



RECEIVED
 Oct 21 3 20 PM '96
 GEORGE J. BUGLEWICZ
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NE

TEMPORARY GRADING EASEMENT

That Helen Boland, hereinafter referred to as "Grantor" for valuable consideration, the receipt and sufficiency of which is hereby acknowledged does hereby grant and convey unto Gottsch Land Co., a Nebraska corporation, its successors and assigns hereinafter referred to as "Grantee", a temporary easement for the right to excavate, fill and grade on the real property legally described on the attached Exhibit "A" which is by this reference specifically incorporated herein.

To have and to hold to Grantee, its successors and assigns, together with the right of ingress to and egress from said premises. It is further agreed as follows:

1. That the excavation, fill and grading shall be done in substantial conformance with the Indian Creek Grading Plan No. 94050-6161 prepared by Lamp Rynearson & Associates, consulting engineers.
2. The right, privilege and easement granted by this instrument is temporary in nature and shall cease and terminate thirty (30) days after the completion of the excavation, fill and grading as set forth in said grading plan.
3. Grantee shall upon completion of the excavation, fill and grading seed the easement area.
4. The right, privilege and easement granted by this instrument shall enure to the benefit of any contractor, agent, employee of other representative of Grantee.
5. Grantee will replace or rebuild any or all damage to the easement area or adjoining areas caused by Grantee or by Grantee's agents, employees, contractors or representatives.
6. Grantor hereby represents and warrants for herself, her successors, assigns, heirs, and legal representatives that she has the right, power and authority to grant the rights, privileges and easement conveyed by this instrument.

IN WITNESS WHEREOF, Grantor has executed this easement this 18th day of OCTOBER, 1996.

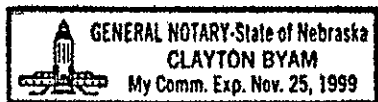
NOTARIAL SEAL AFFIXED
 REGISTER OF DEEDS

GRANTOR:

 HELEN BOLAND

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

Subscribed and sworn to before me, a Notary Public, this 18th day of OCTOBER, 1996, by Helen Boland.



Notary Public

Return to:
 Walsh, Fullenkamp & Doyle
 11440 West Center Road
 Omaha, Nebraska 68144-4482

12100 H
 FEE 10⁰⁰
 R 5-15-11
 FB 01-60000
 DEL
 LEGAL PG
 SCAN
 COMP VP

EXHIBIT "A"

LEGAL DESCRIPTION

A temporary easement for grading over that part of the Southwest Quarter of Section 5, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the southwest corner of the Southwest Quarter of Section 5;

Thence North 01°53'24" West (bearings referenced to the Nebraska State Plane System NAD 1983) for 136.56 feet along the west line of the said Southwest Quarter of Section 5 to the north right of way line of West Maple Road (Highway 64) and the TRUE POINT OF BEGINNING;

Thence continuing North 01°53'24" West for 612.92 feet along said west line;

Thence North 88°06'36" East for 35.00 feet;

Thence South 01°53'24" East for 106.71 feet parallel with and 35.00 feet east of the said west line of the Southwest Quarter of Section 5;

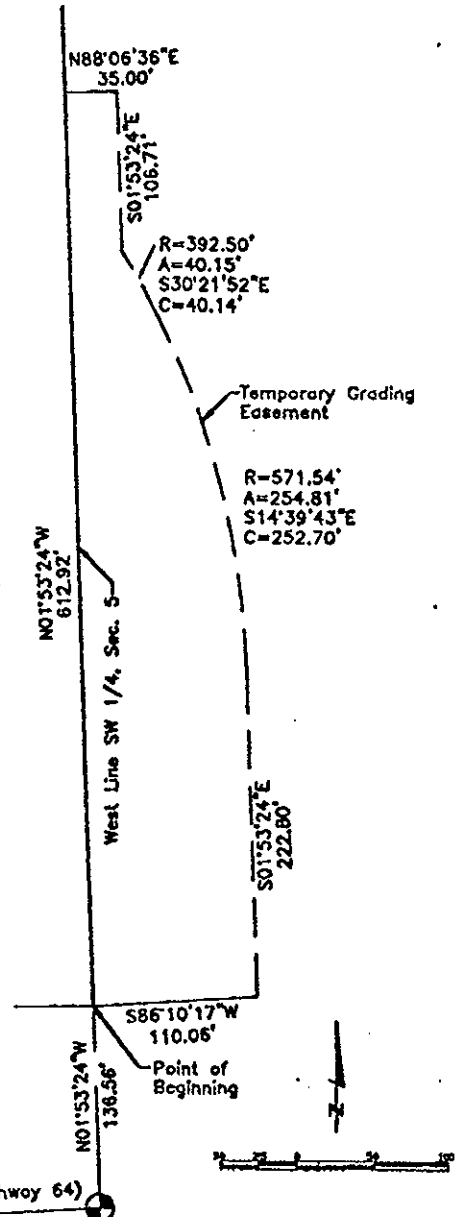
Thence along a curve to the right (having a radius of 392.50 feet and a long chord bearing South 30°21'52" East for 40.14 feet) for an arc length of 40.15 feet;

Thence along a curve to the right (having a radius of 571.54 feet and a long chord bearing South 14°39'43" East for 252.70 feet) for an arc length of 254.81 feet;

Thence South 01°53'24" East for 222.80 feet parallel with and 110.00 feet east of the said west line of the Southwest Quarter of Section to the north right of way line of West Maple Road;

Thence South 88°10'17" West for 110.06 feet to the Point of Beginning.

SW SW



SW COR, SW 1/4
SEC 5, T15N, R11E,
DOUGLAS CO., NE
Point of Commencement

84050\DWG\9450EAS1

Book _____ Page _____ Date 04/16/96 Dwn.By PWB Job Number 84050-8160-EAS-1

lamp, ryneason & associates, inc.
engineers surveyors planners
14747 california street omaha, nebraska 68154-1978 402-496-2498
FAX 402-496-2730