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Date
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By

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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Reference

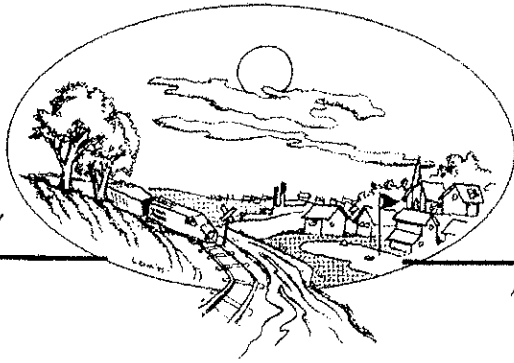
See Exhibit A

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

13-15-10 / 11543P 01-6000
 FEE 83.00 FB 00-35963
 MAP 87-299 C/O COMP BW
 DEL SCAN DC FY

RETURN: City of Elkhorn
PO Box 386
Elkhorn NE 68002

City of Elkhorn



A Small Town That's "Growing" Places

CERTIFICATION

I, Cheryl K. Eckerman, City Clerk of the City of Elkhorn, Nebraska, hereby certify that the following is a true and correct copy of the minutes from the meeting of the Planning Commission of the City of Elkhorn held on May 10, 1994 and the meeting of the Mayor and City Council held on June 14, 1994.

Cheryl K. Eckerman

CITY CLERK




CITY OF ELKHORN PLANNING BOARD
MINUTES OF MEETING MAY 23, 1974

The meeting of the City of Elkhorn Planning Board was called to order by Chairman Reichmuth on Monday, May 10, 1974, at 6:30 p.m., in the Community Building, 401 Glenn St., Elkhorn, Nebraska. Present were members O'Gara, Fencel, Herren, Weaver and Aichinger. Absent: Pojar. Also present were Jeff Miller, city attorney; and the City Clerk.

Teresa Wulf, representing Robert Arthaloney, told the board that Mr. Arthaloney was asking to re-zone a part of Tax Lot 2 from R-1 to C-3. Ms. Wulf stated that all the other property around the piece in question was already zoned C-3 and that Mr. Arthaloney was making this request because he wished to build more commercial buildings like the ones in that same area. Board member Herren moved to deny the request for re-zoning pending a plan showing the full platting of all the property in the area. Board member Weaver seconded the motion. All in favor. Absent: Pojar. Motion carried.

Discussion was held on the request for approval of the preliminary and final plat of Lot 21 Skyline Oaks II and the dedication of Hillandale Circle to the south end of Lots 20 and 21 in Skyline Oaks II Subdivision. Board member Aichinger moved to approve the plats and dedication with the following contingencies: (1) that the right of way be increased to 50 feet (2) that the road be dedicated and improved 1/3 of the way (approximately 60 feet) or a distance recommended by the city engineer (3) a personal guarantee for the completion of the street be provided by Mr. Wright. Board member Fencel seconded the motion. All in favor. Absent: Pojar. Motion carried.

Mr. Dan Stoller, representing Hillrise Investment Inc., reviewed the Preliminary Plat of Winterburn 4th Addition. He stated that there would absolutely be no multi-family units, access would be provided onto Maple Street, the number of lots had been reduced to 92, and all the lots meet the minimum square footage requirement of 7,500 ft. The reason that R-3 zoning was being requested was because all the lots do not meet the frontage width requirement of 75 feet for R-1. Mr. Bob Doyle, representing Celebrity Homes, told the Board that they had worked hard to keep the project comparable to existing lots and houses. He also stated that the project would probably be completed in three phases. The second phase would include the street access onto Maple Road. Mr. Doyle also stated that Celebrity Homes would be willing to enter into a subdivision agreement with the City of Elkhorn and/or write covenants that would relate to the size of homes. Discussion was held on the Winterburn Road access to Maple Road and the need for it to be 60 foot since it would be designated as a collector street. The board felt that there would be significant traffic on it and that it would need to be constructed immediately after the first phase of homes were




completed. Several residents of the current Winterburn Addition voiced concerns regarding the following: lot width requirement of 75 feet, covenants governing square footage and fences, grading, traffic and storm water runoff. Mr. Doyle stated that all of these things would be adjusted or addressed in the final plat and subdivision agreement and also that they would be happy to work with current residents regarding setting up covenants for the new area. Discussion was also held on the concern of losing some playground/ball field if the school decides to sell some land to Celebrity for additional lots. The Board felt that was an issue that should be taken up with the School Board. Board member Aichinger moved to approve the Preliminary Plat of Winterburn 4th Addition subject to the following contingencies: the zoning be R-1, Winterburn Road be completed at the beginning of Phase 2 and be a 60 foot collector street, Lots 1-13 allowed 70 foot frontage due to hardship, water main in Winterburn Road to be 8 inches, covenants dealing with no multi-family dwellings and minimum square footage of houses and any other details requested by the city legal staff, and that all other lots meet the 75 foot frontage requirement. Board member Fencil seconded the motion. All in favor. Absent: Pojar. Motion carried.

Mr. Harry Farnham, representing The Harold L. Fuller Agency, came before the Board and explained the request for a lot split of part of Lot 8 High Point Subdivision. He stated that the parcel would be called 8E and would be sold to someone for commercial development. Board member Fencil moved to approve the lot split contingent upon proof of payment of taxes being shown. Board member Herren seconded the motion. All in favor. Absent: Pojar. Motion carried.

Mr. Keith Dean, representing Donald Dean, asked the Board to consider changing the requirement for the composition of Brittany Circle coming off of Skyline Drive in Brittany Estates to be asphalt instead of concrete. He stated that the request was being made due to the fact that the people who were interested in buying the lots would like the rural atmosphere to continue and that all the other surrounding streets were blacktop. The Board felt that when they made the decision that the street must be concrete at the August 23, 1993 Planning Board meeting, they made that particular decision because they felt that the new Comprehensive Plan should be followed and that any new developments must comply with its regulations. Board member Fencil moved to deny the request for asphalt instead of concrete on Brittany Circle. Board member O'Gara seconded the motion. All in favor. Absent: Pojar. Motion carried.

Mr. Tom Marnik, representing Gottsch Enterprises, told the Board that they would like to withdraw their request for rezoning of Skyline Country from C-3 to S-1. They decided that the property should stay zoned commercial in conforming with their master plan for the area. He then asked the Board to consider the request for vacation of the parts of Skyline Country that were not already within the City of Elkhorn and that which were not



part of the Skyline Country 2nd Addition. He explained that Skyline Country had been platted years ago and that changes such as the State's right of way and plans for Dodge Street interchange had made the plat unusable. He further stated that they would like to erase everything and start over so they could develop the land in an orderly and logical pattern now. The streets would also be included in the vacation request. When asked about public utilities, he said that the water and sanitary sewer had been put in privately by the Gottsch family; but that there were also some gas, telephone and fiberoptic cable that they were working with those companies on easements. Board member Aichinger moved to approve the vacation of Skyline Country. Board member Weaver seconded the motion. All in favor. Absent: Pojar. Motion carried.

Mr. Bill Dorner, from the firm of Thompson, Dreessen & Dorner, on behalf of Mr. Frank Krejci, detailed the preliminary plat of Lots 144-214 in Greenbrier. He stated that there were 71 lots and that the number of lots had changed due to the fact that space for septic fields was no longer an issue. He also stated that this was the exact same plat that had been reviewed last winter. Mr. James Lang, attorney representing Mr. Krejci, touched on the issue of the sanitary sewer problem. He stated that the outfall sanitary sewer that was needed would either be provided through the current S.I.D. or if the property in the plat was to be de-annexed then a new S.I.D. could be formed and it could be assessed that way. Also the City Council had directed him to work with the city attorney on an agreement between the developer and the City of Elkhorn on the issue. Both Mr. Dorner and Mr. Lang stated that the new development would be comparable to the existing subdivision and that the lot sizes that were being proposed exceeded the square footage and frontage minimums required in the SF-2 zoning district. Several property owners in the existing Greenbrier area were present at the meeting and voiced their concerns about the new development. Their main concerns were: lot sizes, size of homes and how these would affect their property values and the appearance of the current subdivision. After lengthy discussion, Board member Herren moved to approve the preliminary plat of Greenbrier Lots 144-214 and the re-zoning from S-1 to SF-2. Board member Fencil seconded the motion. All in favor. Absent: Pojar. Motion carried.

The city attorney stated that a minor problem had arisen with the City's Zoning Regulations concerning two-family dwellings or duplexes. Several persons own and will be building some new duplexes, and they contemplate selling the dwellings to the occupants. Lot splits could not be granted, however, because the minimum lot size requirement and the side yard set back requirement for the common wall area could not be met. He thus suggested that the Board amend the Zoning Regulations of the R-1, R-2 and R-3 Zoning Districts. Board member Herren moved to approve the amendment presented to the Zoning Regulations 7.505, 7.605 and 7.705. Hearing no second to the motion, Board member Herren withdrew his motion. Board member Weaver moved to hold

over any decision on the amendment until the next meeting until all Board members had time to fully review the material. Board member Fencel seconded the motion. All in favor. Absent: Pojar. Motion carried.

Board member Fencel moved to adjourn, seconded by Board member Aichinger. All in favor. Motion carried.

The meeting adjourned at 9:50 p.m.

CHERYL K. ECKERMAN, CLERK

CITY OF ELKHORN
MINUTES OF REGULAR MEETING JUNE 14, 1994

The regular monthly meeting of the Mayor and City Council of the City of Elkhorn, Nebraska, was called to order by Mayor Klein on Tuesday, June 14, 1994, at 7:00 p.m., in the Community Building, 401 Glenn Street, Elkhorn, Nebraska. Present were Councilmembers Waterman, Bridges, Roza and Trofholz. Also present were Malcolm Young, city attorney; Terrence O'Brien, city engineer; Gene Garrelts, city auditor; and Cheryl Eckerman, city clerk.

Notice of the meeting was given in advance thereof by posting and publication as shown by the certificate of posting attached to these minutes, and affidavit of publication on file in the City Clerk's Office. Notice of this meeting was simultaneously given to the Mayor and members of the Council, and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Councilmember Waterman moved to approve the agenda. Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to approve the minutes of May 10, 1994. Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Bridges moved to approve the Treasurer's Report. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Bridges moved to approve payment of \$1,438.76 to Frank's Conoco. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Trofholz. Voting NAY: None. Absent: None. Abstaining: Roza. Motion carried.

Councilmember Waterman moved to approve the bills as presented. Councilmember Trofholz seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Bridges moved to approve payment of bills from S.I.D. No. 251. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Waterman moved to approve the following building permits:

- No. 2220 - Kevin Giesselman, chain link fence, Lot 88 Winterburn 3rd (878 Mary St.)
- No. 2221 - S & W Fence Co., chain link fence, Lot 135 Greenbrier (21408 Ridgewood Rd.)
- No. 2222 - S & W Fence Co., wood picket fence, Lot 23 Winterburn 3rd (503 Douglas St.)
- No. 2223 - Nability Remodel & Const., remodel basement, Lot 5 Whispering Oaks (21506 Chancellor Rd.)
- No. 2224 - Paradise Homes, frame house, Lot 38 Winterburn 3rd Replat (406 Pearl St.)

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- No. 2225 - Kirk Homes, frame house, Lot 31 Ramblewood (4029 Old Coach Rd.)
- No. 2226 - John Reasor, chain link fence, Lot 341 Chapel Hill (517 So. 212th St.)
- No. 2227 - Dean Hays, frame house, Lot 462 Chapel Hill (532 So. 214th St.)
- No. 2228 - Customs By Sobota, frame house, Lot 324 Skyline Ranches III (1009 Buckskin Circle)
- No. 2229 - Reichmuth Funeral Home, frame building, 22222 W. Maple Rd.)
- No. 2230 - Dave Gregurich, chain link fence, Lot 86 Winterburn 3rd (861 Mary St.)
- No. 2231 - Dan Carda, frame garage, Lot 1 Blk 2 Crawfords (252 Pacific St.)
- No. 2232 - Haiar's Remodeling, pool pump house, Lot 88 Skyline Estates (21025 Timberland Dr.)
- No. 2233 - Rod Pollard, garage, Lot 135 Fair Meadows (18922 Costanzo Circle)
- No. 2234 - Jim Koel, garage, Lot 1 & 2 Blk 6 Salings (532 State St.)

Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

The city attorney informed the Mayor and Council that the City had been served notice that S.I.D. No. 69 Greenbrier had filed a Resolution of Necessity to detach certain property from within the boundaries of its district. He further stated that there was nothing for the City to do at the present time until the action was either approved or disapproved by the S.I.D. Board. If approved, the City would need to look at the contract they have with the S.I.D. for the sale of water.

Councilmember Bridges moved to uphold the Planning Board's decision to deny the request by Robert Arthaloney to rezone part of Tax Lot 2 Nrohkle until a complete platting of the area was developed. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Mr. Fred Wright withdrew his application for approval of the preliminary and final plat of Lot 21 Skyline Oaks II.

Councilmember Trofholz moved to approve the preliminary plat of Winterburn 4 with the following contingencies recommended by the Planning Board: the zoning would be R-1, Winterburn Road be completed at the beginning of Phase 2 and be a 60 foot wide collector street, Lots 1-13 be allowed 70 foot frontage due to hardship, water main in Winterburn Road be 8 inches, covenants dealing with no multi-family dwellings and minimum square footage for houses and any other details requested by the city legal staff be included, and that all other lots except 1-13 meet the 75 foot frontage requirement. Councilmember Trofholz also stated that Lots 85-95 not be included in the motion and be taken back to the Planning Board for lack of compliance to the 75 front footage requirement. Councilmember Roza seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Bridges moved to hold over until further notice the lot split of Lot 8 High Point at the request of the applicant Mr. Harry Farnham.

Councilmember Waterman moved to approve the Planning Board's recommendation that Brittany Circle in Brittany Estates be concrete versus the requested asphalt composition.

Councilmember Trofholz seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to vacate the portions of Skyline Country that were either not already part of the City of Elkhorn (Arby's) or a part of Skyline Country 2nd Addition at the request of the owner/developer, Gottsch Enterprises. The request was made because of changes in the lot lines due to the State's right of way and Dodge Street interchange plans. Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to send the request for approval of the preliminary plat of Lots 144-214 Greenbrier back to the Planning Board due to differences and objections between the current Greenbrier S.I.D. board, residents and the developer. Councilmember Roza seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Mr. Robert Mueller asked the Council to consider a flat rate schedule of payment for water used to maintain the Greenbrier entryway and flowers. The Council felt that from past experience a metering system would work best and should be installed.

A protest from Mr. John Swenson, 21735 Woolworth Avenue, was heard regarding a neighbor at 1425 Skyline Drive who was raising emus in an area zoned SF-2 which is Single Family Residential. Mr. Swenson requested that the city enforce its zoning regulations which do not permit emus who are a member of the ostrich family. He also stated that he felt his property value was being adversely effected by the use of the property in this way. The city attorney informed the Council that the city had an ordinance dealing with pets such as cats or dogs and emus would not fit into that category and subsequently would not be allowed in a residential neighborhood. The owner of the emus, stated that he had been informed by the previous property owner that part of his property was zoning for agriculture use and because of that he did not think that he was in violation of zoning regulations. Councilmember Bridges moved to have the city attorney undertake proceedings to enforce the city's zoning regulations and ordinances to have the emus removed from the property unless the neighbors could reach some compromise promptly. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Police chief, Roy Scott, informed the Council that he would like to add Kenneth Paulsen to the reserve police force to help during times of vacation, sick and holiday leave requests. Councilmember Waterman moved to approve the addition of Kenneth Paulsen to the reserve police force. Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

The city attorney made the Council aware of an insurance claim that was originally filed against S.I.D. No. 251 for damages incurred by a sewer backup at 502 Moylan Drive. He stated that his office had requested a copy of the file from the insurance company and he would let the Council know at a later date if the City would need to take any action because of its recent annexation of S.I.D. No. 251.

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Building inspector, Frank Bull, asked direction about the change in the city's one mile jurisdictional boundary line since recent annexations. The city engineer replied that he had marked all lines except the one which would be effected by the outcome of the pending law suit filed by Chapel Hill. The city attorney suggested that he temporarily draw a line on a draft copy for the building inspector to use for building permit purposes.

Councilmember Waterman made the Council aware of several instances of vandalism at the city park and swimming pool.

Mayor Klein presented Retirement Service Awards to Bill Holling and BettyAnn Hood. He stated that Mrs. Hood was unable to attend the meeting. Following the presentations, a recess was declared and cake and coffee were enjoyed by all.

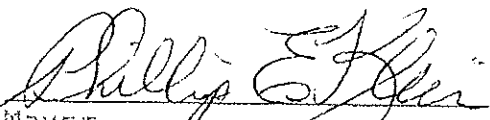
The city engineer reviewed the Preliminary Facility Report Plan for the City of Elkhorn which included information compiled regarding the existing wastewater system, future needs and requirements and design data. The Mayor asked him to continue to work on the project and anticipate giving an update at the next council meeting.


Councilmember Trofholz moved to go into executive session at 10:20 p.m. to discuss land acquisitions. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Bridges moved to reconvene into regular session at 11:03 p.m. Councilmember Waterman seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to adjourn, seconded by Councilmember Bridges, and upon roll call vote, all in favor. Motion carried.

The meeting adjourned at 11:04 p.m.


Mayor


City Clerk

City Council

June 14, 1994

Councilmember Trofholz seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to vacate the portions of Skyline Country that were either not already part of the City of Elkhorn (Arby's) or a part of Skyline Country 2nd Addition at the request of the owner/developer, Gottsch Enterprises. The request was made because of changes in the lot lines due to the State's right of way and Dodge Street interchange plans. Councilmember Bridges seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

Councilmember Trofholz moved to send the request for approval of the preliminary plat of Lots 144-214 Greenbrier back to the Planning Board due to differences and objections between the current Greenbrier S.I.D. board, residents and the developer. Councilmember Roza seconded the motion, and upon roll call vote the following Councilmembers voted YEA: Waterman, Bridges, Roza, Trofholz. Voting NAY: None. Absent: None. Motion carried.

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A protest from Mr. John Swenson, 21735 Woolworth Avenue, was heard regarding a neighbor at 1425 Skyline Drive who was raising emus in an area zoned SF-2 which is Single Family Residential. Mr. Swenson requested that the city enforce its zoning regulations which do not permit emus who are a member of the ostrich family. He also stated that he felt his property value was being adversely effected by the use of the property in this way. The city attorney informed the Council that the city had an ordinance dealing with pets such as cats or dogs and emus would not fit into that category and subsequently would not be allowed in a residential neighborhood. The owner of the emus, stated that he had been informed by the previous property owner that part of his property was zoning for agriculture use and because of that he did not think that he was in violation of zoning regulations. Councilmember Bridges moved to have the city attorney undertake proceedings to enforce the city's zoning regulations and ordinances to have the emus removed from the property.

AAJZ / 0



lamp, rynearson & associates, inc.

architects engineers surveyors planners

14747 california street omaha, nebraska 68154-1962 402-486-2498
FAX # 402-486-2730

April 7, 1994

Ms. Cheryl Eckerman
City Clerk City of Elkhorn
401 Glenn Street
Elkhorn, Nebraska 68022

REFERENCE: Skyline Country 2nd Addition
Cumberland Drive & Highway No. 31
LRA Job No. 94001-2602

Dear Ms. Eckerman:

Submitted herewith are application materials for the Final Plat of Skyline Country 2nd Addition, located at Cumberland Drive and Highway No. 31 and a petition to vacate a portion of the original Skyline Country Subdivision.

1. Final Plat - 10 copies + 5 mylars;
2. Subdivision Agreement - 2 copies;
3. Application for Subdivision Plat - 1 copy;
4. Petition to vacate and Exhibit "A" - 1 copy; and
5. Check in the amount of \$100.00 for the review fee.

A list of abutters within 300 feet and the rezoning application were submitted with the preliminary plat.

Please call if you have questions on this submittal.

Yours truly,

LAMP, RYNEARSON & ASSOCIATES, INC.

Thomas E. Marnik, P.E.
Senior Project Manager

TEM:sm

Enclosures

cc: Brett Gottsch ✓
John Fullenkamp, Attorney

4-6



PETITION TO VACATE

COMES NOW GOTTSCH ENTERPRISES, a Nebraska general partnership (hereafter "Petitioner"), and hereby petitions the City of Elkhorn (hereafter "City") to vacate that portion of the plat of the Skyline Country addition which is legally described on Exhibit "A" attached hereto and which is depicted in the drawing that is part of the attached Exhibit "A". In support of this petition, Petitioner states and affirms the following:

- (1) Petitioner owns all of the real property which is described in the attached Exhibit "A".
- (2) Petitioner intends to replat the real property described in the attached Exhibit "A".
- (3) This petition to vacate is authorized by Nebraska Revised Statute Section 19-917.

(4) No public highways, streets, alleys, or other public grounds shown in Exhibit "A" will be retained by the City.

WHEREFORE, Petitioner requests that this petition be set for public hearing before the City Council of Elkhorn, and that the City Council adopt an ordinance which vacates the portion of the plat which is described and depicted on the attached Exhibit "A".

DATED this 6th day of April, 1994.

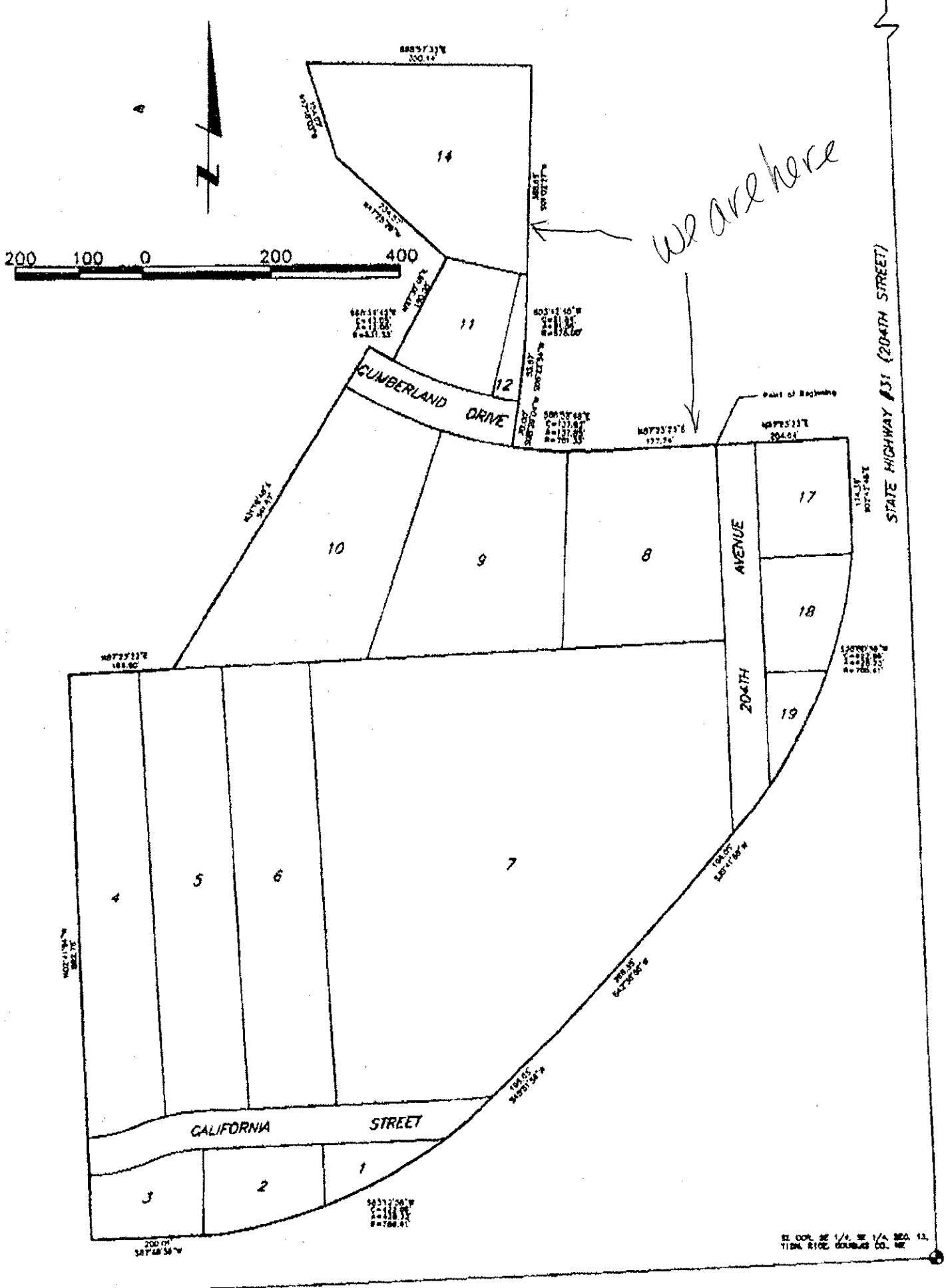
GOTTSCH ENTERPRISES, Petitioner

By: _____


Brett A. Gottsch, Partner

SKYLINE COUNTRY VACATION PLAN (EXHIBIT A)

SE COR. OF 1/4, NE 1/4, SEC. 13,
T18N, R10E, COOKS CO., NE



SE COR. OF 1/4, NE 1/4, SEC. 13,
T18N, R10E, COOKS CO., NE

Book _____ Page _____ Date 4-06-94 Job Number 94001-2602



lamp, rynearson & associates, inc.
engineers surveyors planners

14747 california street omaha, nebraska 68154-1979 402-488-2498
FAX # 402-498-2730

EXHIBIT A

LEGAL DESCRIPTION

That part of Lots 1 through 12, Lot 14 and Lots 17 through 19, SKYLINE COUNTRY, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, TOGETHER WITH that part of 204th Street, California Street, and Cumberland Drive abutting, the entire tract described by metes and bounds as follows:

Beginning at the point of intersection of the south right of way line of Cumberland Drive with the west right of way line of 204th Avenue;

Thence North $87^{\circ}23'23''$ East (bearings referenced to the Nebraska State Plane System, South Zone) for 204.04 feet along the said south right of way line of Cumberland Drive to the west right of way line of State Highway #31;

Thence South $02^{\circ}42'48''$ East for 174.39 feet along the said west right of way line of State Highway #31;

Thence along a curve to the right (having a radius of 786.41 feet and a long chord bearing South $20^{\circ}00'56''$ West for 422.96 feet) for an arc length of 428.23 feet along the said west right of way line of State Highway #31;

Thence South $39^{\circ}41'56''$ West for 196.05 feet along the said west right of way line of State Highway #31;

Thence South $42^{\circ}36'56''$ West for 268.35 feet along the said west right of way line of State Highway #31;

Thence South $45^{\circ}31'56''$ West for 196.05 feet along the said west right of way line of State Highway #31;

Thence along a curve to the right (having a radius of 786.41 feet and a long chord bearing South $65^{\circ}12'56''$ West for 422.96 feet) for an arc length of 428.23 feet along the said west right of way line of State Highway #31;

Thence South $87^{\circ}48'56''$ West for 200.01 feet along the said west right of way line of State Highway #31 to the west line of Lot 3, SKYLINE COUNTRY;

Thence North $02^{\circ}41'54''$ West for 882.76 feet to the northwest corner of Lot 4, SKYLINE COUNTRY;

Thence North $87^{\circ}23'22''$ East for 164.90 feet to the southwest corner of Lot 10, SKYLINE COUNTRY;

Thence North $31^{\circ}19'48''$ East for 581.67 feet along the west line of said Lot 10, SKYLINE COUNTRY to the north right of way line of Cumberland Drive;

Thence along a curve to the left (having a radius of 631.33 feet and a long chord bearing South $60^{\circ}34'42''$ East for 42.05 feet) for an arc length of 42.06 feet along the said north right of way line of Cumberland Drive to the southwest corner of Lot 11, SKYLINE COUNTRY;

Thence North $27^{\circ}30'48''$ East for 180.00 feet to the northwest corner of said Lot 11, SKYLINE COUNTRY;

Thence North $47^{\circ}25'29''$ West for 234.57 feet to the angle point in the west line of Lot 14, SKYLINE COUNTRY;

Thence North $17^{\circ}18'03''$ West for 154.07 feet to the northwest corner of said Lot 14, SKYLINE COUNTRY;

Thence South $88^{\circ}57'33''$ East for 350.44 feet along the north line of said Lot 14, SKYLINE COUNTRY;

Thence South $01^{\circ}02'27''$ West for 388.65 feet;

Thence along a curve to the right (having a radius of 875.00 feet and a long chord bearing South $03^{\circ}42'40''$ West for 81.54 feet) for an arc length of 81.56 feet;

Thence South $06^{\circ}22'54''$ West for 53.67 feet to the north right of way line of Cumberland Drive;

Thence South $08^{\circ}39'04''$ West for 70.00 feet to the south right of way line of Cumberland Drive;

Thence along a curve to the left (having a radius of 701.33 feet and a long chord bearing South $86^{\circ}58'46''$ East for 137.62 feet) for an arc length of 137.85 feet along the said north right of way line of Cumberland Drive;

Thence North $87^{\circ}23'23''$ East for 177.74 feet along the said north right of way line of Cumberland Drive to the west right of way line of 204th Avenue.

Contains 27.54 acres.

March 30, 1994

LAMP, RYNEARSON & ASSOCIATES, INC.

94001-2602

(plat vacation)