



BK 0944 PG 583



MISC 1990 21331

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INDEXING
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THIS RESERVATION OF EASEMENTS made this 7th day of November, 1990 by the Millard Oaks Limited Partnership, a Nebraska limited partnership (herein referred to as the "Partnership"),

WHEREAS, the Partnership owns Lots 1 through 245, inclusive, in Millard Oaks, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and

WHEREAS, the Partnership desires to reserve a permanent easement on certain Lots for trees and fences as shown herein,

NOW, THEREFORE, in consideration of one dollar and other valuable consideration, the following easements are hereby reserved:

1. Reservation of Easements. The Partnership hereby reserves for the benefit of itself, and its successors and assigns (including each of the owners of Lots 1 through 245 of the Millard Oaks Subdivision, and their successors and assigns), a permanent easement on the rear yards of certain Lots in the Millard Oaks Subdivision as shown on Exhibit "A" attached hereto and incorporated herein by reference.

2. Purpose of Easements. The scope and purpose of said permanent easements is for the care and maintenance of the trees and fences on each of the Lots shown on Exhibit "A". Each owner of a Lot on which there is said easement shall be responsible at his or her cost for the care and maintenance of the trees and fence on his or her Lot and for the replacement of any dead trees on his or her Lot with new trees of the same size or type as the dead trees. Provided, however, during the first year after said trees are planted, the Partnership shall at its expense replace dead trees on the easements on all of the Lots shown on Exhibit "A" with the same type and size as the dead trees. In addition, the owner of said Lot shall be responsible at his or her sole expense for the mowing of grass on the easement on his or her Lot as shown on Exhibit "A".

3. Right of Partnership and Its Successors. The Partnership, and its successors and assigns, and any Homeowners' Association composed of residents in the Millard Oaks Subdivision shall have the full and continuing right to enter upon said easements as shown on Exhibit "A" for the purpose of caring for and maintaining such fence and trees and replacing the dead trees with new trees of the same type and size of said dead trees. In the event such entry is made, then care and maintenance of the fence and trees and the replacement of dead trees shall be at the expense of the entering party, i.e., the Partnership or its successors or assigns or the Homeowners' Association.

21331 #
RECEIVED

Nov 15 4 04 PM '90

CLERK OF DISTRICT
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

BK 944 N _____ C/O _____ FEE 39.00
PG 583-585 N _____ DEL VP MC WC
OF Missouri COMP _____ F/S M1-25550

4. Description of Trees. When a description of each of the trees presently on the easement area of each Lot is prepared, said written description shall be certified to by the Partnership and shall be deemed to be attached to and a part of this Reservation of Easements even though this Reservation of Easements is already recorded in the Register of Deeds office of Douglas County, Nebraska. Said description shall be also recorded in the Register of Deeds office, Douglas County, Nebraska, and shall be deemed to be attached hereto upon the date it is so recorded.

5. Term of Easements. The term of said easements shall continue forever.

6. Binding Effect. This document shall be binding upon the Partnership and its successors and assigns, as outlined herein.

DATED the date above written.

MILLARD OAKS LIMITED PARTNERSHIP,
a Nebraska Limited Partnership

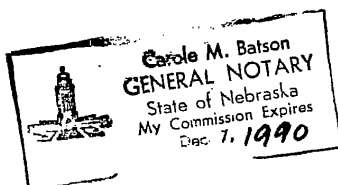
BY: DODGE LAND CO.
a Nebraska Corporation, the
sole General Partner

BY: W. L. Morrison, Jr., President

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

On this 7th day of November, 1990, before me the undersigned, a Notary Public in and for said County and State, personally came W. L. Morrison, Jr., known to me to be the President of Dodge Land Co., a Nebraska corporation, which Corporation is the sole General Partner of the Millard Oaks Limited Partnership, a Nebraska limited partnership, and acknowledged that he executed the same as the act and deed of such Corporation, and the act and deed of said Limited Partnership.

WITNESS my hand and official seal the day and year last above written.



Carole M. Batson
Notary Public

LEGAL DESCRIPTION

A permanent easement for construction and maintenance of perimeter fences and trees over those parts of MILLARD OAKS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

The south fifteen (15) feet of Lots 154 through 165, inclusive.

AND

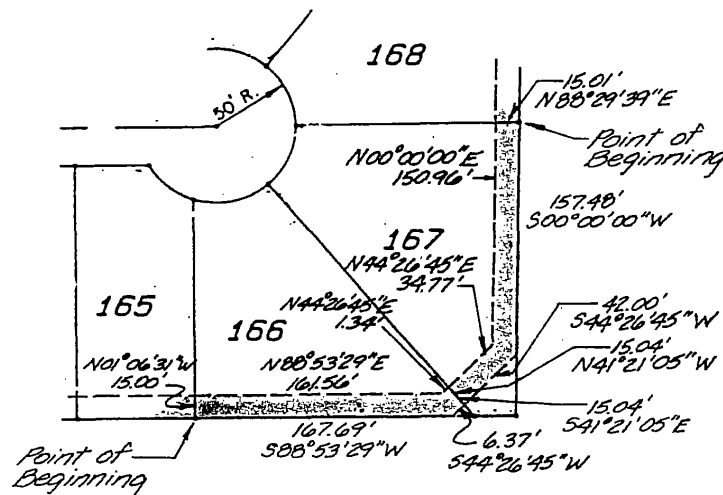
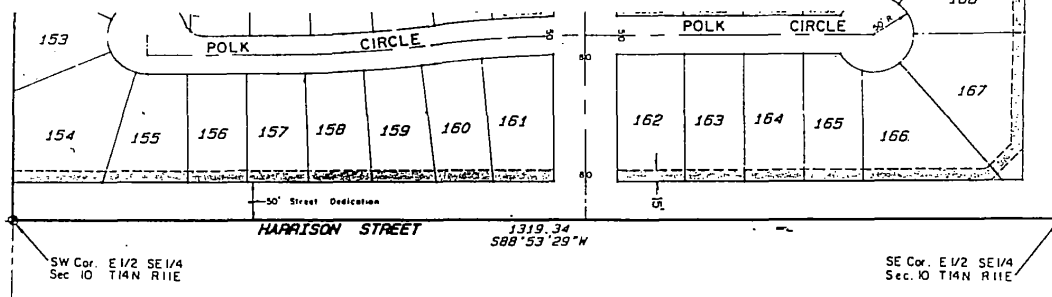
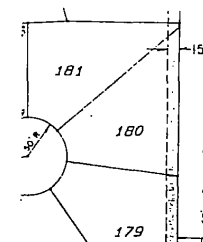
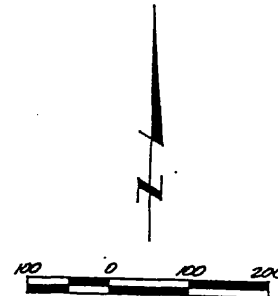
That part of Lot 166, described by metes and bounds as: Beginning at the southwest corner of said Lot 166; thence North 01°06'31" West (bearings referenced to the MILLARD OAKS Final Plat) for 15.00 feet along the west line of said Lot 166; thence North 88°53'29" East for 161.56 feet parallel with and 15.00 feet north of the south line of said Lot 166; thence North 44°26'45" East for 1.34 feet to the east line of said Lot 166; thence South 41°21'05" East for 15.04 feet along the said east line of Lot 166; thence South 44°26'45" West for 6.37 feet to the south line of said Lot 166; thence South 88°53'29" West for 167.69 feet to the Point of Beginning. Contains 2527 sq ft.

AND

That part of Lot 167, described by metes and bounds as: Beginning at the northeast corner of said Lot 167; thence South 00°00'00" West (bearings referenced to the MILLARD OAKS Final Plat) for 157.48 feet along the east line of said Lot 167; thence South 44°26'45" West for 42.00 feet to the southwest line of said Lot 167; thence North 41°21'05" West for 15.04 feet along the said southwest line of Lot 167; thence North 44°26'45" East for 34.77 feet; thence North 00°00'00" East for 150.96 feet parallel with and 15.00 feet west of the east line of said Lot 167 to the north line thereof; thence North 88°29'39" East for 15.01 feet to the Point of Beginning. Contains 2889 sq ft.

AND

The east fifteen (15) feet of Lots 168, 179, 180 and 181.

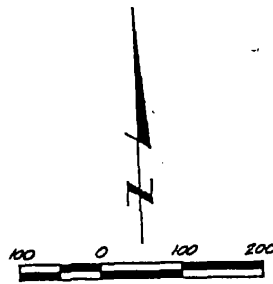


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Date Nov. 9, 1990

Job Number 89059-6927-1

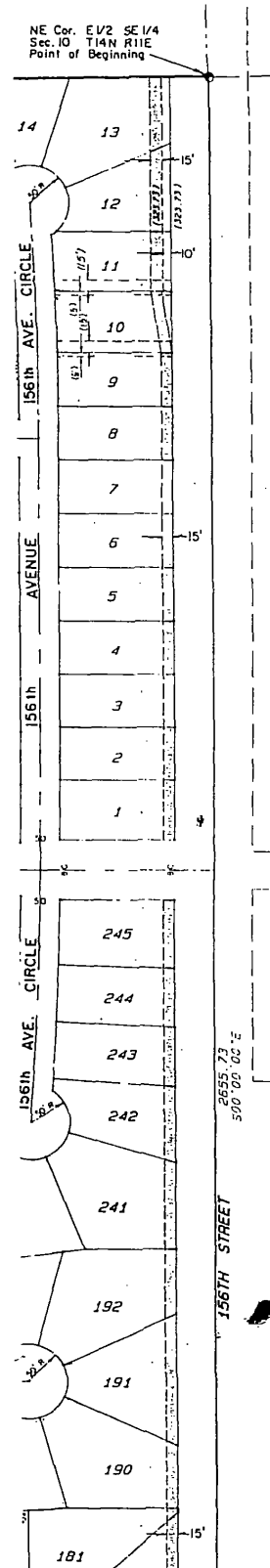
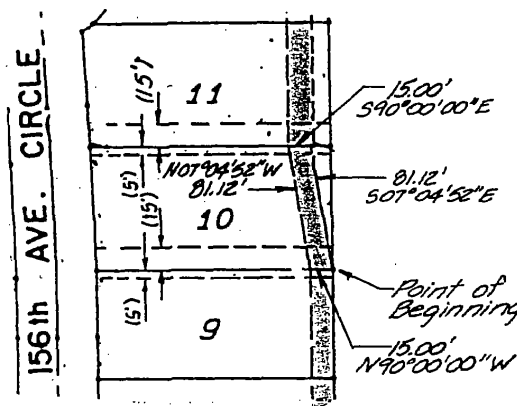
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LEGAL DESCRIPTION

A permanent easement for construction and maintenance of perimeter fences and trees over those parts of MILLARD OAKS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

- ✓ The west fifteen (15) feet of the east twenty-five (25) feet of Lots 11, 12 and 13.
- AND
- ✓ That part of Lot 10, described by metes and bounds as: Beginning at the southeast corner of said Lot 10; thence North 90°00'00" West (bearings referenced to the MILLARD OAKS Final Plat) for 15.00 feet along the south line of said Lot 10; thence North 07°04'52" West for 81.12 feet to the north line of said Lot 10; thence South 90°00'00" East for 15.00 feet along the said north line of Lot 10 to a point ten (10) feet west of the northeast corner thereof; thence South 07°04'52" East for 81.12 feet to the Point of Beginning. Contains 1208 sq ft.
- AND
- ✓ The east fifteen (15) feet of Lots 1 through 9, inclusive, Lots 241 through 245, inclusive, and Lots 190 through 192, inclusive.



Book _____ Page _____

Date Nov. 9, 1990Job Number 89059-6927-2

lamp, rynearson & associates, inc.
 architects engineers surveyors planners

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omaha, nebraska 68154

402-498-2498