

EASEMENTS

Country Place Venture, a Nebraska Partnership, hereinafter called Grantor, whether one or more, is the owner of the following described property:

Lots Six (6) and seven (7)
in Country Place, a sub-
division as surveyed, platted
recorded in the City of Omaha,
Douglas County, Nebraska,

hereinafter referred to as the "burdened property."

Mark A. Eibes and Jeanne P. Eibes, hereinafter called Grantee, whether one or more, is the owner of the following described property:

Lot twelve (12) in Country
Place, a subdivision as
surveyed, platted and re-
corded in the City of Omaha,
Douglas County, Nebraska,

hereinafter referred to as the "benefitted property."

NOW THEREFORE, in consideration of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee both an easement and right of way for continued receipt of direct radiant solar energy and an easement in and through the Solar Envelope developed for the burdened property as hereinafter defined. Under the terms of these Easements, no structure, object, tree or other vegetation shall be built, constructed, placed, planted, or maintained on the burdened property so as to exceed the Solar Envelope as hereinafter described.

Solar Envelope. A Solar Envelope has been developed for the burdened property which designates the maximum allowable space which may be utilized by buildings and other structures and by trees, bushes, plants and other vegetation on the burdened property while not shading designated portions of the benefitted property between the hours of 9:00 a.m. and 3:00 p.m. Mean Solar Time on December 21 for the purpose of collection, use and storage of solar energy for domestic hot water heating, space heating, space cooling, and such other uses as may develop in the future. Said Solar Envelope for the burdened property is described as follows:

LOT SIX. Lot Six (6) has a
Solar Envelope roof which can be
defined as beginning at a point

on the southeast lot line 250' from the northeast corner at a height of 70'. From this point a ridge slopes to a height of 20' at the northwest corner of the lot. This Solar Envelope roof then slopes from the ridge to the west lot line to a height of 20'. The ridge also slopes to the northwest lot line to a height of 20' and to the northeast corner to a height of 40'.

LOT SEVEN (7). Lot Seven (7) has a solar envelope roof which can be defined as beginning at the northeast corner at a height of 40'. From this corner a ridge slopes up to 60' in height to a point located over the south lot line and 200' west of the southeast corner. This solar envelope roof then slopes to the northwest lot line to a height of 10'. The southeast corner is limited in height to 10' and slopes up north and west to the ridge.

An illustration of said Solar Envelope is attached hereto as Exhibit A.

No residence, garage, fence, wall, sign, billboard, antennae, pole or any other structure shall be constructed, altered, built, erected, installed, or otherwise maintained or undertaken on the burdened property so as to exceed the above-described Solar Envelope.

No tree, bush, or any other type of vegetation may be planted, installed or otherwise maintained on the burdened property so as to exceed the above-described Solar Envelope.

Grantee may enforce the provisions of these easements by an action for damages, for injunctive relief, or both, plus reasonable attorney's fees and costs of enforcement.

These easements are interests in land, shall run with the land respectively burdened and benefitted, and shall be

binding on the heirs, successors and assigns of all parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 3rd day of June, 1981.

COUNTRY PLACE VENTURE, A
Nebraska Partnership,

By Emerson S. Welty
Emerson S. Welty, Partner, Grantor

By Bertha K. Welty
Bertha K. Welty, Partner, Grantor

By Ralph W. Andersen
Ralph W. Andersen, Partner, Grantor

By Mina G. Andersen
Mina G. Andersen, Partner, Grantor

Mark A. Eibes
Mark A. Eibes, Grantee

Jeanne P. Eibes
Jeanne P. Eibes, Grantee

STATE OF NEBRASKA) ss
COUNTY OF DOUGLAS)

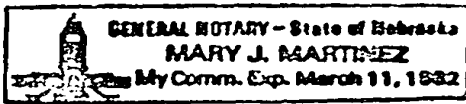
On this 3 day of June, 1981, before me, a notary public in and for said county, personally came Emerson S. Welty, Bertha K. Welty, Ralph W. Andersen, and Mina G. Andersen, to me personally known to be the identical persons whose names are affixed to the above instrument, and severally acknowledged the execution of the same to be their voluntary act and deed and the act and deed of said Country Place Venture, a Nebraska Partnership, for the purposes therein expressed.

GENERAL NOTARY - State of Nebraska
CAROLE J. MILLER
My Comm. Exp. Sept. 27, 1982

Notary Public

STATE OF NEBRASKA)) ss
COUNTY OF DOUGLAS)

On this 11th day of May, 1981, before me, a notary public in and for said county, personally came Mark A. Eibes and Jeanne P. Eibes, to me personally known to be the identical persons whose names are affixed to the above instrument, and severally acknowledged the execution of the same to be their voluntary act and deed for the purposes therein expressed.



Mary J. Martinez
Notary Public

