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DEF

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
4/1/2004 7:29:15 AM
2004040599

When recorded return to: Michael C. Carter, Esq., 11506 Nicholas St., #200, Omaha, NE 68154

CONSTRUCTION EASEMENT AGREEMENT

WHEREAS, the undersigned Homes at River Road, L.L.C., a Nebraska limited liability company ("Owner") ("Grantor") owns property, set forth on attached Exhibit "A" attached hereto commonly known as Lot 8 of Homes at River Road, Waterloo, Nebraska ("Property"); and

WHEREAS, Bliss Creek Homes, L.L.C., a Nebraska limited liability company ("Bliss") ("Grantee") is the owner of adjacent land to the Property; and

WHEREAS, Bliss desires to develop the property, (including construction of a single-family dwelling) which requires ingress and egress access for equipment across the property owned by Owner; and

WHEREAS, Owner desires to grant a temporary easement for construction purposes under the following terms and conditions.

IT IS THEREFORE AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. That Owner agrees to grant a temporary easement across property for construction purposes, including to install sanitary, storm sewer systems, foundation, building and landscaping.
2. That said easement shall be for a period of six (6) months from commencement of construction, not to exceed one (1) years.
3. That at the end of the six (6) month easement or upon completion of the house, Bliss shall, at its sole expense, return the property as closely as possible to its condition prior to the commencement of the easement, including the removal of any gravel if requested by Owner.
4. That this Agreement shall be binding upon the heirs and assigns of the parties hereto.

DATED this 1st day of March, 2004.

HOMES AT RIVER ROAD, L.L.C.,
A Nebraska limited liability company
By: [Signature]
Its: member

BLISS CREEK HOMES, L.L.C.,
A Nebraska limited liability company
By: [Signature]
Its: member

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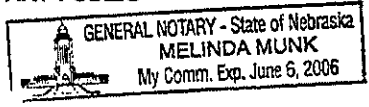
STATE OF NEBRASKA)
)ss
COUNTY OF DOUGLAS)

BEFORE ME the undersigned Notary Public in and for said County personally appeared Robert C. Day to me known to be Member of Homes at River Road, L.L.C. and the identical person whose signature is affixed to the foregoing option as Grantor, and he, being first duly sworn, acknowledged execution of the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto affixed my hand and Notarial Seal this 15th day of March, 2004.

Melinda Munk
NOTARY PUBLIC

My commission Expires: 10-10-06



STATE OF NEBRASKA)
)ss
COUNTY OF DOUGLAS)

BEFORE ME, the undersigned Notary public in and for said county personally appeared Donald F. Day to me known to be the Member of Bliss Creek Homes, L.L.C., and the identical person whose signature is affixed to the foregoing option as Grantee, and he, being first duly sworn, acknowledged execution of the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto affixed my hand and Notarial Seal this 15th day of March, 2004.

Melinda Munk
NOTARY PUBLIC

My Commission Expires: 10-10-06

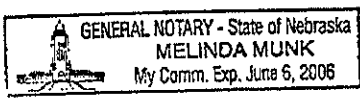


EXHIBIT "A"**PARCEL II:**

A parcel of land located in the Southwest Quarter of the Southeast Quarter of Section 10, Township 15 North, Range 10 East of the Sixth P.M., Douglas County, Nebraska, being described as follows: Commencing at the Southwest corner of said Southwest Quarter Southeast Quarter; thence $N00^{\circ}37'50''E$ (assumed bearing) on the West line of said Southwest Quarter Southeast Quarter, a distance of 680.93 feet to the true point of beginning; thence continuing $N00^{\circ}37'50''E$ on said West line, a distance of 210.00 feet; thence $S89^{\circ}22'10''E$, perpendicular to said West line, a distance of 794.54 feet to a point on the West right of way line of County Road No. 109-B; thence $S05^{\circ}10'16''E$ on said West right of way line, a distance of 211.07 feet; thence $N89^{\circ}22'10''W$, a distance of 815.87 feet to the true point of beginning.