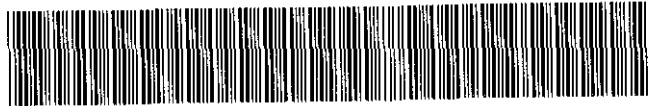




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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
5/1/2006 15:22:48.07



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RETURN TO: R. Thomas Workman, MCGILL, GOTSDINER, WORKMAN & LEPP, P.C., L.L.O., 11404 W. Dodge Rd., Suite 500, Omaha, NE 68154-2584
Space Above Reserved for Recording Information

DECLARATION OF EASEMENT RIGHTS

THIS DECLARATION OF EASEMENT RIGHTS is made this 26th day of April 2006 by **WEST DODGE PLACE, L.L.C.**, a Nebraska limited liability company ("**Declarant**").

WITNESSETH:

WHEREAS, Declarant is the owner of that certain property located in Douglas County, Nebraska, more particularly described as follows:

Lot 3, West Dodge Place Replat, as surveyed, platted and recorded in Douglas County, Nebraska

(the "**Lot 3 Parcel**");

WHEREAS, Declarant desires to construct and maintain certain signage on a portion of the Lot 3 Parcel for the general benefit of the Village Pointe Auto Plaza;

NOW THEREFORE, Declarant does hereby expressly retain and reserve unto Declarant, its successors and assigns, the following permanent and perpetual easement rights:

1. **Signage Easement.** An easement on the southeastern portion of the Lot 3 Parcel, more particularly described and shown on Exhibit A attached hereto (the "**Signage Parcel**"), in favor of Declarant, allowing Declarant and Declarant's agents and contractors to use, construct, inspect, operate, illuminate, repair, replace and maintain one or more signs, in the nature of a pylon, monument or other sign, as Declarant may determine from time to time. Declarant shall be solely responsible for the maintenance and repair of any signage on the Signage Parcel.

2. **Ingress and Egress Easement.** An easement to access the Signage Parcel, for right-of-way ingress and egress over and across the Lot 3 Parcel, including the ingress and egress of vehicles relating to the construction, maintenance, repair and replacement of signage on the Signage Parcel, and for the placement and maintenance and use of underground electrical service to the Signage Parcel for illumination of the signage thereon.

The foregoing easement rights reserved hereunder shall run with the land and shall be binding

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upon and inure to the benefit of Declarant, its successors and assigns. The easements reserved herein shall not be affected, cancelled or merged by effect of ownership or change of ownership of the Lot 3 Parcel.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Declaration of Easement Rights as of the day and year first above written.

DECLARANT:

WEST DODGE PLACE, L.L.C.

By: Talton K. Anderson
Name: Talton K. Anderson
Title: Managing Partner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 26th day of April 2006, personally appeared before me **TALTON K. ANDERSON**, the Managing Partner of **WEST DODGE PLACE, L.L.C.**, a Nebraska limited liability company, who acknowledged that he, being duly authorized did execute the foregoing instrument on behalf of such company.

Kevin R. Quinn
Notary Public



Exhibit A (consisting of 2 pages)

LEGAL DESCRIPTION - SIGNAGE PARCEL

A portion of Lot 3, West Dodge Place Replat, as surveyed, platted and recorded in Douglas, County, Nebraska, and being more particularly described as follows:

Begin at the Southeast corner of said Lot 3; thence South 69°19'16" West along the South line of Said Lot 3, a distance of 30.00 feet; thence North 04°43'44" West, a distance of 39.75 feet; thence North 85°16'16" East, a distance of 17.29 feet to a point on the East line of the aforesaid Lot 3; thence South 24°52'14" East along said East line, a distance of 33.55 feet to the point of beginning. The above described portion of Lot 3 contains 846 square feet, more or less.

EXHIBIT "A"

Project No. EGA051392

DESCRIPTION & SKETCH

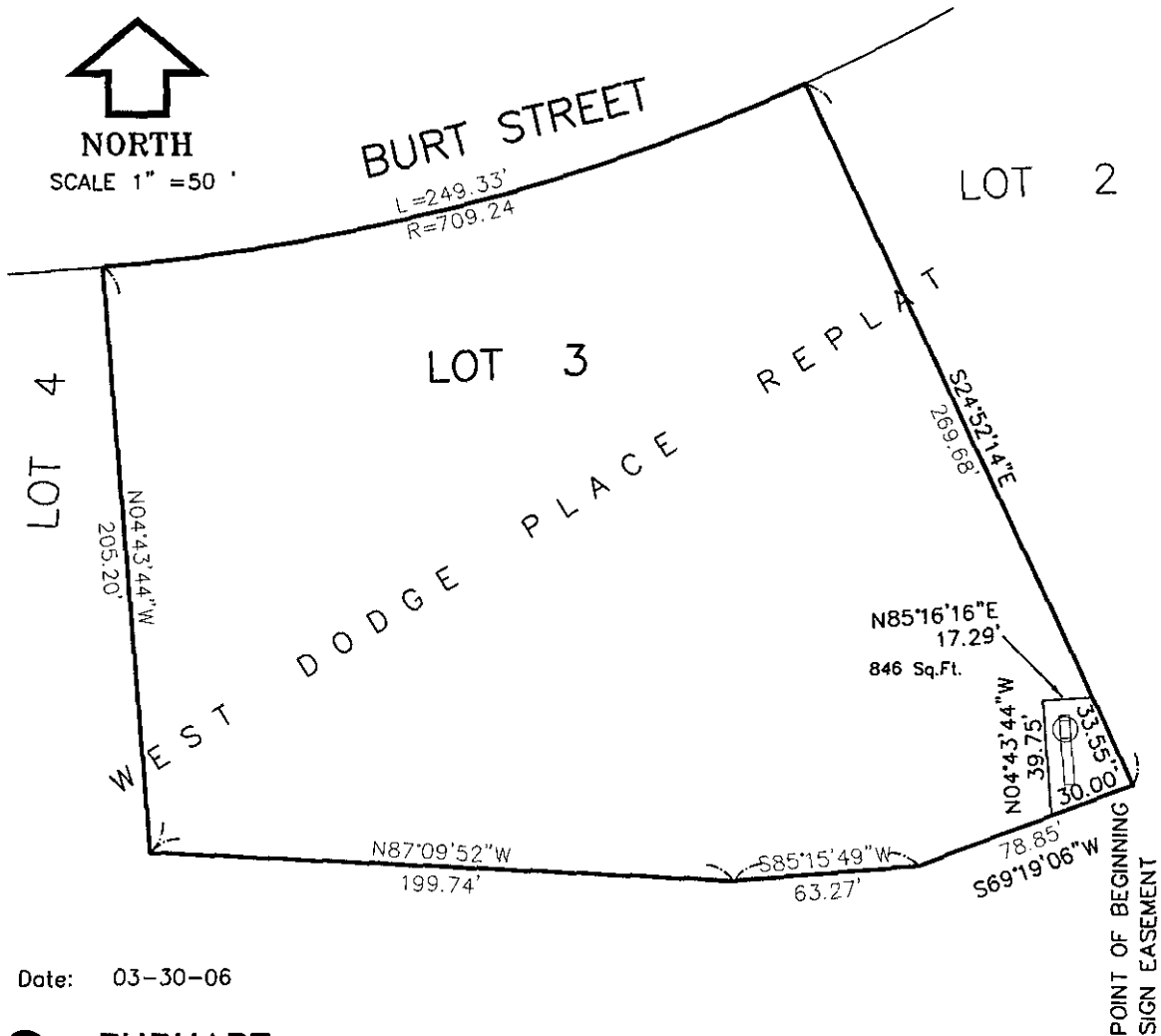
LEGAL DESCRIPTION: SIGN EASEMENT

A PORTION OF LOT 3, WEST DODGE PLACE REPLAT, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 69°19'06" WEST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 30.00 FEET; THENCE NORTH 04°43'44" WEST, A DISTANCE OF 39.75 FEET; THENCE NORTH 85°16'16" EAST, A DISTANCE OF 17.29 FEET TO A POINT ON THE EAST LINE OF THE AFORESAID LOT 3; THENCE SOUTH 24°52'14" EAST ALONG SAID EAST LINE, A DISTANCE OF 33.55 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PORTION OF LOT 3 CONTAINS 846 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION: INGRESS/EGRESS BLANKET EASEMENT

ALL OF LOT 3, WEST DODGE PLACE REPLAT, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.



Date: 03-30-06



**EHRHART
GRIFFIN &
ASSOCIATES**

ENGINEERING

PLANNING

LAND SURVEYING

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