

\$90.50

Don Galt

REGISTER OF DEEDS

2002 OCT 22 P 3: 55

INST NO 2002

073069

LANCASTER COUNTY, NE

BLOCK
NO
CODE
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SEARCHED
INDEXED
SERIALIZED
FILED

RESOLUTION NO. PC- 00767

1 A RESOLUTION accepting and approving the plat designated as **NORTH**
2 **HILLS 3RD ADDITION** as an addition to the City of Lincoln, filed in the office of the Planning
3 Department of the City of Lincoln, Nebraska, upon certain conditions herein specified and
4 providing for sureties conditioned upon the strict compliance with such conditions.

5 WHEREAS, **North Hills Limited Partnership, a Nebraska limited**
6 **partnership**, owner of a tract of land legally described as:

7 Outlot "A" of North Hills 2nd Addition, located in Section 1,
8 Township 10 North, Range 6 East of the 6th P.M., City of Lincoln,
9 Lancaster County, Nebraska, and more particularly described as
0 follows:

1 Beginning at the northeast corner of said Outlot "A", said point
2 also being the true point of beginning; thence south 00 degrees
3 02 minutes 43 seconds east along an east line of said Outlot "A",
4 said line also being the west line of Lots 1 through 6, Block 3,
5 and Lots 4 through 13, Block 2 of Autumn Ridge West 1st
6 Addition, a distance of 1260.01 feet to an east corner of said
7 Outlot "A", said point also being the southwest corner of Lot 4,
8 Block 2 of Autumn Ridge West 1st Addition; thence south 05
9 degrees 14 minutes 14 seconds east along an east line of said
0 Outlot "A", said line also being the west line of Lot 15, Block 2 of
1 Autumn Ridge West 1st Addition, a distance of 27.54 feet to an
2 east corner of said Outlot "A", said point also being the northwest
3 corner of Lot 14, Block 2 of Autumn Ridge West 1st Addition;
4 thence south 16 degrees 02 minutes 02 seconds east along an
5 east line of said Outlot "A", said line also being the west line of
6 Lot 14, Block 2 of Autumn Ridge West 1st Addition, a distance
7 of 140.41 feet to an east corner of said Outlot "A", said point also
8 being the northwest corner of Lot 13, Block 2 of Autumn Ridge
9 West 1st Addition; thence south 02 degrees 39 minutes 17
0 seconds east along an east line of said Outlot "A", said line also
1 being the west line of Lots 12 and 13, Block 2, of Autumn Ridge
2 West 1st Addition, a distance of 102.26 feet to an east corner of
3 said Outlot "A"; thence south 00 degrees 34 minutes 31 seconds
4 west along an east line of said Outlot "A", said line also being the

Teresa
City Clerk

1 west line of Lot 12, Block 2 of Autumn Ridge West 1st Addition,
2 a distance of 58.00 feet to an east corner of said Outlot "A";
3 thence south 01 degrees 47 minutes 10 seconds west along an
4 east line of said Outlot "A", said line also being the west line of
5 Lot 2, Block 1, of North Hills Addition, a distance of 20.02 feet to
6 a southeast corner of said Outlot "A", said point also being the
7 northeast corner of Lot 1, Block 1, of North Hills Addition; thence
8 north 88 degrees 27 minutes 15 seconds west along a south line
9 of said Outlot "A", said line also being the north line of said Lot
0 1, Block 1 of North Hills Addition, a distance of 120.78 feet to a
1 south corner of said Outlot "A", said point also being the
2 northwest corner of said Lot 1, Block 1 of North Hills Addition;
3 thence north 01 degrees 39 minutes 18 seconds east along a
4 west line of said Outlot "A", said line also being the east right-of-
5 way line of said North 19th Street, a distance of 30.09 feet to a
6 south corner of said Outlot "A"; thence north 88 degrees 20
7 minutes 42 seconds west along a south line of said Outlot "A", a
8 distance of 60.00 feet to a south corner of said Outlot "A", said
9 point being on the west right-of-way line of said North 19th Street;
0 thence south 01 degrees 39 minutes 18 seconds west along an
1 east line of said Outlot "A", said line also being the west right-of-
2 way line of said North 19th Street, a distance of 9.94 feet to a
3 south corner of said Outlot "A", said point also being the
4 northeast corner of Lot 5, Block 1 of North Hills Addition; thence
5 north 88 degrees 25 minutes 29 seconds west along a south line
6 of said Outlot "A", said line also being the north line of Lots 1
7 through 5, Block 1, and Lots 5 and 6, Block 6 of North Hills
8 Addition, a distance of 488.12 feet to a point, said point also
9 being the northeast corner of Lot 4, Block 6 of North Hills
0 Addition; thence north 88 degrees 24 minutes 38 seconds west
1 along the south line of said Outlot "A", said line also being the
2 north line of Lots 2 through 4, Block 6 of North Hills Addition, a
3 distance of 207.03 feet to a south corner of said Outlot "A", said
4 point also being the northwest corner of said Lot 2, Block 6 of
5 North Hills Addition; thence south 01 degrees 27 minutes 07
6 seconds west along an east line of said Outlot "A", said line also
7 being the west line of said Lot 2, Block 6 of North Hills Addition,
8 a distance of 35.08 feet to a south corner of said Outlot "A", said
9 point also being the northeast corner of Lot 1, Block 6 of North
0 Hills Addition; thence north 88 degrees 21 minutes 48 seconds
1 west along a south line of said Outlot "A", said line also being the
2 north line of said Lot 1, Block 6 of North Hills Addition, a distance
3 of 105.06 feet to a south corner of said Outlot "A", said point also
4 being the northwest corner of said Lot 1, Block 6 of North Hills

1 Addition; thence north 01 degrees 37 minutes 52 seconds east
2 along a west line of said Outlot "A", said line also being the east
3 right-of-way line of North 17th Street, a distance of 50.70 feet to
4 a south corner of said Outlot "A"; thence north 88 degrees 22
5 minutes 08 seconds west along a south line of said Outlot "A", a
6 distance of 60.00 feet to a point on the west right-of-way line of
7 said North 17th Street; thence south 01 degrees 37 minutes 52
8 seconds west along an east line of said Outlot "A", said line also
9 being the west right-of-way line of said North 17th Street, a
0 distance of 10.11 feet to a south corner of said Outlot "A", said
1 point also being the northeast corner of Lot 5, Block 5 of North
2 Hills Addition; thence north 88 degrees 27 minutes 53 seconds
3 west along a south line of said Outlot "A", said line also being the
4 north line of said Lot 5, Block 5 of North Hills Addition, a distance
5 of 79.03 feet to a south corner of said Outlot "A", said point also
6 being the northeast corner of Lot 4, Block 5 of North Hills
7 Addition; thence north 81 degrees 56 minutes 41 seconds west
8 along a south line of said Outlot "A", said line also being the north
9 line of said Lot 4, Block 5 of North Hills Addition, a distance of
0 59.38 feet to a south corner of said Outlot "A", said point also
1 being the northeast corner of Lot 3, Block 5 of North Hills
2 Addition; thence north 79 degrees 25 minutes 26 seconds west
3 along a south line of said Outlot "A", said line also being the north
4 line of said Lot 3, Block 5 of North Hills Addition, a distance of
5 59.59 feet to a south corner of said Outlot "A", said point also
6 being the northeast corner of Lot 2, Block 5 of North Hills
7 Addition; thence north 78 degrees 18 minutes 59 seconds west
8 along a south line of said Outlot "A", said line also being the north
9 line of Lot 1 and said Lot 2, Block 5, North Hills 2nd Addition, a
0 distance of 130.07 feet to a south corner of said Outlot "A", said
1 point also being the northwest corner of said Lot 1, Block 5 of
2 North Hills Addition; thence south 11 degrees 41 minutes 29
3 seconds west along an east line of said Outlot "A", said line also
4 being the west line of said Lot 1, Block 5 of North Hills Addition,
5 a distance of 119.94 feet to an east corner of said Outlot "A",
6 said point being the southwest corner of said Lot 1, Block 5 of
7 North Hills Addition; thence north 78 degrees 18 minutes 26
8 seconds west along a south line of said Outlot "A", said line also
9 being the north right-of-way line of Folkways Boulevard, a
0 distance of 30.00 feet to an east corner of said Outlot "A"; thence
1 south 11 degrees 41 minutes 34 seconds west along an east line
2 of said Outlot "A", a distance of 60.00 feet to a south corner of
3 said Outlot "A", said point also being on the south right-of-way
4 line of said Folkways Boulevard; thence south 78 degrees 18

1 minutes 26 seconds east along a north line of said Outlot "A",
2 said line also being the south right-of-way line of said Folkways
3 Boulevard, a distance of 51.55 feet to an east corner of said
4 Outlot "A"; thence south 30 degrees 36 minutes 13 seconds west
5 along a southeasterly line of said Outlot "A", a distance of 141.28
6 feet to an east corner of said Outlot "A"; thence south 40 degrees
7 36 minutes 57 seconds west along a southeasterly line of said
8 Outlot "A", a distance of 88.72 feet to a southeast corner of said
9 Outlot "A"; thence north 40 degrees 17 minutes 04 seconds west
0 along a south line of said Outlot "A", a distance of 120.00 feet to
1 a point; thence along a curve in a clockwise direction, having a
2 radius of 280.00 feet, arc length of 17.25 feet, delta angle of 03
3 degrees 31 minutes 47 seconds, a chord bearing of south 49
4 degrees 55 minutes 33 seconds west, and a chord length of
5 17.25 feet to a point of reverse curvature; thence along a curve
6 in a counter clockwise direction, having a radius of 370.00 feet,
7 arc length of 12.76 feet, delta angle of 01 degrees 58 minutes 31
8 seconds, a chord bearing of south 50 degrees 42 minutes 11
9 seconds west, and a chord length of 12.75 feet to a point; thence
0 south 40 degrees 17 minutes 04 seconds east along a southerly
1 line of said Outlot "A", a distance of 120.00 feet to an east corner
2 of said Outlot "A"; thence south 43 degrees 11 minutes 28
3 seconds west along a southeasterly line of said Outlot "A", a
4 distance of 50.65 feet to an east corner of said Outlot "A"; thence
5 south 32 degrees 39 minutes 39 seconds west along a
6 southeasterly line of said Outlot "A", a distance of 47.21 feet to
7 an east corner of said Outlot "A"; thence south 21 degrees 47
8 minutes 23 seconds west along an easterly line of said Outlot
9 "A", distance of 47.21 feet to an east corner of said Outlot "A";
0 thence south 11 degrees 45 minutes 24 seconds west along an
1 easterly line of said Outlot "A", a distance of 47.28 feet to an east
2 corner of said Outlot "A"; thence south 01 degrees 52 minutes 49
3 seconds west along an easterly line of said Outlot "A", a distance
4 of 59.77 feet to an east corner; thence south 03 degrees 34
5 minutes 02 seconds east along an easterly line of said Outlot
6 "A", a distance of 41.86 feet to an east corner of said Outlot "A";
7 thence south 13 degrees 11 minutes 33 seconds east, along an
8 easterly line of said Outlot "A", a distance of 69.75 feet to an east
9 corner of said Outlot "A"; thence south 13 degrees 11 minutes 49
0 seconds east along an east line of said Outlot "A", a distance of
1 210.16 feet to an east corner of said Outlot "A"; thence south 11
2 degrees 51 minutes 05 seconds east along a southeast line of
3 said Outlot "A", a distance of 76.98 feet to an east corner of said
4 Outlot "A"; thence south 06 degrees 02 minutes 37 seconds east

1 along an east line of said Outlot "A", a distance of 83.00 feet to
2 a southeast corner of said Outlot "A", said point also being on
3 the north line of Lot 2, Block 2 of North Hills 2nd Addition; thence
4 north 88 degrees 28 minutes 11 seconds west along a south line
5 of said Outlot "A", said line also being the north line of said Lot
6 2, Block 2 of North Hills 2nd Addition, a distance of 27.79 feet to
7 a south corner of said Outlot "A", said point also being the
8 northeast corner of Lot 1, Block 2 of North Hills 2nd Addition;
9 thence south 86 degrees 57 minutes 29 seconds west along a
0 south line of said Outlot "A", said line also being the north line of
1 said Lot 1, Block 2 of North Hills 2nd Addition, a distance of
2 92.31 feet to a point, said point also being the northwest corner
3 of said Lot 1, Block 2 of North Hills 2nd Addition; thence along a
4 curve in a counter clockwise direction, having a radius of 630.00
5 feet, arc length of 10.00 feet, delta angle of 00 degrees 54
6 minutes 34 seconds, a chord bearing of north 03 degrees 29
7 minutes 06 seconds west, and a chord length of 10.00 feet to a
8 point; thence south 86 degrees 03 minutes 37 seconds west
9 along a south line of said Outlot "A", a distance of 60.00 feet to
0 a point, said point being on the west right-of-way line of North
1 16th Street; thence along a curve in a clockwise direction, having
2 a radius of 570.00 feet, arc length of 16.96 feet, delta angle of 01
3 degrees 42 minutes 16 seconds, a chord bearing of south 03
4 degrees 05 minutes 15 seconds east, and a chord length of
5 16.96 feet to a point, said point being the northeast corner of
6 said Lot 1, Block 1 of North Hills 2nd Addition; thence north 88
7 degrees 28 minutes 08 seconds west along a south line of said
8 Outlot "A", said line also being the north line of said Lot 1, Block
9 1 of North Hills 2nd Addition, a distance of 123.97 feet to a south
0 corner of said Outlot "A", said point also being the northwest
1 corner of said Lot 1, Block 1 of North Hills 2nd Addition; thence
2 south 01 degrees 23 minutes 27 seconds west along an east line
3 of said Outlot "A", said line also being the west line of said Lot 1,
4 Block 1 of North Hills 2nd Addition, a distance of 89.97 feet to an
5 east corner of said Outlot "A", said point also being the
6 southwest corner of said Lot 1, Block 1 of North Hills 2nd
7 Addition; thence north 88 degrees 28 minutes 22 seconds west
8 along a south line of said Outlot "A", said line also being the north
9 right-of-way line of Morton Street, a distance of 50.57 feet to an
0 east corner of said Outlot "A"; thence south 01 degrees 31
1 minutes 38 seconds west along an east line of said Outlot "A", a
2 distance of 60.00 feet to an east corner of said Outlot "A", said
3 point being on the south right-of-way line of said Morton Street;
4 thence south 88 degrees 28 minutes 22 seconds east along a

1 north line of said Outlot "A", said line also being the south right-
2 of-way line of said Morton Street, a distance of 10.08 feet to an
3 east corner of said Outlot "A", said point also being the northwest
4 corner of Lot 1, Block 5 of North Hills 2nd Addition; thence south
5 01 degrees 37 minutes 19 seconds west along an east line of
6 said Outlot "A", said line also being the west line of said Lot 1,
7 Block 5 of North Hills 2nd Addition, a distance of 118.74 feet to
8 a southeast corner of said Outlot "A", said point also being the
9 southwest corner of said Lot 1, Block 5 of North Hills 2nd
0 Addition; thence north 88 degrees 24 minutes 31 seconds west
1 along a south line of said Outlot "A", a distance of 161.41 feet to
2 a south corner of said Outlot "A"; thence south 00 degrees 51
3 minutes 51 seconds east along an east line of said Outlot "A", a
4 distance of 56.15 feet to a southeast corner of said Outlot "A";
5 thence north 88 degrees 25 minutes 20 seconds west along a
6 south line of said Outlot "A", a distance of 580.07 feet to a
7 southwest corner of said Outlot "A"; thence north 00 degrees 00
8 minutes 28 seconds east along a west line of said Outlot "A", a
9 distance of 382.81 feet to a west corner of said Outlot "A";
0 thence north 00 degrees 08 minutes 46 seconds west along a
1 west line of said Outlot "A", a distance of 395.65 feet to a
2 northwest corner of said Outlot "A"; thence south 89 degrees 57
3 minutes 14 seconds east along a north line of said Outlot "A", a
4 distance of 383.00 feet to a west corner of said Outlot "A";
5 thence north 00 degrees 10 minutes 08 seconds west along a
6 west line of said Outlot "A", a distance of 948.72 feet to a west
7 corner of said Outlot "A"; thence north 87 degrees 48 minutes 35
8 seconds west along a south line of said Outlot "A", a distance of
9 109.58 feet to a west corner of said Outlot "A"; thence north 00
0 degrees 08 minutes 46 seconds west along a west line of said
1 Outlot "A", a distance of 182.00 feet to a west corner of said
2 Outlot "A"; thence north 87 degrees 48 minutes 35 seconds west
3 along a south line of said Outlot "A", a distance of 272.53 feet to
4 a southwest corner of said Outlot "A"; thence north 09 degrees
5 44 minutes 54 seconds east along a northwesterly line of said
6 Outlot "A", a distance of 407.03 feet to a northwest corner of said
7 Outlot "A"; thence north 53 degrees 25 minutes 21 seconds east
8 along a northwesterly line of said Outlot "A", a distance of 979.29
9 feet to a northwest corner of said Outlot "A"; thence south 89
0 degrees 49 minutes 20 seconds east along a north line of said
1 Outlot "A", a distance of 1,723.07 feet to the point of beginning,
2 said tract contains a calculated area of 4,699,957.11 square feet
3 or 107.89 acres, more or less;
4

1 has filed said plat in the office of the Planning Department of the City of Lincoln, Nebraska,
2 with a request for approval and acceptance thereof; and

3 WHEREAS, it is for the convenience of the inhabitants of said City and for the
4 public that said plat be approved and accepted as filed.

5 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster County
6 Planning Commission:

7 1. That the plat of **NORTH HILLS 3RD ADDITION** as an addition to the City
8 of Lincoln, Nebraska, filed in the office of the Planning Department of said City by **North Hills**
9 **Limited Partnership, a Nebraska limited partnership**, as owner, is hereby accepted and
0 approved, and said owner is given the right to plat said **NORTH HILLS 3RD ADDITION** as
1 an addition to said City in accordance therewith. Such acceptance and approval are
2 conditioned upon the following:

3 First: That said owner shall at its own cost and expense pay for all labor,
4 material, engineering, and inspection costs in connection with the construction of street
5 improvements, including the grading, paving, and installation of curb and gutter, curb inlets,
6 and storm drain laterals for all streets as shown on the approved final plat. The construction
7 shall be completed within two years following Planning Commission approval of this final plat.

8 Second: That said owner shall at its own cost and expense pay for all
9 labor, material, engineering, and inspection costs in connection with the construction of
0 sidewalks as shown on the final plat. The construction shall be completed within four years
1 following Planning Commission approval of this final plat.

1 Third: That said owner shall at its own cost and expense pay for all labor,
2 material, engineering, and inspection costs in connection with the construction of a public
3 water distribution system as shown on the approved preliminary plat. The construction shall
4 be completed within two years following Planning Commission approval of this final plat.

5 Fourth: That said owner shall at its own cost and expense pay for all
6 labor, material, engineering, and inspection costs in connection with the construction of a
7 public wastewater collection system as shown on the approved preliminary plat. The
8 construction shall be completed within two years following Planning Commission approval of
9 this final plat.

0 Fifth: That said owner shall at its own cost and expense pay for all labor,
1 material, engineering, and inspection costs in connection with the construction of drainage
2 facilities as shown on the approved drainage study. The construction shall be completed
3 within two years following Planning Commission approval of this final plat.

4 Sixth: That said owner shall at its own cost and expense pay for all labor,
5 material, engineering, and inspection costs in connection with the installation of an ornamental
6 street lighting system as required by the preliminary plat for all streets shown on this final plat.
7 The construction shall be completed within two years following Planning Commission approval
8 of this final plat.

9 Seventh: That said owner shall at its own cost and expense pay for all
0 labor, material, and related costs in connection with the installation of street trees along the
1 streets within this plat. The planting shall be completed within four years following Planning
2 Commission approval of this final plat.

1 Eighth: That said owner shall at its own cost and expense pay for all
2 labor, material, and related costs in connection with the installation of street name signs as
3 approved by the Public Works Department. This installation shall be completed within two
4 years following Planning Commission approval of this final plat.

5 Ninth: That said owner shall at its own cost and expense pay for all labor,
6 material, engineering, and inspection costs in connection with the placing of permanent lot
7 stakes at all corners of all lots and blocks of this final plat. The permanent lot staking shall be
8 completed before construction on or conveyance of any lot shown in this final plat.

9 2. That this plat shall not be filed for record or recorded in the Office of the
0 Register of Deeds of Lancaster County and no lot shall be sold from this plat unless and until
1 said owner shall enter into a written agreement with the City which shall provide as follows:

2 The owner, its successors and assigns agree:

- 3 a. To submit to the Director of Public Works for review and approval
4 a plan showing proposed measures to control sedimentation and erosion and the proposed
5 method to temporarily stabilize all graded land.
- 6 b. To protect the remaining trees on the site during construction and
7 development.
- 8 c. To pay all improvement costs.
- 9 d. To submit to a lot buyers and home builders and copy of the soil
0 analysis.
- 1 e. To complete the private improvements shown on the preliminary
2 plat.

1 f. To maintain the outlots, and private improvements, on a
2 permanent and continuous basis. However, the owner may be relieved and discharged of this
3 maintenance obligation upon creating in writing a permanent and continuous association of
4 property owners who would be responsible for said permanent and continuous maintenance.
5 The owner shall not be relieved of such maintenance obligation until the document or
6 documents creating said property owners association have been reviewed and approved by
7 the City Attorney and filed of record with the Register of Deeds.

8 g. To relinquish the right of direct vehicular access to North 14th
9 Street from Outlot "A".

0 h. To comply with the provisions of the Land Subdivision Ordinance
1 regarding land preparation.

2 i. To complete the permanent lot and block staking before
3 construction on or conveyance of any lot shown on this final plat.

4 3. That said owner shall, prior to adoption of this resolution, execute and deliver
5 to the City of Lincoln:

6 a. A bond or an approved escrow or security agreement in the sum
7 of \$444,500.00 conditioned upon the strict compliance by said owner with the conditions
8 contained in paragraph designated "First" of Paragraph 1 of this resolution.

9 b. A bond or an approved escrow or security agreement in the sum
0 of \$112,300.00 conditioned upon the strict compliance by said owner with the conditions
1 contained in paragraph designated "Second" of Paragraph 1 of this resolution.

1 c. A bond or an approved escrow or security agreement in the sum
2 of \$127,500.00 conditioned upon the strict compliance by said owner with the conditions
3 contained in paragraph designated "Third" of Paragraph 1 of this resolution.

4 d. A bond or an approved escrow or security agreement in the sum
5 of \$177,600.00 conditioned upon the strict compliance by said owner with the conditions
6 contained in paragraph designated "Fourth" of Paragraph 1 of this resolution.

7 e. A bond or an approved escrow or security agreement in the sum
8 of \$116,200.00 conditioned upon the strict compliance by said owner with the conditions
9 contained in paragraph designated "Fifth" of Paragraph 1 of this resolution.

0 f. A bond or an approved escrow or security agreement in the sum
1 of \$42,000.00 conditioned upon the strict compliance by said owner with the conditions
2 contained in paragraph designated "Sixth" of Paragraph 1 of this resolution.

3 g. A bond or an approved escrow or security agreement in the sum
4 of \$29,480.00 conditioned upon the strict compliance by said owner with the conditions
5 contained in paragraph designated "Seventh" of Paragraph 1 of this resolution.

6 h. A bond or an approved escrow or security agreement in the sum
7 of \$920.00 conditioned upon the strict compliance by said owner with the conditions
8 contained in paragraph designated "Eighth" of Paragraph 1 of this resolution.

9 i. A bond or an approved escrow or security agreement in the sum
0 of \$7,200.00 conditioned upon the strict compliance by said owner with the conditions
1 contained in paragraph designated "Ninth" of Paragraph 1 of this resolution.

2 The bonds required above shall be subject to approval by the City Attorney. In
3 the event that said owner or their surety shall fail to satisfy the conditions herein set forth within


1 the time specified in this resolution, the City may cause the required work to be performed and
2 recover the cost thereof from said owner and their surety.

3 4. Immediately upon the adoption of this resolution and receipt of the written
4 agreement required herein, the City Clerk shall cause the final plat and a certified copy of this
5 resolution together with said written agreement to be filed in the office of the Register of
6 Deeds of Lancaster County, Nebraska. Filing fees shall be paid by said owner.

7 The foregoing Resolution was approved by the Lincoln City - Lancaster County
8 Planning Commission on this 2nd day of October, 2002.

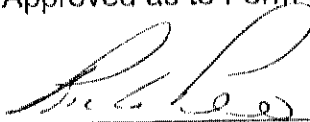
9 Dated this 2nd day of October, 2002.

ATTEST:



Chairman

Approved as to Form & Legality:



Chief Assistant City Attorney

AGREEMENT

THIS AGREEMENT is made and entered into by and between **North Hills Limited Partnership, a Nebraska limited partnership**, hereinafter called "Subdivider", whether one or more, and the **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, hereinafter called "City."

WHEREAS, Subdivider has made application to City for permission to subdivide and for approval of the subdivision plat of **NORTH HILLS 3RD ADDITION**; and

WHEREAS, the resolution approving said plat contains certain provisions requiring an agreement between Subdivider and City relating to said plat and the development thereof.

NOW, THEREFORE, IN CONSIDERATION of City granting permission to plat and approval of the plat of **NORTH HILLS 3RD ADDITION**, it is agreed by and between Subdivider and City as follows:

1. The Subdivider agrees to submit to the Director of Public Works for review and approval a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land.
2. The Subdivider agrees to protect the remaining trees on the site during construction and development.
3. The Subdivider agrees to pay all improvement costs.
4. The Subdivider agrees to submit to a lot buyers and home builders and copy of the soil analysis.

5. The Subdivider agrees to complete the private improvements shown on the preliminary plat.

6. The Subdivider agrees to comply with the provisions of the Land Subdivision Ordinance regarding land preparation.

7. The Subdivider agrees to complete the permanent lot and block staking before construction on or conveyance of any lot shown on this final plat.

8. The Subdivider agrees to maintain the outlots, and private improvements, on a permanent and continuous basis. However, the Subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The Subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

9. The Subdivider agrees to relinquish the right of direct vehicular access to North 14th Street from Outlot "A".

10. That the agreements contained herein shall be binding and obligatory upon the heirs, successors and assigns of Subdivider.

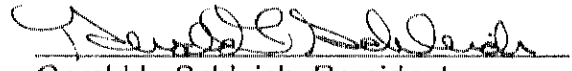
Dated this 2nd day of Oct., 2002.

NORTH HILLS LTD PARTNERSHIP,
a Nebraska limited partnership

By: SOUTHVIEW, INC.,
a Nebraska corporation,
General Partner




Witness



Gerald L. Schleich, President

By: RIDGE DEVELOPMENT CO.,
a Nebraska corporation,
General Partner




Witness

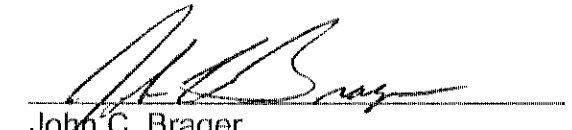


Thomas E. White
President of Development

By: RIDGE DEVELOPMENT CO.,
a Nebraska corporation,
General Partner



Witness



John C. Brager
President of Construction

ATTEST:



CITY OF LINCOLN, NEBRASKA,
a municipal corporation



Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 2nd day of October, 2002, by Gerald L. Schleich, as President of Southview Inc., a Nebraska corporation, as General Partner of North Hills Limited Partnership, a Nebraska limited partnership.



Barbara J. Fisher
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

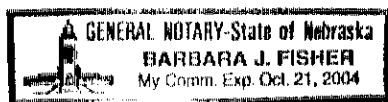
The foregoing instrument was acknowledged before me this 2nd day of October, 2002, by Thomas E. White, as President of Development, Ridge Development Co., a Nebraska corporation, as General Partner of North Hills Limited Partnership, a Nebraska limited partnership.



Barbara J. Fisher
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

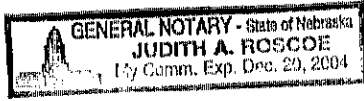
The foregoing instrument was acknowledged before me this 2nd day of October, 2002, by John C. Brager, as President of Construction, Ridge Development Co., a Nebraska corporation, as General Partner of North Hills Limited Partnership, a Nebraska limited partnership.



Barbara J. Fisher
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 14th day of October, 2002, by Don Wesely, Mayor of the City of Lincoln, Nebraska, a municipal corporation.



Judith A. Roscoe
Notary Public

C E R T I F I C A T E

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:
CITY OF LINCOLN)

I, Teresa J. Meier, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of the plat designated as **North Hills 3rd Add.** as passed and approved by the Lincoln City-Lancaster County Planning Commission at its meeting held **Oct. 2, 2002**, as the original appears of record in my office and is now in my charge remaining as City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 22nd day of October, 2002.

