Replat 1

05-28701

Subsequent to the recordation of Miami Heights Replat 2, Declarant arranged for an administrative replatting (Administrative Minor Plat) of former Lot 2, Miami Heights Replat 1, together with Lots 5 through 9, Omaha View Extension, into new Lots 1, 2 and 3, Omaha View Extension Replat 1. Omaha View Extension Replat 1 was recorded in the Office of the Register of Deeds of Douglas County on November 28, 2007 as Instrument Number 2007 131509 (DEED), and a copy thereof is attached hereto for informational purposes as Exhibit "D". Lots 2 and 3, Omaha View Extension Replat 1 consist of former Lot 2, Miami Heights Replat 1, together with former Lots 5, 6 and part of 7, Block 222, Omaha View Extension.

Properties Presently Owned by Declarant

Declarant is the present owner of Lots 1, 2 and 3, Omaha View Extension Replat 1, together with Lots 3, 8, 10, 12, 16 and 17, Miami Heights, and Lot 2 of Miami Heights Replat 2 (part of former Lot 11, Miami Heights).

Pursuant to a certain Purchase Agreement between Declarant and Adolph L. Williams ("**Williams**"), Declarant will in the very near future or contemporaneously herewith convey **Lots 2 & 3, Omaha View Extension Replat 1** (the "**Williams Property**"), now bearing an address of 3217 Ohio Street, to Williams and his wife, ⁴¹³³²Annisa L. Williams ("**the Williams**"). In consideration of the purchase of the Williams Property, the Williams join with Declarant in the execution of this First Amendment for the purpose of binding the Williams Property and Lot 1, Omaha View Extension Replat 1 to the terms and provisions of the Declaration (except as modified herein) and to the terms and provisions of this First Amendment, and also for the purpose of securing the benefits of the Declaration and the First Amendment for the Williams Property and Lot 1, Omaha View Extension Replat 1. It is agreed by Declarant and the Williams that this First Amendment shall be so binding regardless of whether this

First Amendment is recorded prior or subsequent to the time of recordation of the deed of conveyance of the Williams Property to the Williams.

For mutual consideration, Declarant and the Williams hereby agree as follows:

1. That the Williams and the Williams Property, Lot 1 Omaha View Extension Replat 1, and all parties having or acquiring any right, title and interest in such property shall be bound by and benefit from all of the terms, provisions and conditions contained in the Declaration, in the same manner as if the Williams Property and Lot 1, Omaha View Extension Replat 1, had been one of the Lots contained in the original Declaration.
2. "Lot" or "Lots". That the individual term "Lot", and the collective term "Lots", as contained in the Preliminary Statement or elsewhere in the Declaration, shall mean and include the Williams Property and Lot 1, Omaha View Extension Replat 1.
3. "Properties". That the term "Properties", as used in Paragraph 1(c) of Article II (Homeowners' Association), shall mean and refer to all of the Lots that originally were denominated Lots 1 through 18, however they are now denominated, together with the Williams Property and Lot 1, Omaha View Extension Replat 1.
4. Williams Property Only. That notwithstanding anything in the foregoing or hereinafter to the contrary, the provisions of the Declaration are modified as to the Williams Property only, as follows:
 - 4.1 Paragraph 9 of Article I. (Fencing). For so long as no residential structure is constructed on Lot 2, Omaha View Extension Replat 1, a fence shall be permitted beyond the front building line of any residential structure constructed on Lot 3, from a point which is at least 10 feet west of the northwest corner of such Lot 3 residence (or from the northwest corner of a deck or any other structure made a part of such residence, if it extends further west), and running northerly therefrom and then westerly, across the front of all of Lot 2, but subject to all other covenants, restrictions, easements and front and side yard set-backs as may be contained in the Declaration, or in any applicable ordinance or other law. In the event that a residential structure is constructed on said Lot 2, then this exception shall terminate and Lots 2 and 3, Omaha View Extension Replat 1 shall thereafter be subject to the original terms of Paragraph 9 of Article 1, and as such any fencing then in existence which does not comply with the original Paragraph 9 fencing requirements shall be removed at the expense of the then Owners of said Lots 2 and 3.

4.2 Paragraph 10 of Article 1 (Swimming Pool). the Williams may construct a swimming pool to be located on the southerly (rear) portions of Lots 3 and 2, Omaha View Extension Replat 1. Because Lot 2 slopes to the West, such swimming pool may rise above ground on the westerly end sufficient to allow it to be level along the pool's length, but not to exceed a maximum of 7 feet above ground at the highest point. The above ground portion of the pool structure shall be covered with material that presents a reasonably attractive appearance from an aesthetic standpoint, and which is reasonably durable, both of which conditions are subject to the prior approval of Declarant, which approval shall not be unreasonably withheld. Such covering material shall be periodically maintained by the Owner so as not to allow it to become unsightly.

4.3 Voting and Assessments. That for all purposes under Article II (Homeowners' Association) pertaining to voting, including, without limitation, the provisions set forth in Paragraph 6 (Voting) and 8(e) (Ratification of the Budget), as well as those pertaining to the making of assessments or the establishing of dues (Paragraphs 8, 10, 11 and 12), the Williams Property shall be considered and treated as one Lot; provided, however, that if at any time in the future a residential structure should be constructed on Lot 2, Omaha View Extension Replat 1, Lots 2 and 3 shall thereafter be considered and treated as separate Lots for the foregoing purposes.

5. TIF Redevelopment Agreement With the City of Omaha. Paragraph 24 of Article I, pertaining to a certain Tax Increment Financing ("TIF") Redevelopment Agreement with the City of Omaha approved by Ordinance No. 36231 on April 8, 2003, does not presently apply to the Williams Property (3217 Ohio) or Lot 1, Omaha View Extension Replat 1 (3233 Ohio). Declarant plans to make a request to the City of Omaha in the near future to add and include the Williams Property and Lot 1, Omaha View Extension Replat 1, together with Lots 9 and 10, Block 8, Omaha View (adjoining Lot 2, Miami Heights or 2616 North 32nd Avenue on the West), and Lot 11, Block 9, Omaha View (3236 Miami) to the existing TIF District created pursuant to the foregoing Redevelopment Agreement. The Williams shall in all ways fully cooperate with Declarant in connection with such request of the City, including, without limitation, executing any and all consents that may be required of Williams. Any of the foregoing properties so added to the existing TIF District will become subject to and bound by the terms and provisions of said Paragraph 24, Article 1. The Williams hereby consent to the addition of the Williams Property and any or all of

05-28680

rest of the foregoing-described properties to the existing TIF District, and to the Williams Property being subject to and bound by the terms and provisions of Paragraph 24 of Article I in the event that the Williams Property is so added.

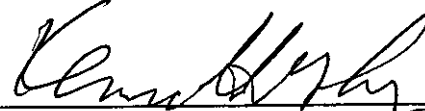
6. Utility Easements. Notwithstanding any provisions in Paragraph 1 of Article III (Easements) to the contrary, the easement over the rear boundary lot line of the Williams Property and of Lot 1, Omaha View Extension Replat 1, shall be an eight-foot (8') strip.


7. Declarant's Authority For This Amendment. Declarant hereby exercises its authority to annex to the Properties the Williams Property and Lot 1, Omaha View Extension Replat 1, and to amend the Declaration unilaterally, pursuant to the annexation provisions of Paragraph 2(a) of Article II (Homeowners' Association) and the amendment provisions of Paragraph 2 of Article IV (General Provisions), to provide that this First Amendment, including the above modifications, shall be, for enforcement and all other purposes, for the benefit of and binding upon each Lot, Declarant, the Williams and all other Owners of the Lots, including, without limitation, the Homeowners' Provisions contained in Article II.


IN WITNESS WHEREOF, the Declarant and Adolph L. Williams and ^{Annisa} Annisa L. Williams have caused this First Amendment to be executed as of the 7th day of March, 2008.

DECLARANT

MIAMI HEIGHTS DEVELOPMENT CO., LLC, a
Nebraska limited liability company

By: 
Kenneth G. Lyons, Manager/President
(and as President of New Community
Development Corporation, Sole Member)


Adolph L. Williams

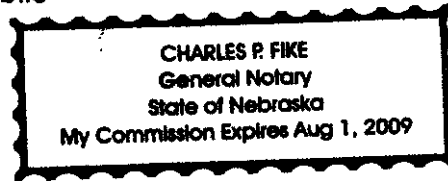

Annisa L. Williams
Annisa L. Williams

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The above and foregoing instrument was acknowledged before me this 10th day of March, 2008, by Kenneth G. Lyons, as Manager/President of Miami Heights Development Co., LLC, a Nebraska limited liability company, and as President of New Community Development Corporation, sole Member of the LLC, on behalf of New Community Development Corporation and the LLC.

Charles P. Fike

Notary Public



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The above and foregoing instrument was acknowledged before me this 10 day of March, 2008, by Adolph L. Williams and Annisa L. Williams, husband and wife..



Jody Hill

Notary Public

BK 2241 PG 135-141

DEED 2003 06329

COPY

"Exhibit A"

**THIS PAGE INCLUDED FOR INDEXING
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RICHARD N. TAKECHI
REGISTER OF DEEDS
POLK COUNTY, NE

03 APR 30 PM 3:09

RECEIVED

Nebr Doc Stamp Tax
4/30/03
Date
\$ Ex/4
By <i>My</i>

deed 7
 52
 (5)

FEE	<u>61.00</u>	FB	<u>05-28680-old</u>
			<u>05-28700-old</u>
BKP	_____	C/O	_____
DEL	_____	SCAN	<u>CR</u>
		FV	_____

LAMP RYNEARSON & ASSOC.
 14110 WEST DODGE ROAD
 OMAHA NE 68154
 496-2498

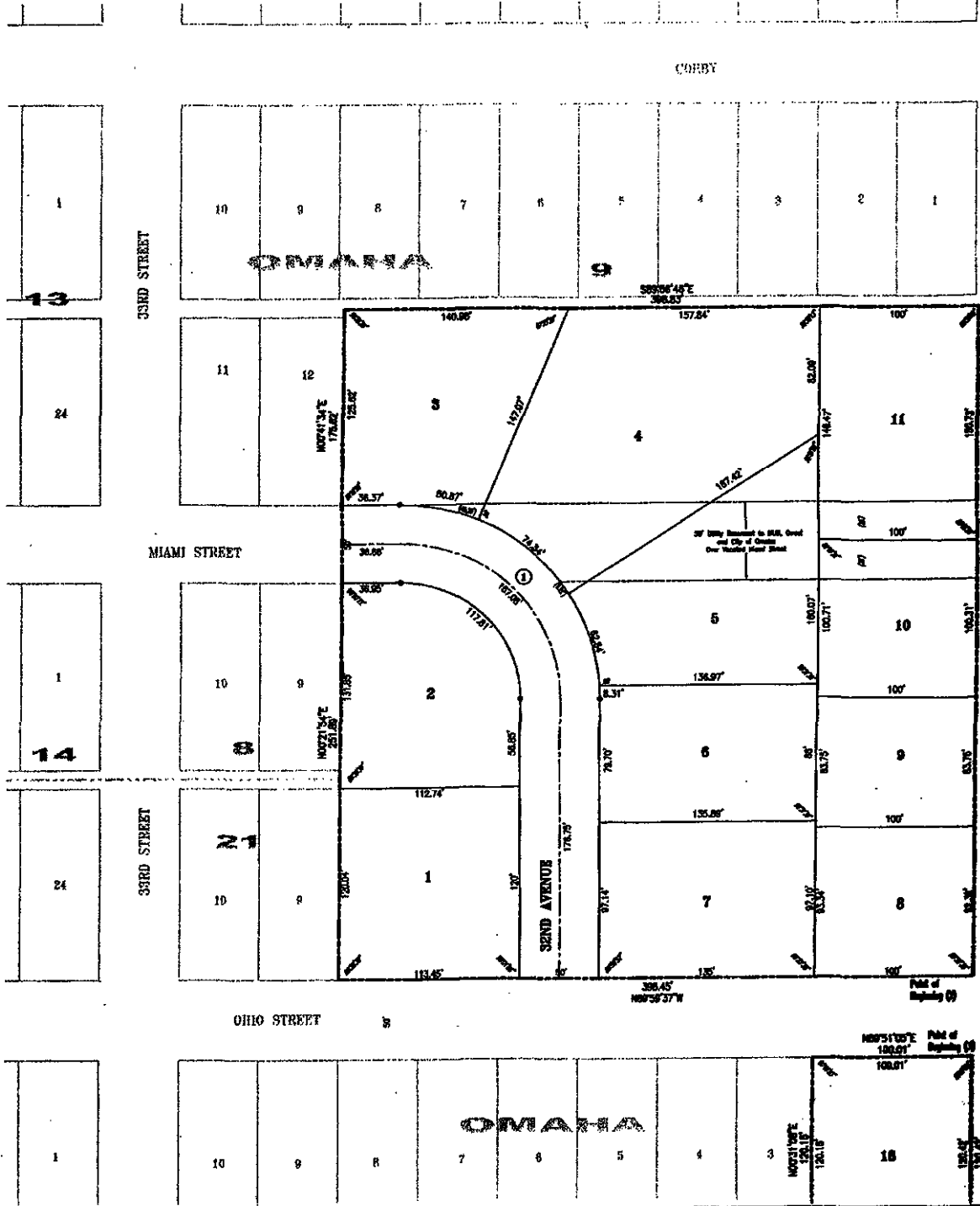
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22189 ✓

1.50 Cash

MIAMI HEIGHTS

LOTS 1 THROUGH 18, INCLUSIVE, BEING A REPLATTING OF LOTS 7, 8 AND 9, LOTS 1 THROUGH 8 INCLUSIVE, BLOCK 8; AND LOTS 13 THROUGH 20, INCLUSIVE; TOGETHER WITH ABUTTING ALLEYS ALL IN OMAHA VIEW AND ALSO LOTS 5 THROUGH 9, INCLUSIVE, BLOCK 20; AND LOTS 1 THROUGH 8, INCLUSIVE, BLOCK 21; TOGETHER WITH ABUTTING ALLEYS; AND LOTS 1 AND 2, BLOCK 22; ALL IN OMAHA VIEW EXTENDED ALSO TOGETHER WITH PART OF MIAMI STREET.

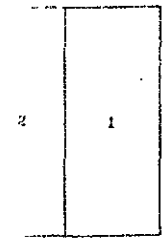


HTS

LOTS 7, 8 AND 9, BLOCK 7;
JGH 20, INCLUSIVE, BLOCK
ALSO LOTS 5 THROUGH 9,
BLOCK 21; TOGETHER WITH
AFA VIEW EXTENSION AND
REET.



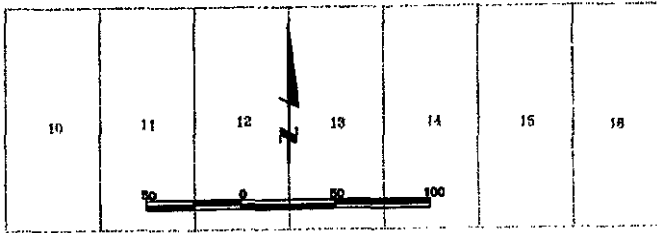
STREET



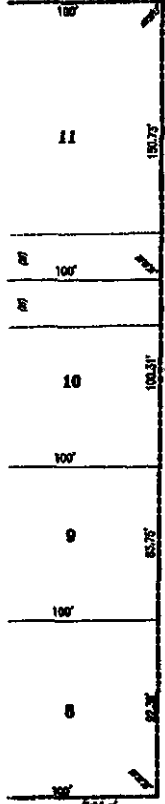
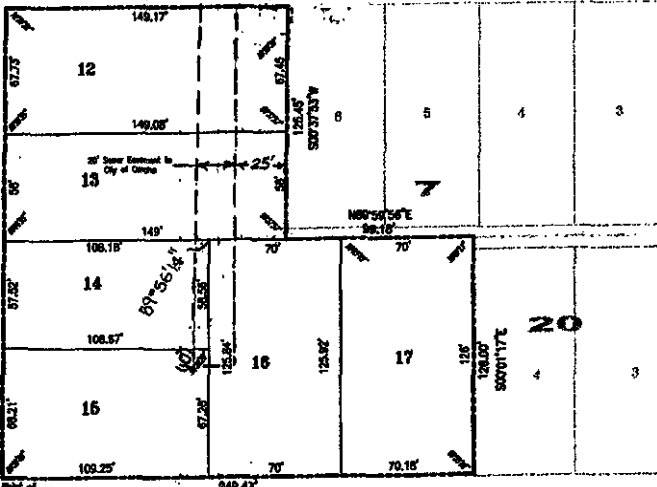
32ND STREET

CENTERLINE CURVE DATA						
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	
CI	100.00'	57.08'	141.42'	S44°58'29"E	N95°01'30"W	
9	8	7	6	5	4	3

VIEW



MUAMI STREET



32ND STREET

OHIO STREET

9	8	7	6	5	4	3
---	---	---	---	---	---	---

VIEW

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I have made a boundary /
inventory of the plot and that a bound has been
and ends of corners on all lots and streets in the
inclosure, and the north half of the east / west
alley abutting on the north in Block 9, AND ALSO
Douglas County, Nebraska AND Lots 1 through 9,
inclosures, as surveyed, plotted and recorded in I
my file of Ohio Street with the west right of way
Ohio Street to the southeast corner of Lot 6, the
OMAHA VIEW, Thence North 00°47'34" East for 175
Block 9, OMAHA VIEW, Thence South 89°58'46" East
427.18 feet along said east right of way line to I

TOGETHER WITH

Lots 7, 8, and 9, and the north half of the east
Douglas County, Nebraska AND Lots 5 through 9,
inclosures, as surveyed, plotted and recorded in I
my file of Ohio Street with the east right of way
the south right of way line of Miami Street Thence
OMAHA VIEW, Thence South 00°37'53" West for 71
said Block 7, OMAHA VIEW and Block 20, OMAHA
extended west line of Lot 4, Block 20, OMAHA VIEW
EXTENSION, Thence North 89°58'18" West for 248.4

TOGETHER WITH

Lots 1 and 2, Block 22, OMAHA VIEW EXTENSION,
beginning at the intersection of the north right of
for 120.02 feet along the west right of way line to
89°38'46" West for 83.72 feet along the north line
East for 128.15 feet to the southeast corner of L
Ohio Street to the Point of Beginning. Contains 6

Robert D. Proett
Robert D. Proett, LS-379

RECORD

KNOW ALL MEN BY THESE PRESENTS that the, the
Federal Survey that, ACCORDING, of the land the
records of maps and deeds shall be filed.

DEEDS

KNOW ALL MEN BY THESE PRESENTS that the, the
Federal Survey that, ACCORDING, of the land the
records of maps and deeds shall be filed.

By personal delivery, from, delivery,
deeds, including, and other purposes that do I

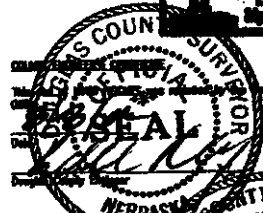
HTS DEVELOPMENT CO., LLC
Michael B. Moran
Michael B. Moran, PRESIDENT

ACKNOWLEDGEMENT OF RECORDS

State of Nebraska }
County of Douglas } SS

On this 12 day of July,
before me, the undersigned, a Notary Public, duly commissioned and qualified for
Michael B. Moran, who is personally known to me
person whose name is affixed to the above instrument of
HTS DEVELOPMENT CO., LLC, a full
Company, ORGANIZED, and he did acknowledge to me the
DEEDS AND RECORDS to be the voluntary act,
and the voluntary act and deed of said Corporation.

Witness my hand and official seal this 12th day of
Notary Public



THIS IS TO CERTIFY THAT I, the undersigned, and upon
delivered to the proper authorities for filing and
and returned to this plot, and the same shall be
this 10 day of December,
Carol Ann
Douglas County Notary

NOTES

1. ALL DIMENSIONS ARE SHOWN IN DECIMAL FEET.

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I have made a boundary survey of the subdivision herein and that permanent monuments have been placed at all angle points and corners on the boundaries of the plat and that a lead has been placed with the City of Omaha, Nebraska, to ensure that permanent monuments will be placed at all angle points, corners, and ends of streets on all lots and streets in the subdivision to be known as MIAMI HEIGHTS, Lots 1 through 18, inclusive and being a replatting of Lots 1 through 8, inclusive, and the north half of the east / west alley abutting on the south in Block 8, AND ALSO Lots 13 through 20, inclusive, and the south half of the east / west alley abutting on the north in Block 8, AND ALSO that part of Miami Street abutting the streets, all in OMAHA VIEW, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska AND Lots 1 through 8, inclusive and the south half of the east / west alley abutting on the north in Block 21, OMAHA VIEW EXTENSION, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, described by metes and bounds as follows: Beginning at the intersection of the north right of way line of Ohio Street with the west right of way line of 32nd Street; Thence North 89°59'37" West (assumed bearings) for 386.45 feet along the north right of way line of Ohio Street to the southeast corner of Lot 8, Block 8, OMAHA VIEW; Thence North 00°21'54" East for 251.69 feet to the northeast corner of Lot 8, Block 8, OMAHA VIEW; Thence North 00°41'34" East for 175.82 feet along the extended west line of Lot 12, Block 8, OMAHA VIEW to the centerline of the east / west alley through Block 8, OMAHA VIEW; Thence South 89°59'48" East for 386.45 feet along said centerline to the west right of way line of 32nd Street; Thence South 00°33'01" West for 427.10 feet along said west right of way line to the Point of Beginning. Contains 3,914 acres.

TOGETHER WITH

Lots 7, 8, and 9, and the north half of the east / west alley abutting on the south in Block 7 all in OMAHA VIEW, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska AND Lots 5 through 8, inclusive, and the south half of the east / west alley abutting on the north in Block 25, OMAHA VIEW EXTENSION, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, described by metes and bounds as follows: Beginning at the intersection of the north right of way line of Ohio Street with the west right of way line of 32nd Street; Thence North 00°33'01" East (assumed bearings) for 251.67 feet along said east right of way line to the south right of way line of Miami Street; Thence South 89°53'52" East for 149.17 feet along said north right of way line to the northeast corner of Lot 8, Block 7, OMAHA VIEW; Thence South 00°37'55" West for 125.95 feet along the extended east line of said Lot 8, Block 7, OMAHA VIEW to the centerline of the east / west alley in said Block 7, OMAHA VIEW and Block 20, OMAHA VIEW EXTENSION; Thence North 89°59'58" East for 86.18 feet along said centerline of the east / west alley to the extended east line of Lot 4, Block 20, OMAHA VIEW EXTENSION; Thence South 00°01'17" East for 128.00 feet to the southwest corner of Lot 4, Block 20, OMAHA VIEW EXTENSION; Thence North 89°54'18" West for 246.43 feet along the north right of way line of Ohio Street to the Point of Beginning. Contains 1,149 acres.

TOGETHER WITH

Lots 1 and 2, Block 22, OMAHA VIEW EXTENSION, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, described by metes and bounds as follows: Beginning at the intersection of the south right of way line of Ohio Street and the west right of way line of 32nd Street; Thence South 00°33'11" West (assumed bearings) for 128.42 feet along the west right of way line of 32nd Street to the north line of the east / west alley through Block 22, OMAHA VIEW EXTENSION; Thence North 89°59'48" West for 86.72 feet along the north line of the east / west alley to the southeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; Thence North 00°31'08" East for 120.15 feet to the northeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; Thence North 89°51'05" East for 100.01 feet along the south right of way line of Ohio Street to the Point of Beginning. Contains 0.179 acres.

[Signature] July 12, 2002
 _____ DATE

KNOW ALL MEN BY THESE PRESENTS that we, MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., a Nebraska Limited Liability Company, OWNER, and COMMERCIAL FEDERAL BANK, a Federal Savings Bank, MORTGAGEE, of the land described within the Land Surveyor's Certificate and endorsed within this plat do hereby petition the Omaha City Council to vacate all alleys and streets within said plat.

KNOW ALL MEN BY THESE PRESENTS that we, MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., a Nebraska Limited Liability Company, OWNER, and COMMERCIAL FEDERAL BANK, a Federal Savings Bank, MORTGAGEE, of the land described within the Land Surveyor's Certificate and endorsed within this plat, have caused said land to be subdivided into lots and streets to be contained and named as shown hereon, and subdivision to be hereafter known as MIAMI HEIGHTS, and do hereby notify and approve of the disposition of our property as shown on this plat and we do hereby declare to the public the details on shown on the plat and we do hereby grant the easements shown on the plat. We do further grant a perpetual easement to the Omaha Public Power Utility and OMNIST Communications and to any company which has been granted a franchise under the authority of the City Council of Omaha, Nebraska, to provide a Cable Television System in the area to be subdivided, their necessary and proper, in each separate, subdivision, repair and access paths, wires, conduits, downspouts and services, cables, conduits and other related facilities and to extend thereon wires or cables for the carrying and transmission of electric current for light, heat, and power and for the transmission of signals and sounds of all kinds including signals provided by cable television systems, and the necessary houses, poles, troughs, wires, and across a five foot (5') wide strip of land abutting the front and side boundary lot lines and on right of way (8') wide strip of land abutting the rear boundary line of all interior lots and all exterior lots that are adjacent to presently platted and recorded lots.

No permanent buildings, trees, existing utility poles or lines shall be placed in the above described easement strips, but the same may be used for parking, shade, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted.

MIAMI HEIGHTS DEVELOPMENT CO. L.L.C. OWNER
[Signature]
 Michael B. Massey, PRESIDENT

COMMERCIAL FEDERAL BANK, MORTGAGEE
[Signature]
 John J. Griffin, 1st Vice President/Director

ACKNOWLEDGMENT OF MORTGAGE
 State of Nebraska } SS
 County of Douglas } SS
 On this 12 day of July, 2002, A.D., before me, a Notary Public, duly commissioned and qualified for said County, appeared John J. Griffin, who is personally known to me to be the identical person whose name is affixed to the above instrument as PRESIDENT of MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., a Nebraska Limited Liability Company, OWNER, and he did acknowledge the execution of the foregoing MORTGAGE AND PETITION to be his voluntary act and deed on such Office and the voluntary act and deed of said Corporation.

State of Nebraska } SS
 County of Douglas } SS
 On this 12 day of July, 2002, A.D., before me, a Notary Public, duly commissioned and qualified for said County, appeared John J. Griffin, who is personally known to me to be the identical person whose name is affixed to the above instrument as 1st Vice President/Director of COMMERCIAL FEDERAL BANK, a Federal Savings Bank, MORTGAGEE, and he did acknowledge his execution of the foregoing MORTGAGE AND PETITION to be his voluntary act and deed on such Office and the voluntary act and deed of said Bank.

Witness my hand and official seal this 12th day of July, 2002.

 Notary Public
 GENERAL NOTARY - State of Nebraska
 DONALD M. PETERS
 My Comm. Exp. Aug. 22, 2004

Witness my hand and official seal the date last aforesaid.

 Notary Public
 GENERAL NOTARY - State of Nebraska
 SALLY J. BERNHARDT
 My Comm. Exp. Jan. 14, 2005

SEAL OF THE COUNTY ENGINEER OF DOUGLAS COUNTY, NEBRASKA
 SEAL OF THE COUNTY TREASURER OF DOUGLAS COUNTY, NEBRASKA
 This is to certify that I am a regular and qualified plat officer of Douglas County, Nebraska, and that I have duly qualified myself as such in the office of the County Engineer and Treasurer of Douglas County, Nebraska, and that I have taken the oath of office and am authorized to execute this plat, as shown by the seal of this office.
 This 10 day of August, 2002.

 Douglas County Treasurer

APPROVAL OF CITY ENGINEER OF OMAHA
 I HEREBY APPROVE this plat of MIAMI HEIGHTS (Lots 1 through 18, inclusive) as to the design standards this 16 day of AUGUST, 2002.

 City Engineer
 I HEREBY CERTIFY THAT adequate provisions have been made for the compliance with Chapter 23 of the Omaha Municipal Code.
 4.25.03

 City Engineer
 APPROVAL OF CITY PLANNING BOARD
 This plat of MIAMI HEIGHTS was approved by the CITY PLANNING BOARD, on the 14th day of August, 2002.

 Chairman, CITY PLANNING BOARD
 APPROVAL OF OMAHA CITY COUNCIL

drawn by	cat
designed by	RDP
reviewed by	FAK
paths/income	6904A/9914F101
revisions	
references	

lamp, rymearson & associates, inc.
 engineers, planners, surveyors
 14750 west 40th road, suite 100
 omaha, nebraska 68134-3039
 phone 408-498-2498
 fax 408-498-8780
 MIAMI HEIGHTS (Lots 1 through 18)
 DOUGLAS COUNTY, NEBRASKA

FINAL PLAT

NOTES
 ALL DIMENSIONS ARE SHOWN IN DECIMAL FEET.
 ALL DISTANCES SHOWN ALONG CURVES ARE

CORBY

OMAHA

9

S85°51'E 396.83'

S3RD STREET

13

94

MIAMI STREET

14

24

S3RD STREET

OHIO STREET

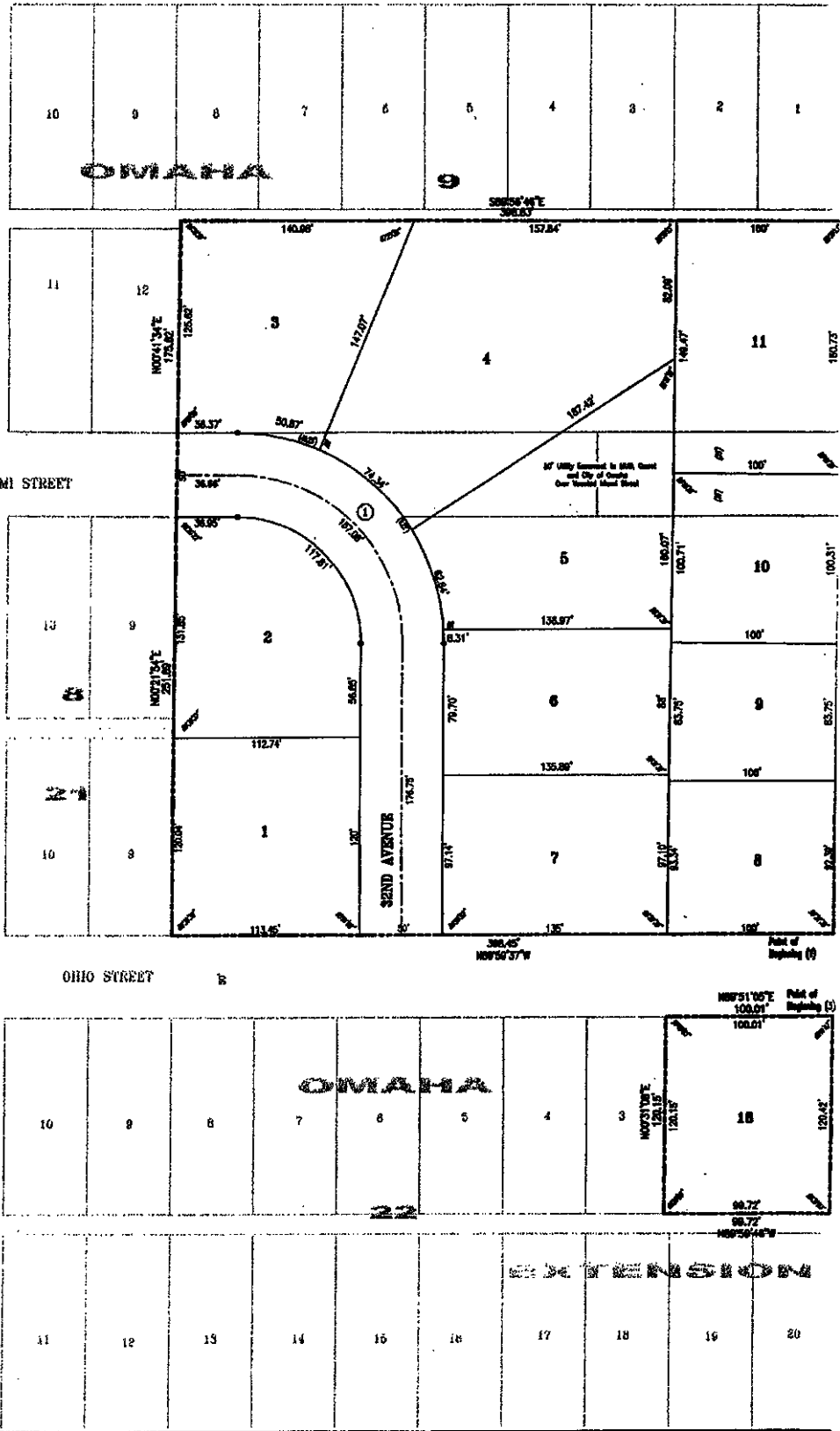
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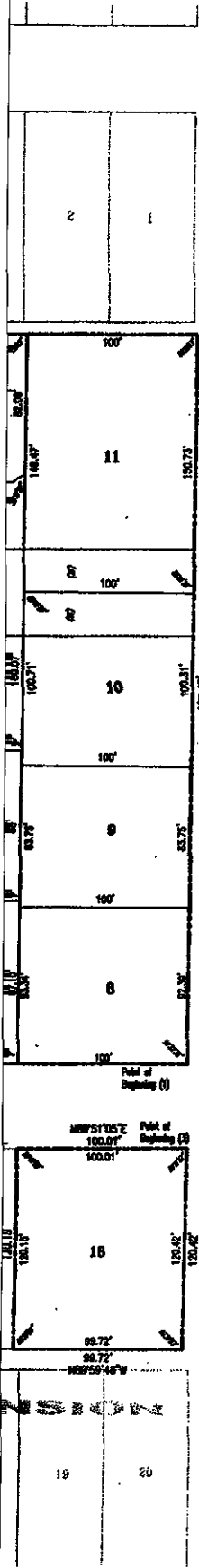
24

OMAHA

22

EXTENSION





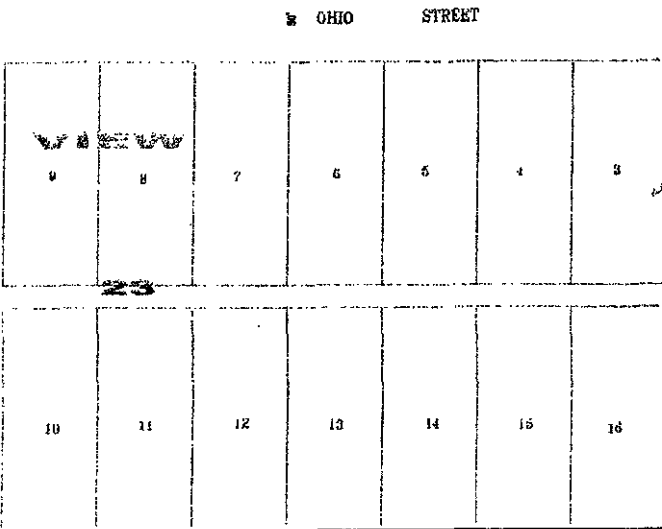
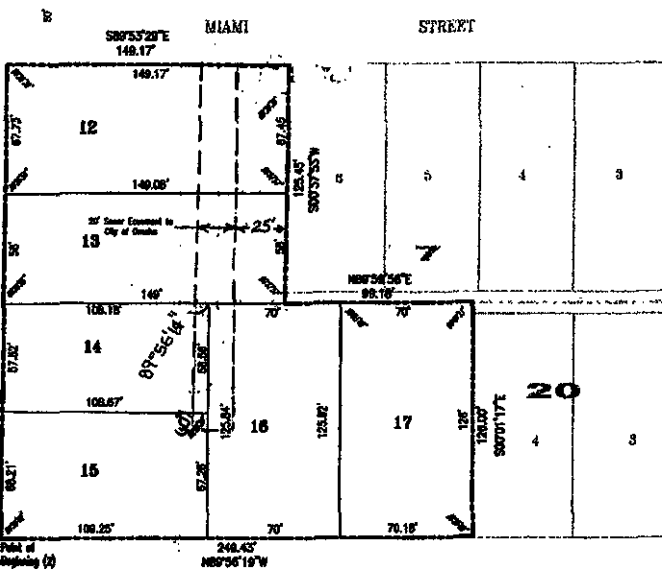
32ND STREET

32ND STREET

32ND STREET

CENTERLINE CURVE DATA

CURVE C1	RADIUS 100.00'	ARC LENGTH 57.06'	CHORD LENGTH 141.42'	CHORD BEARING S44°58'29"E	DELTA ANGLE 89°56'19"
9	8	7	6	5	4
10	11	12	13	14	15



Lot 1 and 2, Block 22, CHERRY VIEW D

Beginning at the intersection of the southerly end of Lot 4, Block 21, PROCEED, thence South 89°56'19" West 128.15 feet to the northeast, thence South to the Point of Beginning.

Robert D. Proett
 ROBERT D. PROETT, L.S. 374

BEFORE
 SHOW ALL MEN BY THESE PRESENTS THAT Federal Savings Bank, MEMORABLE, of its assets at steps and streets which said

BEFORE
 SHOW ALL MEN BY THESE PRESENTS THAT Federal Savings Bank, MEMORABLE, of its assets to be numbered and extent of any property as shown on this plat. We do hereby grant a perpetual license, the authority of the City Council of Omaha, Nebraska, repair and reconstruct, erect, and transmission of electric current for systems, and the supplies thereof, on any part of land showing the year be

Michael B. Hanning
 MICHAEL B. HANNING, PRESIDENT

ACKNOWLEDGMENT OF RECORD

State of Nebraska }
 County of Douglas } 35
 On this 12 day of July, 2011, before me, duly commissioned and qualified, Michael B. Hanning, who is personally known whose name is affixed to the plat of MIAMI HEIGHTS DEVELOPMENT CO., L.P. Company, OWNER, and to all other persons mentioned and referred to in the plat, and the voluntary act and deed of said

Witness my hand and official seal this 12 day of July, 2011.

- NOTES**
1. ALL DISTANCES ARE SHOWN IN DECIMAL
 2. ALL DISTANCES SHOWN ALONG CURVES ARE CHORD DISTANCES NOT ARC DISTANCES
 3. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED
 4. ALL LOT LINES ON CURVED STREETS ARE PERPENDICULAR UNLESS OTHERWISE NOTED (ALL)
 5. DISTANCES AND ANGLES SHOWN IN PINK REFER TO EASEMENTS.

Lot 1 and 2, Block 22, OMAHA VIEW EXTENSION, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, described by metes and bounds as follows: Beginning at the intersection of the north right of way line of Old Street and the west right of way line of 23rd Street; thence South 07°31'18" West (assumed bearing) for 128.42 feet along the west right of way line of Old Street to the north line of the east / west alley through Block 22, OMAHA VIEW EXTENSION; thence North 82°57'48" West for 54.72 feet along the north line of the east / west alley to the southeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; thence North 07°31'18" East for 128.42 feet to the southeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; thence North 82°57'48" East for 104.81 feet along the south right of way line of Old Street to the Point of Beginning. Contains 1.148 acres.

TOGETHER WITH
 Lot 1 and 2, Block 22, OMAHA VIEW EXTENSION, a subdivision, as surveyed, plotted and recorded in Douglas County, Nebraska, described by metes and bounds as follows: Beginning at the intersection of the north right of way line of Old Street and the west right of way line of 23rd Street; thence South 07°31'18" West (assumed bearing) for 128.42 feet along the west right of way line of Old Street to the north line of the east / west alley through Block 22, OMAHA VIEW EXTENSION; thence North 82°57'48" West for 54.72 feet along the north line of the east / west alley to the southeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; thence North 07°31'18" East for 128.42 feet to the southeast corner of Lot 3, Block 22, OMAHA VIEW EXTENSION; thence North 82°57'48" East for 104.81 feet along the south right of way line of Old Street to the Point of Beginning. Contains 0.270 acre.

[Signature]
 MICHAEL E. MURPHY, LS-019
 July 12, 2002
 DATE

WARRANTY
 ALL MEN BY THESE PRESENTS: That the MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., a Nebraska Limited Liability Company, GRANTOR, and COMMERCIAL FEDERAL BANK, a Federal Savings Bank, MORTGAGEE, of the land described within the Last Surveyor's Certificate and enclosed within this plat do hereby petition the Douglas City Council to vacate all alleys and streets within said plat.

WARRANTY
 KNOW ALL MEN BY THESE PRESENTS: That the MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., a Nebraska Limited Liability Company, OWNERS, and COMMERCIAL FEDERAL BANK, a Federal Savings Bank, MORTGAGEE, of the land described within the Last Surveyor's Certificate and enclosed within this plat, have caused said land to be subdivided into lots and alleys to be maintained and owned as shown herein, said subdivision to be hereafter known as MIAMI HEIGHTS; and we do hereby certify and approve of the disposition of our property as shown on this plat; and we do hereby dedicate to the public the streets as shown on the plat and we do hereby grant the easements shown on the plat. We do further grant a perpetual easement to the Omaha Public Power District and QWEST Communications and to any company which has been granted a franchise under the authority of the City Council of Omaha, Nebraska, to provide a Cable Television System in the area to be subdivided, their successors and assigns, to erect, operate, maintain, repair and remove poles, wires, conduits, manholes and other related facilities; and to extend between them or cables for the carrying and transmission of electric current by high, low, and power and for the transmission of signals and messages of all kinds including signals provided by cable television systems, and the respective lines, over, through, under, and across a five foot (5') wide strip of land abutting the front and side boundary lot lines and an eight foot (8') wide strip of land abutting the rear boundary; lines of all interior lots and all exterior lots that are adjacent to presently platted and recorded lots.

No permanent buildings, trees, existing wells, or trees that would be placed in the above described easement ways, but the same may be used for parking, shade, landscaping, and other purposes that do not then or later interfere with the intended uses or rights herein granted.

MIAMI HEIGHTS DEVELOPMENT CO. L.L.C. OWNER
[Signature]
 Michael E. Murphy, PRESIDENT

COMMERCIAL FEDERAL BANK, MORTGAGEE
[Signature]
 John J. Gifford, Vice President/Director

ACKNOWLEDGMENT OF MEMBERS

State of Nebraska } SS
 County of Douglas }
 On this 12 day of July, 2002, A.D., before me, a Notary Public, duly commissioned and qualified for said County, appeared Michael E. Murphy, who is personally known to me to be the identical person whose name is affixed to the above instrument on the date hereof; and he did acknowledge the execution of the foregoing instrument and petition to be his voluntary act and deed as such Officer and the voluntary act and deed of said Corporation.

State of Nebraska } SS
 County of Douglas }
 On this 12 day of July, 2002, A.D., before me, a Notary Public, duly commissioned and qualified for said County, appeared John J. Gifford, who is personally known to me to be the identical person whose name is affixed to the above instrument on the date hereof; and he did acknowledge the execution of the foregoing instrument and petition to be his voluntary act and deed as such Officer and the voluntary act and deed of said Bank.

Witness my hand and official seal for the date last aforesaid.
[Signature]
 DONALD M. PIETERS
 GENERAL NOTARY - State of Nebraska
 My Comm. Exp. Aug. 22, 2004

Witness my hand and official seal for the date last aforesaid.
[Signature]
 SALLY J. BERNHARDT
 GENERAL NOTARY - State of Nebraska
 My Comm. Exp. Jan. 14, 2005

COMMISSIONER OF PUBLIC WORKS
 Douglas County Engineer's Office
[Signature]
 Douglas County Engineer

NEBRASKA COUNTY TREASURER
 OFFICIAL
[Signature]
 Douglas County Treasurer

MEMORIAL OF CITY ENGINEER OF OMAHA
 I HEREBY APPROVE this plat of MIAMI HEIGHTS (Lots 1 through 15, inclusive) as to the design submitted this 12 day of AUGUST, 2002.
[Signature]
 City Engineer

I HEREBY CERTIFY THAT adequate provisions have been made for the compliance with Chapter 53 of the Omaha Municipal Code.
 4.25.03
[Signature]
 City Engineer

MEMORIAL OF CITY PLANNING BOARD
 This plat of MIAMI HEIGHTS was approved by the CITY PLANNING BOARD, this 7th day of August, 2002.
[Signature]
 Chairman, CITY PLANNING BOARD

MEMORIAL OF OMAHA CITY COUNCIL
 This plat of MIAMI HEIGHTS was approved and accepted by the City Council of Omaha, Nebraska, this 5th day of December, 2002.
[Signature]
 Mayor
[Signature]
 City Clerk

NOTES
 ALL DISTANCES ARE SHOWN IN DECIMAL FEET.
 ALL DISTANCES SHOWN ALONG CURVES ARE ARC DISTANCES NOT CHORD DISTANCES.
 ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
 ALL LOT LINES ON CURVED STREETS ARE NORMAL UNLESS OTHERWISE NOTED. (N.L.R.)
 DISTANCES AND ANGLES SHOWN IN PARENTHESES REFER TO EASEMENTS.



lamp, rymearson & associates, inc.
 planners
 engineers
 surveyors

14790 West Dodge Road, Suite 400
 Omaha, Nebraska 68144-2028
 PH 402-486-2668
 FAX 402-486-2760

MIAMI HEIGHTS (Lots 1 through 18)
 DOUGLAS COUNTY, NEBRASKA

FINAL
 PLAT

Job number-task
 99044.00-003
 book page
 date
 JULY 12, 2002
 sheet
 1 of 1

MISC 2003146498

RICHARD H. JANECHI
REGISTER OF DEEDS
SOUTH DAKOTA

COPY

AUG 05 2003 10:37 P 4

RECEIVED

"Exhibit B"

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

✓ misc $\frac{4}{5}$ FEE 22.50 FB 05-25350-old
 BKP _____ C/O _____ COMP _____
 DEL _____ SCAN _____ FV _____

Temp. 12.4.01

RETURN: Lamp Rynearson & Assoc
14710 W Dodge Rd Suite 100
Omaha NE 68154
496-2498

LEGAL DESCRIPTION

Lots 1 and 2, MIAMI HEIGHTS REPLAT 1, being an administrative replat of Lot 18, MIAMI HEIGHTS, TOGETHER WITH Lots 3 and 4, Block 22, OMAHA VIEW EXTENSION, subdivisions, as surveyed, platted and recorded in Douglas County, Nebraska, each lot described by metes and bounds as follows:

SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION

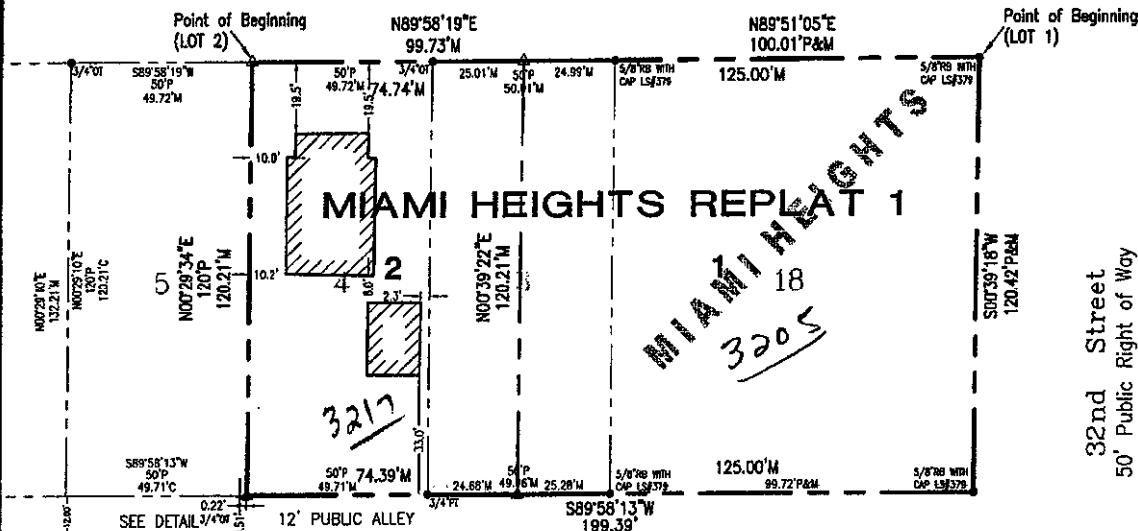
MIAMI HEIGHTS

7

8

Ohio Street
50' Public Right of Way

20 0 20 40



OMAHA VIEW EXTENSION BLOCK 22

16

17

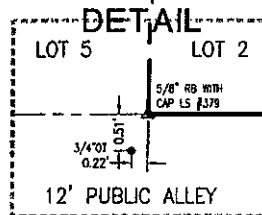
18

19

20

LEGEND

- △ CORNERS SET (5/8" REBAR WITH 1 1/4" YELLOW PLASTIC CAP STAMPED LS #379
 - CORNERS FOUND
 - M MEASURED DIMENSIONS
 - P PLAT DIMENSIONS
 - PT PINCH TOP PIPE
 - OT OPEN TOP PIPE
 - RB REBAR
- BEARINGS SHOWN HEREON ARE BASED ON MIAMI HEIGHTS FINAL PLAT



99044\dwg\994Admin.dwg

Book 99044

Page

Date July 1, 2003

Dwn.By JHVD

Job Number 99044.00 / 407



Lamp, Rynearson & Associates, Inc.

WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498

(Fax) 402.496.2730

4324

CITY OF OMAHA, NEBRASKA
ADMINISTRATIVE SUBDIVISION

LEGAL DESCRIPTION

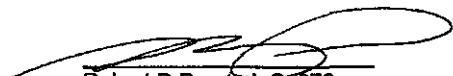
Lots 1 and 2, MIAMI HEIGHTS REPLAT 1, being an administrative replatting of Lot 18, MIAMI HEIGHTS, TOGETHER WITH Lots 3 and 4, Block 22, OMAHA VIEW EXTENSION, subdivisions, as surveyed, platted and recorded in Douglas County, Nebraska, each lot described by metes and bounds as follows:

Lot 1: Lot 18, MIAMI HEIGHTS and the East Half of Lot 3, Block 22, OMAHA VIEW EXTENSION, described as follows: Beginning at the intersection of the west right of way line of 32nd Street and the south right of way line of Ohio Street; Thence South 00°39'18" West (bearings referenced to the Final Plat of MIAMI HEIGHTS) for 120.42 feet along said west right of way line to the southeast corner of said Lot 18, MIAMI HEIGHTS; Thence South 89°58'13" West for 125.00 feet along the north right of way line of the public alley to the west line of the East Half of Lot 3, Block 22, OMAHA VIEW EXTENSION; Thence North 00°39'22" East for 120.21 feet along said west line to the north line of said Lot 3; Thence North 89°58'19" East for 24.99 feet to the northwest corner of Lot 18, MIAMI HEIGHTS; Thence North 89°51'05" East for 100.01 feet to the Point of Beginning. Contains 0.345 acre.

Lot 2: Lot 4 and the East Half of Lot 3; Block 22; OMAHA VIEW EXTENSION, described as follows: Beginning at the northwest corner of said Lot 4; Thence North 89°58'19" East (bearings referenced to the Final Plat of MIAMI HEIGHTS) for 74.74 feet along the north line of said Lots 3 and 4 to the east line of the West Half of said Lot 3; Thence South 00°39'22" West for 120.21 feet along said east line to the south line of said Lot 3; Thence South 89°58'13" West for 74.39 feet along the south line of said Lots 3 and 4 to the southwest corner of said Lot 4; Thence North 00°29'34" East for 120.21 feet to the Point of Beginning. Contains 0.206 acre.

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and found or placed permanent markers as shown on the attached drawing at all corners of all lots being platted.


Robert D Proett, L.S. 379
July 2, 2003



OWNER'S AND MORTGAGEE'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned are the sole owner and mortgagee of the property as described in the surveyor's certificate and embraced within this plat and have caused said land to be subdivided into lots as shown hereon.

Michael B. Maroney
MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., Owner
Michael B. Maroney, President

John J. Griffith
COMMERCIAL FEDERAL BANK, Mortgagee
John J. Griffith, First Vice President/Director

ACKNOWLEDGEMENT OF NOTARIES

State of Nebraska)
)SS
County of Douglas)

On this 14 day of July, 2003, before me, a notary public, duly qualified and commissioned in and for said county and state, personally appeared Michael B. Maroney, who is personally known to me to be the identical person whose name is affixed to the foregoing instrument as President of MIAMI HEIGHTS DEVELOPMENT CO. L.L.C. and he acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

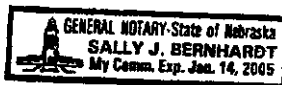
Sally J. Bernhardt
Notary Public



State of Nebraska)
)SS
County of Douglas)

On this 15 day of July, 2003, before me, a notary public, duly qualified and commissioned in and for said county and state, personally appeared John J. Griffith, who is personally known to me to be the identical person whose name is affixed to the foregoing instrument as First Vice President/Director of COMMERCIAL FEDERAL BANK, and he acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of said bank.

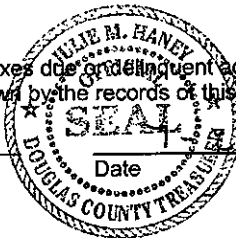
Sally J. Bernhardt
Notary Public



COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the surveyor's certificate and as shown by the records of this office.

[Signature]
County Treasurer
Date 7-28-03



PLANNING DIRECTOR'S APPROVAL

Approved as a subdivision of not more than two (2) lots, parcels or tracts, with plat requirements waived per Section 8.08, Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless this plat is filed and recorded with the County Register of Deeds within thirty (30) days of this date.

[Signature]
Planning Director
Date 7/28/03



MISC 2003216178



NOV 03 2003 10:51 P 3

Nebr Doc
Stamp Tax
11-3-03
Date
\$ Ex. 4
By JS

RICHARD M. TAKESHI
REGISTER OF DEEDS
DODGE COUNTY, NE.

RECEIVED

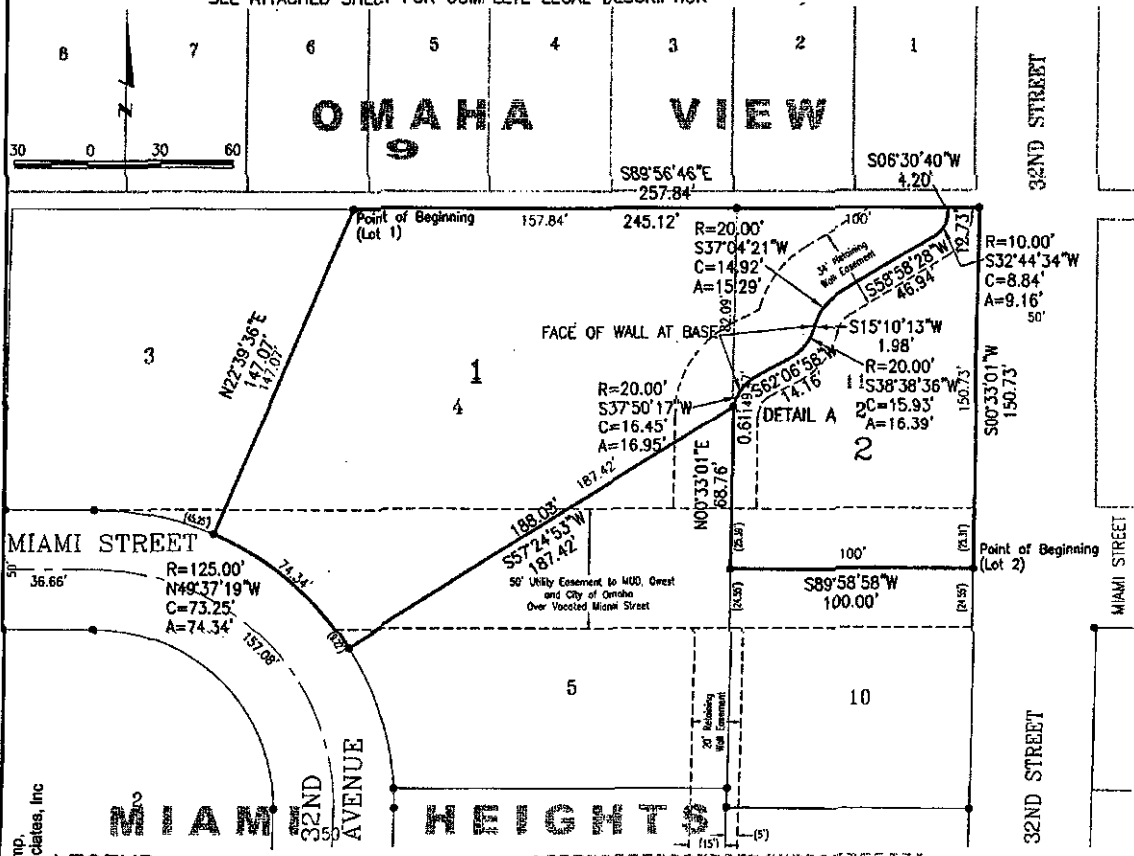
Copy
"Exhibit C"

misc w 17.00 Fee 05-25350 old
3 BKP CQ COMP
4 DEL PU SCAN FY dc

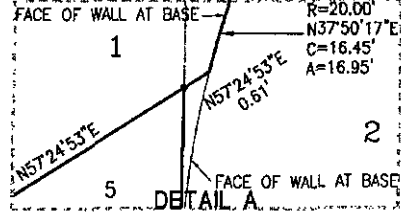
MIAMI HEIGHTS REPLAT 2 BPP 11/5/03 LU

LEGAL DESCRIPTION

Lots 1 and 2, MIAMI HEIGHTS REPLAT 2, being an administrative replatting of Lots 4 and 11, MIAMI HEIGHTS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, each lot described by metes and bounds as follows:
SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION



- LEGEND**
- △ CORNERS SET (5/8" REBAR WITH 1 1/4" YELLOW PLASTIC CAP STAMPED LS#379)
 - CORNERS FOUND (5/8" REBAR WITH 1 1/4" YELLOW PLASTIC CAP STAMPED LS#379)
 - 4' PLAT DIMENSIONS
 - 10' PREVIOUS PLAT DIMENSIONS



99044.dwg\9944R200.dwg
Book 99044 Page Date Sept. 16, 2003 Dwn.By JHVD Job Number 99044.01 / 002

Lamp, Rynearson & Associates, Inc. WWW.LRA-INC.COM
14710 West Dodge Road, Suite 100 (Ph) 402.496.2498
Omaha, Nebraska 68154-2027 (Fax) 402.496.2730

CITY OF OMAHA, NEBRASKA
ADMINISTRATIVE SUBDIVISION

LEGAL DESCRIPTION

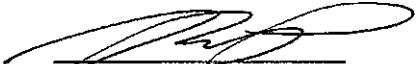
Lots 1 and 2, MIAMI HEIGHTS REPLAT 2, being an administrative replatting of Lots 4 and 11, MIAMI HEIGHTS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, each lot described by metes and bounds as follows:

Lot 1: Lot 11 and that part of Lot 4 lying west of the east face of the retaining wall in MIAMI HEIGHTS, described as follows: Being at the northeast corner of Lot 3, MIAMI HEIGHTS; Thence South 89°56'46" East (bearings referenced to the Final Plat of MIAMI HEIGHTS) for 257.84 feet along the north line of Lots 4 and 11 to the east face of said retaining wall; Thence southwest along the face of said retaining for the next eight courses: (1) Thence South 06°30'40" West for 4.20 feet; (2) Thence along a curve to the right (having a radius of 10.00 feet and a long chord bearing South 32°44'34" West for 8.84 feet) for an arc length of 9.16 feet; (3) Thence South 58°58'28" West for 46.94 feet; (4) Thence along a curve to the left (having a radius of 20.00 feet and a long chord bearing South 37°04'21" West for 14.92 feet) for an arc length of 15.29 feet; (5) Thence South 15°10'13" West for 1.98 feet; (6) Thence along a curve to the right (having a radius of 20.00 feet and a long chord bearing South 38°38'36" West for 15.93 feet) for an arc length of 16.39 feet; (7) Thence South 62°06'58" West for 14.16 feet; (8) Thence along a curve to the left (having a radius of 20.00 feet and a long chord bearing South 37°50'17" West for 16.45 feet) for an arc length of 16.95 feet to the extended north line of Lot 5, MIAMI HEIGHTS; Thence South 57°24'53" West for 187.42 feet along said north line to the northeast right of way line of Miami Street; Thence along a curve to the left (having a radius of 125.00 feet and a long chord bearing North 49°37'19" West for 73.25 feet) for an arc length of 74.34 feet along said right of way line to the southeast corner of said Lot 3; Thence North 22°39'36" East for 147.07 feet along the east line of Lot 3 to the Point of Beginning. Contains 29,288 square feet.

Lot 2: That part of Lot 11 lying east of the east face of the retaining wall in MIAMI HEIGHTS, described as follows: Beginning at the northeast corner of Lot 10, MIAMI HEIGHTS; Thence South 89°58'58" West for 100.00 feet to the northwest corner of said Lot 10; Thence North 00°33'01" East for 68.76 feet along the east line of Lot 5, MIAMI HEIGHTS to the northeast corner thereof; Thence North 57°24'53" East for 0.61 feet along the extended north line of Lot 5 to the east face of the retaining wall; thence northeast along the face of said retaining wall for the next eight courses: (1) Thence along a curve to the right (having a radius of 20.00 feet and a long chord bearing North 37°50'17" East for 16.45 feet) for an arc length of 16.95 feet; (2) Thence North 62°06'58" East for 14.16 feet; (3) Thence along a curve to the left (having a radius of 20.00 feet and a long chord bearing North 38°38'36" East for 15.93 feet) for an arc length of 16.39 feet; (4) Thence North 15°10'13" East for 1.98 feet; (5) Thence along a curve to the right (having a radius of 20.00 feet and a long chord bearing North 37°04'21" East for 14.92 feet) for an arc length of 15.29 feet; (6) Thence North 58°58'28" East for 46.94 feet; (7) Thence along a curve to the left (having a radius of 10.00 feet and a long chord bearing North 32°44'34" East for 8.84 feet) for an arc length of 9.16 feet; (8) Thence North 06°30'40" East for 4.20 feet to the north line of Lot 11; Thence South 89°56'46" East for 12.73 feet along the north line of Lot 11 to the west right of way line of 32nd Street; Thence South 00°33'01" West for 150.73 feet along said right of way line to the Point of Beginning. Contains 11,550 square feet.

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and found or placed permanent markers as shown on the attached drawing at all corners of all lots being platted.


Robert D Proett, L.S. 379
September 16, 2003



4362

OWNER'S AND MORTGAGEE'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned are the sole owner and mortgagee of the property as described in the surveyor's certificate and embraced within this plat and have caused said land to be subdivided into lots as shown hereon.

Michael B. Maroney
MIAMI HEIGHTS DEVELOPMENT CO. L.L.C., Owner
Michael B. Maroney, President

John J. Griffith
COMMERCIAL FEDERAL BANK, Mortgagee
John J. Griffith, First Vice President / Director

ACKNOWLEDGEMENT OF NOTARIES

State of Nebraska)
)SS
County of Douglas)

On this 3rd day of October, 2003, before me, a notary public, duly qualified and commissioned in and for said county and state, personally appeared Michael B. Maroney, who is personally known to me to be the identical person whose name is affixed to the foregoing instrument as President of MIAMI HEIGHTS DEVELOPMENT CO. L.L.C. and he acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

Daisy L. Burton
Notary Public



State of Nebraska)
)SS
County of Douglas)



On this 3 day of October, 2003, before me, a notary public, duly qualified and commissioned in and for said county and state, personally appeared John J. Griffin, who is personally known to me to be the identical person whose name is affixed to the foregoing instrument as First Vice President / Director of COMMERCIAL FEDERAL BANK, and he acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of said bank.

Sally J. Bernhardt
Notary Public



COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the surveyor's certificate and as shown by the records of this office.

J. Miller
County Treasurer

10-2-03
Date

PLANNING DIRECTOR'S APPROVAL

Approved as a subdivision of not more than two (2) lots, parcels or tracts, with plat requirements waived per Section 8.08, Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless this plat is filed and recorded with the County Register of Deeds within thirty (30) days of this date.


[Signature]
Planning Director

10/24/03
Date

DEED 2007131509

deed
FEE 39.50
FV 05-28700
BKP _____ G/O _____ COMP _____
DEL _____ SCAN _____ FV _____
6

NOV 28 2007 08:24 P 7

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/28/2007 08:24:29.26

2007131509

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

COPY

"Exhibit D"

Return To: EACGI

Check Number
3097

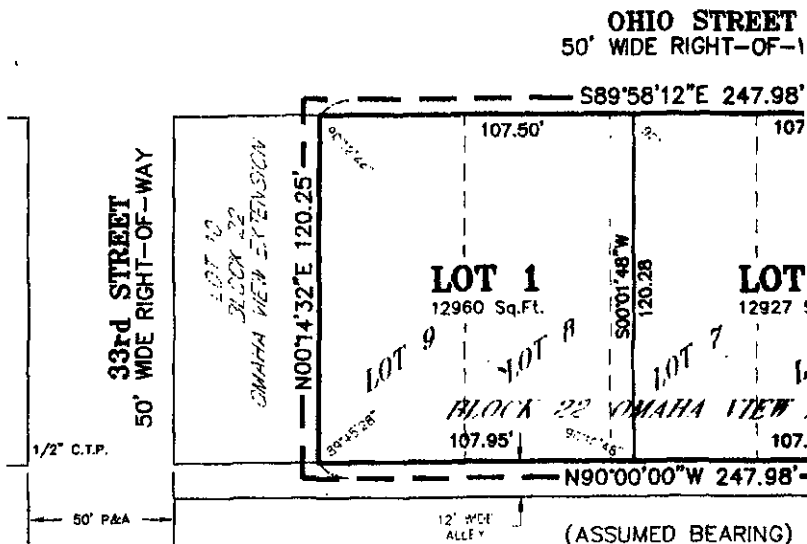
©

OMAHA

LOT THRU



NORTH
SCALE 1" = 50'



ACKNOWLEDG

STATE OF NE

COUNTY OF DA

ON THIS 30

UNDERSIGNED,

AS: CEI
A CORPORATE
AFFIXED TO TI
TO BE HIS/HE
SAID CORPORA

WITNESS MY H
DAY AND YE

[Signature]
NOTARY PUBLIC

MY COMMISSIO

OWNER'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: THAT THE UNDERSIGNED ARE OWNER'S OF THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, AND HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AS SHOWN ON THIS PLAT.

FOR: MIAMI HEIGHTS DEVELOPMENT CO
LLC

AS Ken Lyon

SIGNED CEO

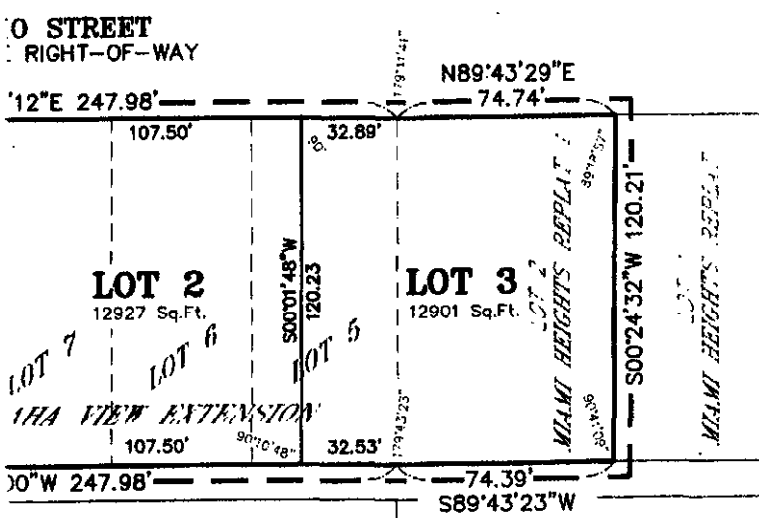
10-30-07

DATE

ADMINISTRATIVE MINOR PLAT IAHA VIEW EXTENSION REPLAT

LOTS 1, 2 AND 3 BEING A REPLAT OF LOTS 5
THROUGH 9, BLOCK 22, OMAHA VIEW EXTENSION,
AND LOT 1, 2 MIAMI HEIGHTS REPLAT 1,
DOUGLAS COUNTY, NEBRASKA

LVF



(ED BEARING)

*DEVELOPMENT CO
LVF*

ACKNOWLEDGMENT BY CORPORATION: MIAMI HEIGHTS LLC

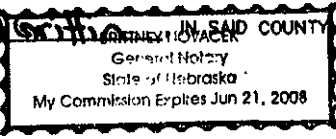
STATE OF NEBRASKA
COUNTY OF DOUGLAS } S.S.

ON THIS 30th DAY OF October, 2007 A.D., BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,
Ken Lyons

AS : (ED) OF : MIAMI HEIGHTS LLC
A CORPORATION, TO BE PERSONALLY KNOWN TO BE PRESIDENT AND IDENTICAL PERSON WHOSE NAME IS
AFFIXED TO THE ABOVE OWNERS CERTIFICATION, AND HE/SHE ACKNOWLEDGED THE EXECUTION THEREOF
TO BE HIS/HER VOLUNTARY ACT AND DEED AS SUCH OFFICER, AND THE VOLUNTARY ACT AND DEED OF
SAID CORPORATION.

WITNESS MY HAND AND NOTARIAL SEAL AT Omaha, Nebraska IN SAID COUNTY, THE
DAY AND YEAR LAST ABOVE WRITTEN.

Anthony N. [Signature]
NOTARY PUBLIC



MY COMMISSION EXPIRES ON THE 21st DAY OF June, 2008 A.D.

COUNTY TREASURER

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED IN THIS DEED IS CORRECTLY DESCRIBED IN THE RECORDS

DATED THIS _____ COUNTY TREASURER

APPROVAL OF _____
APPROVED AS _____
IN COMPLIANCE WITH _____
PER SECTION _____

11/18/07
DATE

APPROVAL OF _____

I HEREBY APPROVE THIS DEED AS TO THE MATTER DESCRIBED HEREIN

DATED THIS _____

Chris [Signature]
CITY ENGINEER

MORTGAGE

THAT _____
MORTGAGE(S) _____
BOOK NO. _____
COVERING _____
OF PLAT AND _____
WITHOUT PRECEDENCE

10/30/07
DATE

T 1

PROJECT NO.
EGA071131

NO.	DESCRIPTION	REVISIONS	
		DATE	BY

**EHRHART
GRIFFIN &
ASSOCIATES**

3552 Farnam Street
Omaha, Nebraska 68131
402 / 551-0631

- ENGINEERING
- PLANNING
- LAND SURVEYING

TREASURER'S CERTIFICATE

I CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PLAT DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THE PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

THIS 2 DAY OF November 2007 A.D.
TREASURER

BY [Signature]
PLANNING DIRECTOR

AS A SUBDIVISION OF
NEW EXTENSION REPLAT 1
IN ACCORDANCE WITH SECTION 53-10 (3), OMAHA MUNICIPAL CODE, WITH PLAT REQUIREMENTS WAIVED
BY HOME CHARTER RULE OF THE CITY OF OMAHA

BY [Signature]
PLANNING DIRECTOR

CITY ENGINEER OF OMAHA

APPROVE THIS PLAT OF
NEW EXTENSION REPLAT 1
IN ACCORDANCE WITH THE CITY DESIGN STANDARDS

THIS 13th DAY OF November 2007 A.D.

[Signature]
CITY ENGINEER

LIEN RELEASE

I, [Signature], (S) UNDER MORTGAGE DATED THE DAY OF , 20 , RECORDED IN
BOOK , AT PAGE NO. , MORTGAGE RECORDS, DOUGLAS COUNTY, NEBRASKA
AND RELEASE FROM SAID MORTGAGE, THE
PREJUDICE TO THE LIEN OF MORTGAGE ON THE REMAINING REAL ESTATE.

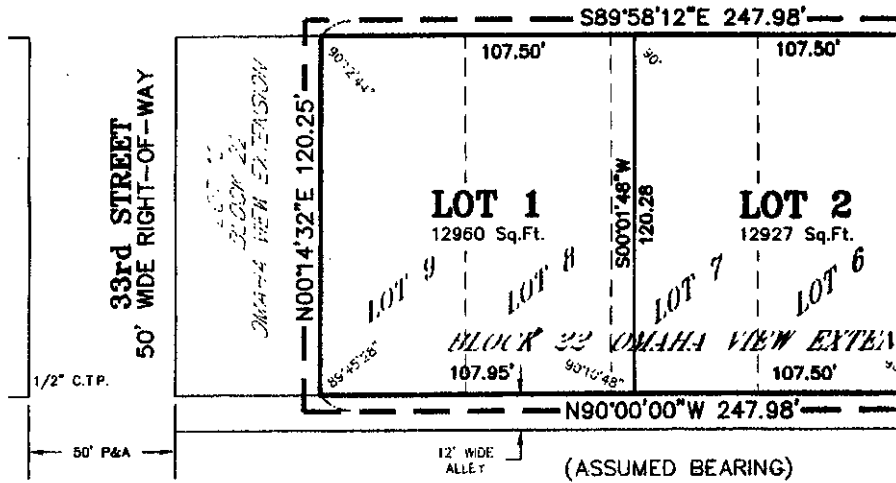
[Signature]
[Circular Stamp]

**OMAHA VIEW EXTENSION REPLAT 1
FINAL PLAT**
ADMINISTRATIVE MINOR PLAT
OMAHA, NEBRASKA

DATE: 7-18-07

NORTH
SCALE 1" = 50'

OHIO STREET
50' WIDE RIGHT-OF-WAY



OWNER'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: THAT THE UNDERSIGNED ARE OWNER'S OF THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, AND HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AS SHOWN ON THIS PLAT.

FOR: MIAMI HEIGHTS LLC

AS Ken Lyon

SIGNED CEO

10.30.07
DATE

FOR: NEW COMMUNITY DEVELOPMENT CORP

AS Ken Lyon

SIGNED CEO

10.30.07
DATE

NOTES:

- 1) ALL CURVE DATA IS BASED ON THE ARC DEFINITION.
- 2) ALL DISTANCES ALONG CURVES ARE ARC LENGTHS UNLESS OTHERWISE NOTED.
- 3) ALL LOT LINES ON CURVED STREETS ARE RADIAL UNLESS OTHERWISE NOTED (N.R.).
- 4) ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.

ACKNOWLEDGMENT B

STATE OF NEBRASKA

COUNTY OF DOUGLAS

ON THIS 30th DAY
UNDERSIGNED, A NOTARY:

Ken Ly

AS: CEO
A CORPORATION, TO BE
AFFIXED TO THE ABOVE
TO BE HIS/HER VOLUNT,
SAID CORPORATION.

WITNESS MY HAND AND
DAY AND YEAR LAST AE

Anthony N
NOTARY PUBLIC

MY COMMISSION EXPIRES

ACKNOWLEDGMENT B

STATE OF NEBRASKA

COUNTY OF DOUGLAS

ON THIS 30th DAY
UNDERSIGNED, A NOTAR'

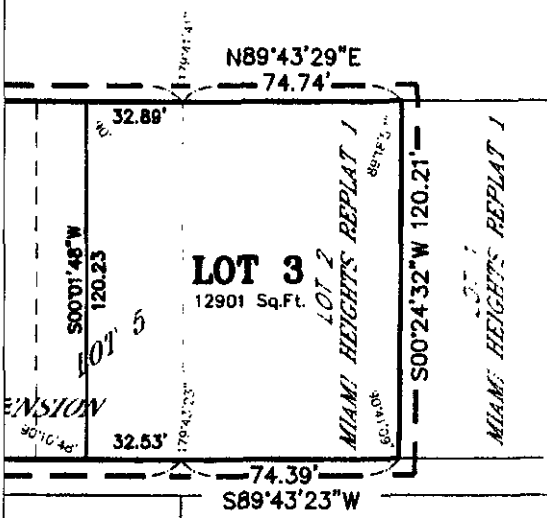
Ken Lyon

AS: CEO
A CORPORATION, TO BE
AFFIXED TO THE ABOVE
TO BE HIS/HER VOLUNT,
SAID CORPORATION.

WITNESS MY HAND AND
DAY AND YEAR LAST AE

Anthony N
NOTARY PUBLIC

MY COMMISSION EXPIRES



COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO PROPERTY DESCRIBED IN THE SURVEY THE RECORDS OF THIS OFFICE.

DATED THIS 2 DAY OF June COUNTY TREASURER

APPROVAL OF THE CITY PLANNING APPROVED AS A SUBDIVISION OF OMAHA VIEW EXTENSION REPLAT 1 IN COMPLIANCE WITH SECTION 53-10 PER SECTION 7.08, HOME CHARTER R

11/16/07 DATE [Signature] PLANNING DIRECTOR

APPROVAL OF CITY ENGINEER

I HEREBY APPROVE THIS PLAT OF OMAHA VIEW EXTENSION REPLAT 1 AS TO THE DESIGN STANDARDS

DATED THIS 13th DAY OF June

[Signature] CITY ENGINEER

BY CORPORATION: MIAMI HEIGHTS LLC

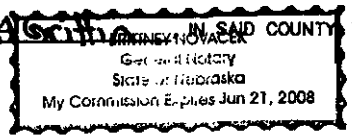
} s.s.

DAY OF October, 2007 A.D., BEFORE ME, THE COUNTY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,

[Signature] OF : MIAMI HEIGHTS LLC DEVELOPMENT CO LWF

BE PERSONALLY KNOWN TO BE PRESIDENT AND IDENTICAL PERSON WHOSE NAME IS IN THE OWNERS CERTIFICATION, AND HE/SHE ACKNOWLEDGED THE EXECUTION THEREOF AS A VOLUNTARY ACT AND DEED AS SUCH OFFICER, AND THE VOLUNTARY ACT AND DEED OF

AND NOTARIAL SEAL AT [Signature] IN SAID COUNTY, THE ABOVE WRITTEN.



RES ON THE 21st DAY OF June, 2007 A.D.

BY CORPORATION: NEW COMMUNITY DEVELOPMENT CORPORATION

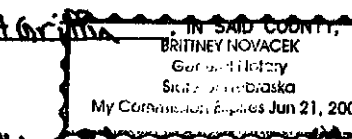
} s.s.

DAY OF October, 2007 A.D., BEFORE ME, THE COUNTY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,

[Signature] OF : NEW COMMUNITY DEVELOPMENT CORPORATION

BE PERSONALLY KNOWN TO BE PRESIDENT AND IDENTICAL PERSON WHOSE NAME IS IN THE OWNERS CERTIFICATION, AND HE/SHE ACKNOWLEDGED THE EXECUTION THEREOF AS A VOLUNTARY ACT AND DEED AS SUCH OFFICER, AND THE VOLUNTARY ACT AND DEED OF

AND NOTARIAL SEAL AT [Signature] IN SAID COUNTY, THE ABOVE WRITTEN.



RES ON THE 21st DAY OF June, 2007 A.D.

MORTGAGE RELEASE

THAT MORTGAGE(S) UNDER MORTGAGE DATA BOOK NO. AT PAGE NO. COVERING FOOT OF LAND OF PLAT AND RELEASE FROM SAID MORTGAGE WITHOUT PREJUDICE TO THE LIEN OF

10/30/07 DATE [Signature]

SURVEYOR'S CERTIFICATE

I, LARRY A. VAN FLEET, A REGISTERED SURVEYOR, CERTIFY THAT A GROUND SURVEY OF OMAHA VIEW EXTENSION REPLAT 1 HAS BEEN MADE AND THAT A BOND ORDER TO INSURE THE PLACING OF ALL ANGLE POINTS, AND THE TERMINAL POINTS, AT THE COMPLETION OF GRADING. THE LIMIT:

OMAHA VIEW EXTENSION REPLAT 1, L1 BLOCK 22, OMAHA VIEW EXTENSION, PLATTED AND RECORDED IN DOUGLAS COUNTY RECORDS

[Signature] LARRY A. VAN FLEET, L.S. 505

3532 Farnam Street
Omaha, Nebraska 68131
402 / 551-0631

- ENGINEERING
- PLANNING
- LAND SURVEYING

**OMAHA VIEW EXTENSION REPLAT 1
FINAL PLAT**
 ADMINISTRATIVE MINOR PLAT
 OMAHA, NEBRASKA

DATE: 7-18-07

DESIGNED BY:

DRAWN BY:

WAW

CHECKED BY:

CREW:



SHEET NO.

1 OF 1

PLANNING DIRECTOR'S CERTIFICATE

THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PLAT IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THE PLAT AS SHOWN BY THIS OFFICE.

DAY OF November 2007 A.D.

CITY PLANNING DIRECTOR

DIVISION OF
PLANNING

SECTION 53-10 (3), OMAHA MUNICIPAL CODE, WITH PLAT REQUIREMENTS WAIVED UNDER HOME CHARTER RULE OF THE CITY OF OMAHA

Clay Weaver
 PLANNING DIRECTOR

CITY ENGINEER OF OMAHA

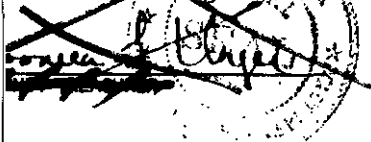
THAT THIS PLAT OF
CONFORMS WITH
STANDARD

DAY OF November 2007 A.D.

Gregg
 CITY ENGINEER OF OMAHA

RELEASE

MORTGAGE DATED THE _____ DAY OF _____, 20____, RECORDED IN
 BOOK NO. _____, MORTGAGE RECORDS, DOUGLAS COUNTY, NEBRASKA
 THAT THE _____ FOOT OF LAND HEREBY DESCRIBED HEREBY CONSENT TO AND APPROVE
 THE REMOVAL OF SAID MORTGAGE LIE FROM SAID MORTGAGE THE
 TO THE LIEN OF MORTGAGE ON THE REMAINING REAL ESTATE.



REGISTERED LAND SURVEYOR'S CERTIFICATE

THAT I, A REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT I HAVE CONDUCTED A FIELD SURVEY OF THE OUTER BOUNDARIES OF THIS PLAT OF CONFORMS WITH STANDARD

THAT A BOND HAS BEEN FURNISHED TO THE CITY OF OMAHA, NEBRASKA IN THE AMOUNT OF _____ DOLLARS, THE PLACING OF IRON REBAR MONUMENTS AT THE CORNERS OF ALL LOTS, STREETS, AND ALLEYS, AND THE TERMINAL POINTS OF ALL CURVES AS SHOWN ON THIS PLAT UPON THE PLAT. THE LIMITS AND BOUNDARIES OF SAID SAID SUBDIVISION ARE AS FOLLOWS:

IN REPLAT 1, LOTS 1, 2 AND 3, BEING A REPLAT OF LOTS 5, 6, 7, 8, AND 9, IN THE OMAHA VIEW EXTENSION, AND LOT 2, MIAMI HEIGHTS REPLAT 1, ALL AS SURVEYED, AND IN DOUGLAS COUNTY, NEBRASKA.

Larry A. Van Fleet
 L.S. 505

DATE: 10-29-2007

95016