

\$ 21,001.455

Inst # 2008056684 Mon Dec 29 10:53:33 CST 2008
Filing Fee: \$21.00
Lancaster County, NE Assessor/Register of Deeds Office SUAGRT
Pages 4



AGREEMENT

THIS AGREEMENT is made and entered into by and between **Sea Breeze Land Development Company, a Nebraska corporation, and Las Brisas Land Development Co., a Nebraska corporation**, hereinafter called "Subdivider", whether one or more, and the **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, hereinafter called "City."

WHEREAS, Subdivider has made application to City for permission to subdivide and for approval of the subdivision plat of **KIMCO INDUSTRIAL PARK 3RD ADDITION**; and

WHEREAS, the Planning Director's letter regarding corrections needed for the City to complete the review and approval of said plat contains certain provisions requiring an agreement between Subdivider and City relating to said plat and the development thereof.

NOW, THEREFORE, IN CONSIDERATION of City granting permission to plat and approval of the plat of **KIMCO INDUSTRIAL PARK 3RD ADDITION**, it is agreed by and between Subdivider and City as follows:

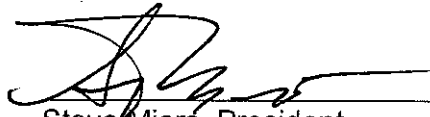
1. The Subdivider agrees to complete the planting of street trees along the south side of Kimco Drive and the east side of Kimarra Place within this plat within four years following the approval of this final plat.
2. The Subdivider agrees to timely complete any other public or private improvement or facility required by the Land Subdivision Ordinance which have not been waived but inadvertently may have been omitted from the above list of required improvements.

Planning

3. The Subdivider agrees to inform all purchasers and user of land located within the 100 year floodplain that said land is located within the 100 year floodplain.


Dated this 18 day of November, 2008.

SEA BREEZE LAND DEVELOPMENT CO.
a Nebraska corporation,



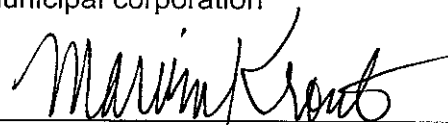
Steve Miers, President

LAS BRISAS LAND DEVELOPMENT CO.
a Nebraska corporation,



Steve Miers, President

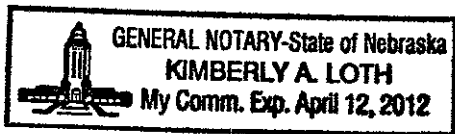
CITY OF LINCOLN, NEBRASKA,
a municipal corporation

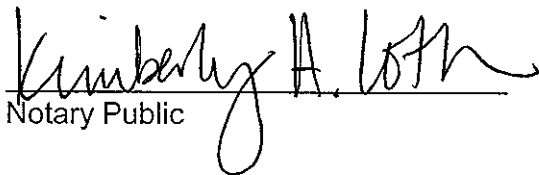


Marvin Krout, Planning Director

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 18 day of November, 2008, by Steve Miers, President of Sea Breeze Land Development Company, a Nebraska corporation.

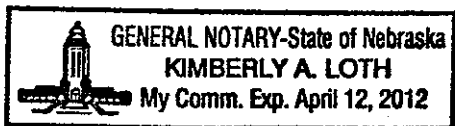




Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

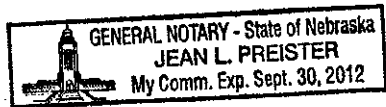
The foregoing instrument was acknowledged before me this 18 day of November, 2008, by Steve Miers, President of Las Brisas Land Development Company, a Nebraska corporation.



Kimberly A. Loth
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 19th day of November, 2008, by Marvin Krout, Planning Director.



Jean L. Preister
Notary Public

KIMCO INDUSTRIAL PARK 3RD ADDITION
FINAL PLAT #08057
LOT LIST

LOT 1
LOT 2