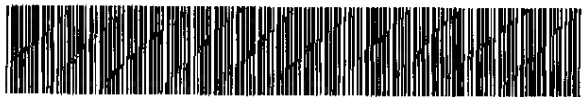




MISC 2004078123



JUN 15 2004 14:54 P 3

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
6/15/2004 14:54:21.01



2004078123

CONSENT TO ANNEXATION

COMES NOW, the Bennington Company, a Nebraska corporation, under a Deed of Trust filed against the property described on Exhibit "A" attached hereto and by this reference incorporated herein, and hereby consents to the annexation of said property by Sanitary and Improvement District No. 490 of Douglas County, Nebraska, and acknowledges and agrees that its interest in and to the property shall be subject to and subordinate to any real estate taxes or special assessments levied by the District.

DATED this 8th day of June, 2004

mit
3
2
FEE 116.00 FB 01-60000
28-16-72
BMP 29-46-72 C/O _____ COMP _____
DEL _____ SCAN _____ FV _____

BENNINGTON COMPANY, a Nebraska corporation

By Barbara Lideo Shaw President
Title

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me, the undersigned Notary Public in and for said County and State appeared Barbara Lideo Shaw, to me known to be the President of the Bennington Company, a Nebraska corporation and the identical person who executed the above instrument and acknowledged his execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal this 8th day of June, 2004

Karen K. Kola
Notary Public



MY COMMISSION EXPIRES:
JULY 28, 2005

FULENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NE 68144-4482

Karen

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SEIN OF SECTION 28, AND ALSO PART OF THE SW/4 OF SECTION 28, ALL LOCATED IN TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID SEIN OF SECTION 28, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID SW/4 OF SECTION 28, THENCE S77°26'10" W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE SEIN OF SECTION 28, A DISTANCE OF 144.00 FEET; THENCE N23°29'17" E, A DISTANCE OF 171.24 FEET TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF GRAND STREET; THENCE SOUTHEASTERLY ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE OF GRAND STREET AND THE EASTERLY EXTENSION THEREOF, ON A CURVE TO THE LEFT WITH A RADIUS OF 425.00 FEET, A DISTANCE OF 15.94 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S77°26'10" E, A DISTANCE OF 15.94 FEET; THENCE BETWEEN THE DISTANCE OF 171.24 FEET, THENCE N88°10'17" W, A DISTANCE OF 43.17 FEET; THENCE N87°14'44" W, A DISTANCE OF 51.00 FEET TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF LOT 124, DEERWOOD, A SUBDIVISION LOCATED IN SAID SEIN OF SECTION 28, THENCE N47°32'27" E ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE OF LOT 124, DEERWOOD, AND ALSO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEBER STREET, A DISTANCE OF 182.24 FEET TO THE POINT OF INTERSECTION OF THE NORTH-EASTERLY RIGHT-OF-WAY LINE OF SAID WEBER STREET AND SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEBER STREET, SAID POINT ALSO BEING ON THE SOUTHWESTERLY LINE OF LOT 124, SAID DEERWOOD, THENCE SOUTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF LOT 124, DEERWOOD, ON A CURVE TO THE LEFT WITH A RADIUS OF 224.00 FEET, A DISTANCE OF 0.36 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°14'35" E, A DISTANCE OF 0.36 FEET TO THE SOUTHWEST CORNER OF SAID LOT 124, DEERWOOD, THENCE WEST 37°57'17" E, A DISTANCE OF 587.87 FEET ALONG SAID SOUTHWESTERLY LINE OF LOT 124, DEERWOOD, A DISTANCE OF 0.84 FEET; THENCE S87°14'35" E, A DISTANCE OF 3.70 FEET TO A POINT ON SAID SOUTHWESTERLY LINE OF LOT 124, DEERWOOD, THENCE S87°14'35" E, A DISTANCE OF 3.70 FEET TO A POINT ON SAID SOUTHWESTERLY LINE OF LOT 124, DEERWOOD, THENCE S87°14'35" E, A DISTANCE OF 4.24 FEET TO THE SOUTHWEST CORNER OF SAID LOT 124, SAID DEERWOOD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 124, DEERWOOD, THENCE S74°54'57" E ALONG THE SOUTHWESTERLY LINE OF SAID LOT 124, DEERWOOD, A DISTANCE OF 82.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 124, DEERWOOD, THENCE ALONG THE EAST LINE OF SAID LOT 124, DEERWOOD, AND ALSO THE EAST RIGHT-OF-WAY LINE OF BLACK STREET, A DISTANCE OF 81.22 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 224.00 FEET, A DISTANCE OF 4.24 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°14'35" E, A DISTANCE OF 4.24 FEET; THENCE WEST 29°26'17" E, A DISTANCE OF 48.84 FEET TO A POINT OF THE SOUTH LINE OF LOT 124, SAID DEERWOOD, THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE OF LOT 124, DEERWOOD, ON A CURVE TO THE LEFT WITH A RADIUS OF 224.00 FEET, A DISTANCE OF 10.16 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°14'35" E, A DISTANCE OF 10.16 FEET; THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE OF LOT 124, DEERWOOD, A DISTANCE OF 11.68 FEET; THENCE S77°30'57" E, A DISTANCE OF 24.00 FEET; THENCE N37°01'10" W, A DISTANCE OF 1.07 FEET TO A POINT ON THE SOUTH LINE OF LOT 140, SAID DEERWOOD, THENCE S78°58'00" E ALONG SAID SOUTH LINE OF LOT 140, DEERWOOD, A DISTANCE OF 2.67 FEET TO THE SOUTHWEST CORNER OF SAID LOT 140, DEERWOOD, THENCE N12°38'29" E ALONG THE EAST LINE OF SAID LOT 140, DEERWOOD, AND ALSO THE EAST RIGHT-OF-WAY LINE OF HANCOCK STREET, A DISTANCE OF 151.17 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE OF HANCOCK STREET AND THE NORTH RIGHT-OF-WAY LINE OF SAID HANCOCK STREET, SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 141, SAID DEERWOOD, THENCE SOUTHWESTERLY ALONG SAID SOUTH LINE OF LOT 141, DEERWOOD, ON A CURVE TO THE LEFT WITH A RADIUS OF 724.00 FEET, A DISTANCE OF 17.70 FEET; SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°17'26" E, A DISTANCE OF 17.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 141, DEERWOOD, THENCE N14°44'42" E ALONG THE EAST LINE OF SAID LOT 141, DEERWOOD, A DISTANCE OF 131.82 FEET TO THE NORTH-EAST CORNER OF SAID LOT 141, DEERWOOD, SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 142, SAID DEERWOOD, THENCE WEST 29°26'17" E, A DISTANCE OF 143.14, 142.14, 141.14, 140.14, 139.14, 138.14, 137.14, 136.14, 135.14, SAID DEERWOOD, A DISTANCE OF 351.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 141, DEERWOOD, THENCE NORTH-EASTERLY ALONG THE EAST LINE OF SAID LOT 151, DEERWOOD, ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, A DISTANCE OF 0.04 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N71°11'11" E, A DISTANCE OF 0.04 FEET; THENCE N87°30'27" E, A DISTANCE OF 0.04 FEET; THENCE NORTH-EASTERLY ON A CURVE LEFT WITH A RADIUS OF 100.00 FEET, A DISTANCE OF 14.29 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°30'27" E, A DISTANCE OF 14.29 FEET; THENCE WEST 29°26'17" E, A DISTANCE OF 48.16 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 10TH AVENUE,

THENCE WEST 29°26'17" E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 10TH AVENUE, A DISTANCE OF 177 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF 10TH AVENUE AND THE EAST RIGHT-OF-WAY LINE OF SAID 10TH AVENUE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 194, SAID DEERWOOD, THENCE WEST 29°26'17" E ALONG THE SOUTH LINE OF SAID LOT 194, DEERWOOD, A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 194, DEERWOOD, THENCE WEST 29°26'17" E ALONG THE EAST LINE OF SAID LOT 194, DEERWOOD, A DISTANCE OF 4.04 FEET; THENCE WEST 29°26'17" E, A DISTANCE OF 0.04 FEET; THENCE WEST 29°26'17" E, A DISTANCE OF 22.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 83, AVALON NORTH, A SUBDIVISION LOCATED IN SAID SEIN OF SECTION 28, THENCE WEST 29°26'17" E ALONG SAID SOUTH LINE OF LOT 83, AVALON NORTH, A DISTANCE OF 114.89 FEET TO THE SOUTHWEST CORNER OF SAID LOT 83, AVALON NORTH, THENCE WEST 29°26'17" E ALONG THE EAST LINE OF SAID LOT 83, AVALON NORTH, A DISTANCE OF 145.00 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF 10TH STREET AND THE SOUTH RIGHT-OF-WAY LINE OF SAID 10TH STREET, THENCE WEST 29°26'17" E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 10TH STREET, AND ALSO THE SOUTH LINE OF LOT 82, AVALON NORTH, A DISTANCE OF 150.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 82, AVALON NORTH, THENCE WEST 29°26'17" E ALONG THE EAST LINE OF SAID LOT 82, AVALON NORTH, THENCE WEST 29°26'17" E ALONG THE SOUTH LINE OF SAID LOT 81, AVALON NORTH, A DISTANCE OF 158.00 FEET TO THE SOUTHWEST CORNER OF LOT 81, AVALON NORTH, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF 10TH AVENUE, A DISTANCE OF 0.18 FEET TO THE POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE OF 10TH AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF SAID 10TH AVENUE, THENCE WEST 29°26'17" E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 10TH AVENUE, AND ALSO THE SOUTH LINE OF LOT 81, SAID AVALON NORTH, A DISTANCE OF 162.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 81, AVALON NORTH, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 81, SAID AVALON NORTH, THENCE WEST 29°26'17" E ALONG THE SOUTH LINE OF SAID LOT 81, SAID AVALON NORTH, A DISTANCE OF 162.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 81, SAID AVALON NORTH, AND ALSO THE WEST LINE OF LOTS 83, AND 82, SAID AVALON NORTH, A DISTANCE OF 192.27 FEET TO THE SOUTHWEST CORNER OF SAID LOT 82, AVALON NORTH, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 82, AVALON NORTH, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 81, SAID AVALON NORTH, THENCE S27°38'17" W ALONG SAID WEST LINE OF LOT 82, AVALON NORTH, A DISTANCE OF 82.27 FEET; THENCE S27°38'17" W ALONG SAID WEST LINE OF LOT 81, SAID AVALON NORTH, AND ALSO THE WEST LINE OF LOTS 85, AVALON NORTH, A DISTANCE OF 189.24 FEET TO SAID AVALON NORTH, THENCE S27°38'17" W ALONG THE WEST LINE OF SAID LOT 84, AVALON NORTH, AND ALSO THE WEST LINE OF LOTS 83, AND 82, SAID AVALON NORTH, A DISTANCE OF 192.27 FEET TO THE SOUTHWEST CORNER OF SAID LOT 82, AVALON NORTH, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 82, AVALON NORTH, AND ALSO THE WEST LINE OF LOTS 84, AND 79, SAID AVALON NORTH, A DISTANCE OF 180.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT 79, AVALON NORTH, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 79, SAID AVALON NORTH, THENCE S27°38'17" W ALONG THE WEST LINE OF SAID LOT 79, AVALON NORTH, AND ALSO THE WEST LINE OF SAID LOT 78, AVALON NORTH, A DISTANCE OF 219.36 FEET TO THE SOUTHWEST CORNER OF SAID LOT 75, AVALON NORTH, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET, THENCE WEST 29°26'17" E ALONG SAID NORTH RIGHT-OF-WAY LINE OF GRAND STREET, A DISTANCE OF 16.80 FEET TO THE POINT OF INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF GRAND STREET AND THE WEST RIGHT-OF-WAY LINE OF SAID GRAND STREET, THENCE S27°38'17" W ALONG SAID WEST RIGHT-OF-WAY LINE OF GRAND STREET, AND ALSO THE WEST LINE OF LOT 24, SAID AVALON NORTH, A DISTANCE OF 242.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24, AVALON NORTH, SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID NORTH 1/2 OF THE SEIN OF SECTION 28, THENCE S87°23'17" W ALONG SAID SOUTH LINE OF THE NORTH 1/2 OF THE SEIN OF SECTION 28, A DISTANCE OF 309.48 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 1,114,487 SQUARE FEET OR 27,204 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING

FIG. NO. 200303.2	Revised
Date: 05/27/2004	Date:
Drawn By: EAS	Date:
Scale: 1" = 200'	Date:
Sheet No. 7 of 7	Date:

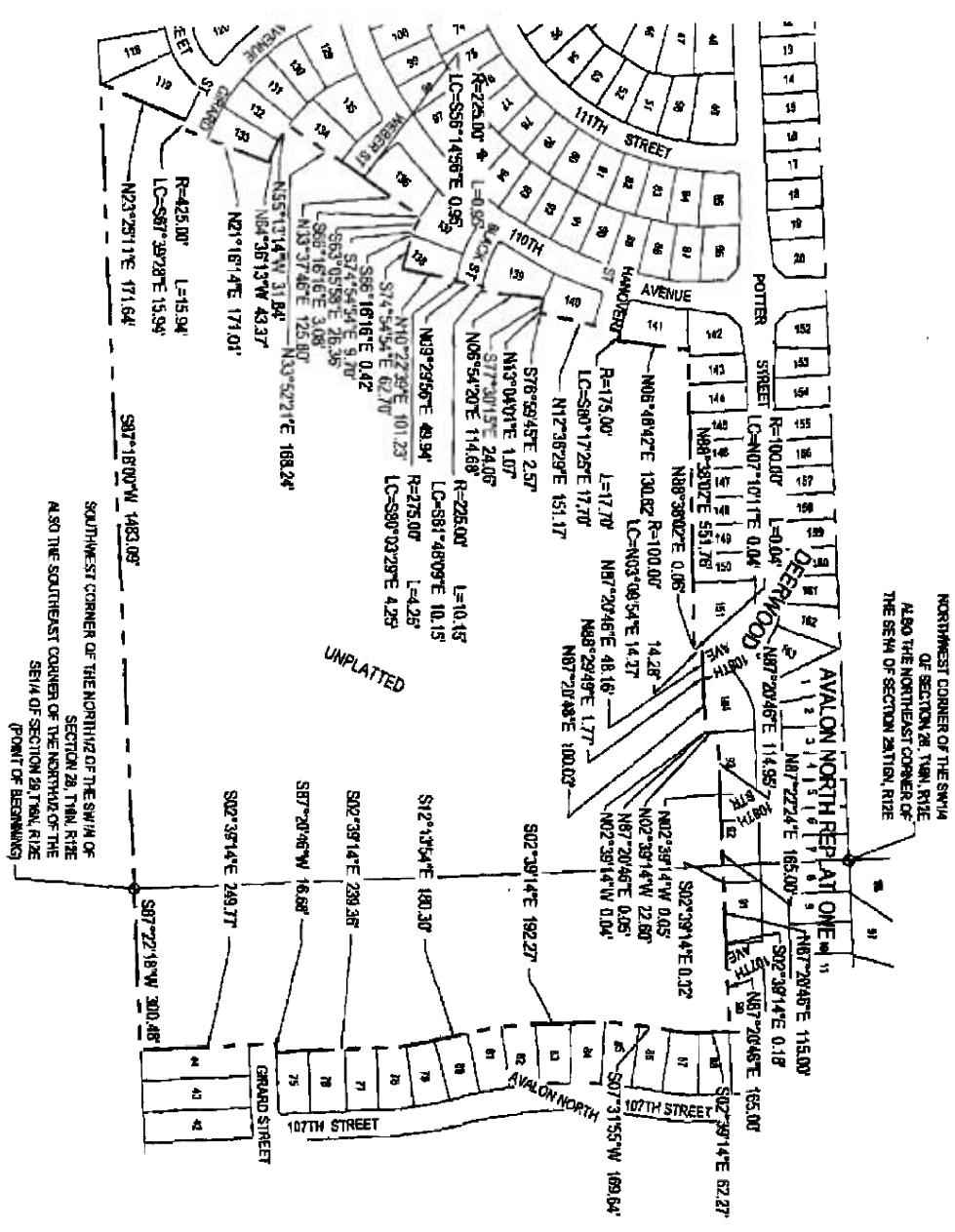
LEGAL DESCRIPTION

ANNEXATION
DISTRICT BOUNDARY
DOUGLAS COUNTY
S. & T. D. NO. 480
MAY 14, 2004



E&A CONSULTING GROUP, INC.
ENGINEERS • PLANNERS • SURVEYORS
1008 S. DUBOIS STREET, SUITE 8
LINCOLN, NE 68502
PHONE: (402) 488-1100
FAX: (402) 488-7110

Ex "A"



SOUTHWEST CORNER OF THE NORTH 1/2 OF THE SW 1/4 OF SECTION 28, T4N, R12E ALSO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SE 1/4 OF SECTION 29, T4N, R12E (POINT OF BEGINNING)

NORTHWEST CORNER OF THE SW 1/4 OF SECTION 28, T4N, R12E ALSO THE NORTHEAST CORNER OF THE SE 1/4 OF SECTION 29, T4N, R12E

Scale: 1" = 200'

C:\pwork\2003\20030323\20030323.dwg, SHEET 1 OF 2, 5/27/2004 4:42:17 PM, GSA

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

PLS NO: 20030323 Date: 05/27/2004 Drawn By: EAS Scale: 1" = 200' Sheet No. 1 of 2	Revisions <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	No.	Date			LEGAL DESCRIPTION	ANNEXATION DISTRICT BOUNDARY DOUGLAS COUNTY S. & I. D. NO. 490 <small>ISSUED BY COUNTY, 4/24/2004</small>	E&A CONSULTING GROUP, INC. ENGINEERS • PLANNERS • SURVEYORS <small>1300 1/2 STUBBS CHARLIE, NE 68107 PHONE: (402) 939-0700 FAX: (402) 939-0888</small>	<small>7130 SOUTHWEST 10TH STREET, SUITE 10 LINCOLN, NE 68512-1001 PHONE: (402) 499-7217 FAX: (402) 493-1238</small>
No.	Date								