

92-09835

COVENANT

WHEREAS, the Undersigned entered into an Agreement for the sale/purchase of Lots 1-11, Schwer's Industrial Park, by and between AMBLER VINCENT & BAILEY, INC., hereinafter referred to as "AVB", Buyer, and DONALD L. SCHWER, NANCY LEE SCHWER, PHYLLIS M. LAMBERT, CLIFFORD F. LAMBERT, HELEN M. MANN, HERBERT J. MANN, HOWARD G. SCHWER and SHIRLEY SCHWER, hereinafter referred to as "Schwer", Sellers; and

WHEREAS, as a part of the consideration for said sale/purchase, Schwer agreed to execute a Covenant that the "water retention pond", located on the property identified on Exhibit A, attached hereto and incorporated herein which is immediately North of Schwer's Industrial Park, Sarpy County, Nebraska, shall be maintained in such condition that the storm sewer system for Schwer's Industrial Park shall remain adequate to service the development known as Schwer's Industrial Park.

NOW, THEREFORE, the Undersigned do covenant that "Schwer" will maintain their "water retention pond", located on the real estate described in Exhibit A, in such condition that the storm sewer system designed (and approved by the City of Papillion) to be located within the development known as Schwer's Industrial Park, Sarpy County, Nebraska, will remain adequate to serve Schwer's Industrial Park.

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LEGAL DESCRIPTION

That part of the NE 1/4 of the SW 1/4 of Section 22, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, described as follows: Beginning at the NE corner of the SW 1/4 of said Section 22; thence Southerly on the East line of said SW 1/4 to the NE corner of Lot 6 of Schwerts Industrial Park as surveyed, platted and recorded in said Sarpy County; thence Westerly 493.94 feet on the North line of Lot 6 said Schwerts Industrial Park to the NW corner thereof; thence Westerly 81 feet on a line 203 feet North of and parallel to the North line of Tax Lot 1B in said SW 1/4; thence Northerly on a line 81 feet West of and parallel to the Northerly extension of the East line of said Tax Lot 1B to the North line of said SW 1/4; thence Easterly on the North line of said SW 1/4 to the point of beginning.

CITY OF PAPIILLION  
December 2, 1991

TD2 FILE NO. 181-237

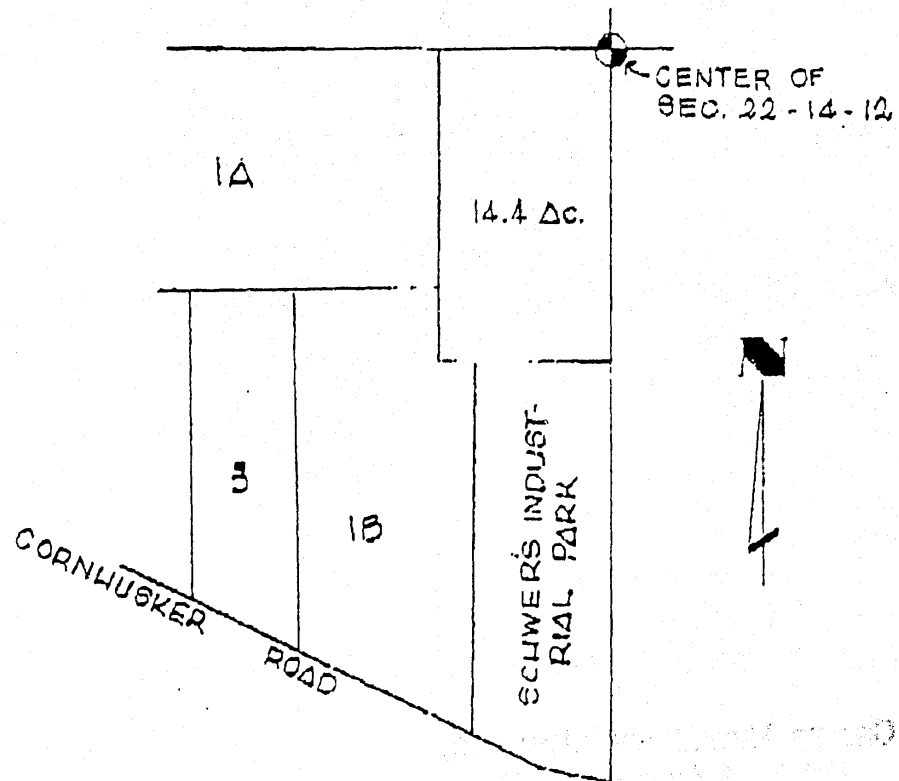


EXHIBIT A