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DECLARATION OF EASEMENT

THIS DECLARATION made on the 25th day of March, 1976, by INTERSTATE PROPERTIES, INC., a Nebraska Corporation, HARLAND L. MOSSMAN AND MARION W. MOSSMAN, AND D. W. MOSSMAN AND JANICE S. MOSSMAN, owners as of the date hereof, of the following described real estate, to-wit:

Lots 1, 2 and 3, Pacific Plaza Replat, a Replat of part of Lot 10, Pacific Plaza Addition, a subdivision located in the NW $\frac{1}{4}$  of Section 29, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska.

W I T N E S S E T H :

WHEREAS, declarants are desirous of constructing a shopping center on the above described real estate and, in order to enhance the desirability of the area to commercial tenants and owners and their licensees and invitees, declarants are desirous of providing for easements whereby all tenants and owners, their invitees and licensees shall have access to and enjoyment of parking areas to be designated by declarants on the above described real estate, and are thus desirous of providing perpetual easements for the purpose of commercial parking on the above described real estate.

NOW, THEREFORE, IN CONSIDERATION of the foregoing preambles, the undersigned declare that the following easements, covenants and conditions as herein expressed shall apply to the above described real estate as a burden and benefit conferred upon all subsequent owners and lien holders thereof from the date hereof perpetually unless sooner terminated in any manner or modified by agreement of the owners and lienholders of record of all of said real estate:

1) Declarants have designated, and will designate by paving, the parking areas which are to be used by all owners, tenants, their licensees and business invitees of the above described premises or any part thereof. Parking is to be on striped surfaced area only. Any owner, tenant, licensee or invitee to any portion of the above area

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shall have a nonexclusive right along with all other owners, tenants, their invitees and licensees to use any of said parking area for the parking of automobiles; provided, that any said automobile so parked in said area for a consecutive period of time no longer than 12 hours. Vehicles larger than a car may not be parked longer than 2 hours without permission of the declarants or their assignees.

2) Any modification, amendment or termination of this Declaration to be effective must be made in writing by an instrument signed by all owners and lienholders of said real estate and must be recorded in the office of the Register of Deeds of Douglas County, Nebraska.

IN WITNESS WHEREOF, the undersigned, being the declarants herein, have hereunto set their hands and seal this 25th day of March, 1976.

INTERSTATE PROPERTIES, INC.

Attest:

By D. W. Mossman President

Harland L. Mossman Secretary

HARLAND L. MOSSMAN Harland L. Mossman

MARION W. MOSSMAN Marion W. Mossman

D. W. MOSSMAN D. W. Mossman

JANICE S. MOSSMAN Janice S. Mossman



DOUGLAS COUNTY OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS

ON this 25th day of March, 1976, before me, a Notary Public, duly commissioned and qualified for said county, personally came D. W. Mossman, individually and as President of Interstate Properties, Inc. Janice S. Mossman, Harland L. Mossman, and Marion W. Mossman, to me personally known to be the identical persons who executed the above Declaration of Easement and acknowledged the said instrument to be their voluntary act and deed, and the voluntary act and deed of said corporation.

WITNESS MY HAND and seal in Omaha, in said county, the day and year last above written.

GENERAL NOTARY - State of Neb.  
GARY L. JOHNSON  
My Comm. Exp. Feb. 6, 1980

Gary L. Johnson  
Notary Public

My commission expires the 6 day of February, 1980.

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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEB. 675  
30 DAY OF March 1976 AT 11:27 A M. C. HAROLD OSTLER, REGISTER OF DEEDS