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DECLARATION OF EASEMENT

This DECLARATION OF EASEMENT is made and entered into this 18 day of June, 1997, by McNEIL COMPANY, INC., a Nebraska corporation ("Owner") for the purpose of imposing restriction on construction of improvements on a certain lot described in Exhibit "K" to this DECLARATION in Regency 6th Addition in Douglas County, Nebraska (the "Lot").

Owner has agreed to, and does hereby covenant and agree that: (i) no detached structure, outbuilding, dog house, pool house, tool or storage shed, or other building or structure (other than a townhome with or without attached garage) shall be constructed within six (6) feet of any boundary of the Lot; and (ii) no townhome (with or without attached garage) shall be constructed within six (6) feet of any existing townhome on an adjacent lot.

The restriction provided herein is not personal to Owner, and therefore shall run with the land and be binding upon each successor in interest to the Lot.

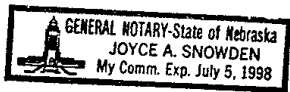
IN WITNESS WHEREOF, Owner has executed this DECLARATION OF EASEMENT on the date and year first above written.

McNEIL COMPANY, INC., a Nebraska corporation

By *Patrick G. McNeil*
Patrick G. McNeil, President

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 18 day of June, 1997, by Patrick G. McNeil, President of McNeil Company, Inc., a Nebraska corporation, on behalf of the corporation.



Joyce A. Snowden
Notary Public

7308
 FEE 16.00 R FB 51-32090
 DEL. [Signature] C/O COMP [Signature]
 LEGAL PG SCAN [Signature] FV

NO SURVEYOR'S CERTIFICATE

I hereby certify that this survey was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

EXHIBIT K

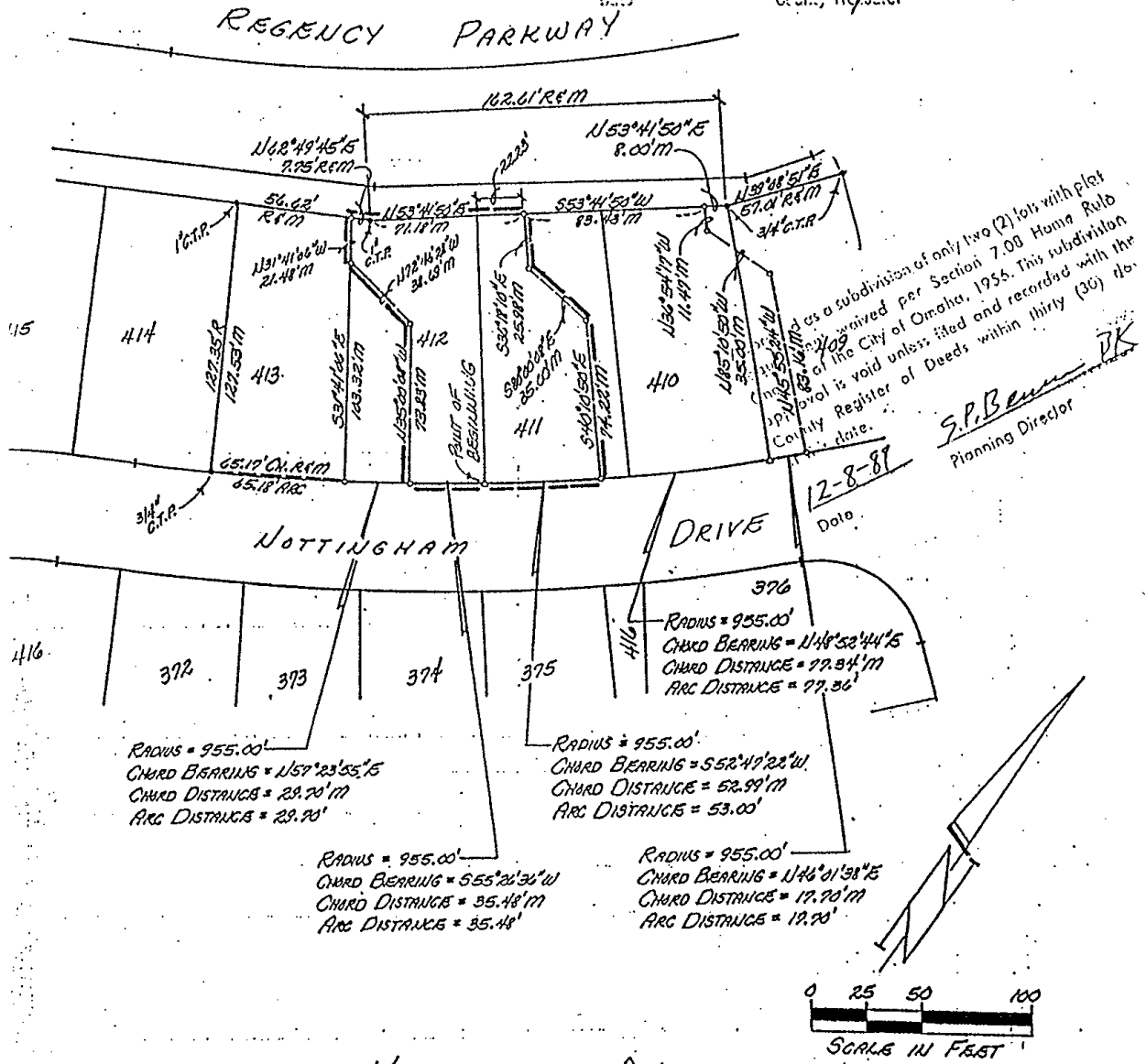
LEGAL DESCRIPTION

SEE ATTACHED

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

11-27-89
Date

Mary W. Scott
County Treasurer



This subdivision is a subdivision of only two (2) lots with plat approved per Section 7.00 Home Rule of the City of Omaha, 1958. This subdivision is void unless filed and recorded with the County Register of Deeds within thirty (30) days of the date.

S.P. Brown
Planning Director

12-8-89
Date

ADDRESS: 9806 NOTTINGHAM DR. BUILDING PERMIT NO. _____

Date: November 20, 1989 Reg. No. 308

IMPRINTED SEAL REGISTER OF DEEDS



- LEGEND
- corners found ●
 - corners set (3/4" C.T.P.) ○
 - recorded distance R
 - measured distance M
 - computed distance of angle COMP
 - crimped top pipe C.T.P.
 - open top pipe O.T.P.
 - set temporary point Δ

TD² FILE NO. 487-187-19

LEGAL DESCRIPTION:

Part of Lots 411 and 412, Regency 6th Addition, as surveyed, platted and recorded in Douglas County, Nebraska, all more particularly described as follows: Beginning at the common front corner between said Lots 411 and 412; thence Southwesterly on the Southeasterly line of said Lot 412 on a 955.00 foot radius curve to the right, chord bearing S55°26'36"W (assumed bearing), chord distance 35.48 feet, an arc distance of 35.48 feet to a point 29.70 feet Northeasterly of the common front corner between Lots 412 and 413 said Regency 6th Addition; thence N35°00'08"W 73.83 feet; thence N72°46'28"W 38.69 feet to the Southwesterly line of said Lot 412; thence N31°41'06"W 21.48 feet on the Southwesterly line of said Lot 412 to the common rear corner between Lots 412 and 413 said Regency 6th Addition; thence N62°49'45"E 7.75 feet on the Northwesterly line of said Lot 412; thence N53°41'50"E 71.18 feet on the Northwesterly line of said Lots 411 and 412 to a point 22.23 feet Northeasterly of the common rear corner between said Lots 411 and 412; thence S36°18'10"E 25.98 feet; thence S80°00'08"E 35.00 feet; thence S40°10'50"E 74.22 feet to the Southeasterly line of said Lot 411; thence Southwesterly on the Southeasterly line of said Lot 411 on a 955.00 foot radius curve to the right, chord bearing S52°47'22"W, chord distance of 52.99 feet, an arc distance of 53.00 feet to the point of beginning.

MCNEIL HOMES

November 20, 1989

TD² FILE NO. 487-107-17.