

Kaiser

BOOK 687 PAGE 340

SUBDIVISION AGREEMENT

This Subdivision Agreement, made this 5th day of April, 1983 by and between Signal Hills Townhomes, a Joint Venture, (hereinafter referred to as "SUBDIVIDER"), and the CITY OF OMAHA (hereinafter referred to as "CITY").

WHEREAS, the Subdivider is the owner of the land shown on the proposed plat attached hereto as Exhibit "A" (hereinafter referred to as "PROPERTY"); and,

WHEREAS, the Subdivider proposed to build public improvements on the property; and,

WHEREAS, the Subdivider wished to connect the system of sanitary sewers to be constructed within the property to the sewer system of the City of Omaha; and,

WHEREAS, the Subdivider and City desire to agree on the method for the installation and allocation of expenses for public improvements to be constructed in the property.

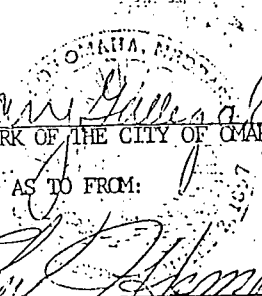
NOW, THEREFORE, in consideration of the above the following is agreed between the parties hereto:

1. Private Improvements. All improvements in adjacent public roads exist and all improvements to be constructed on private property shall be paid for by the subdivider. Maintenance of the private sanitary sewer and all pavement and snow removal shall not become the obligation of the City of Omaha or any other public subdivision.
2. Water, gas, and electrical power. The Subdivider agrees to enter into an Agreement with the Omaha Public Power District for power lines to be installed on the property. Copies of all Agreements with the Omaha Public Power District will be provided to City within four months from the date of this Agreement. All water and gas lines exist.
3. Installation of improvements. The Subdivider agrees to commence the timely and orderly installation of the improvements following execution of this agreement, pursuant to Section 53-9 of the Omaha Municipal Code.
4. Payment for improvements. The Subdivider shall pay the cost of the improvements, as well as all charges by the Metropolitan Utilities District for water and gas line installation and charges by the Omaha Public Power District for underground electrical service or overhead power installations.
5. Sidewalks. Sidewalks along both sides of public streets within the area to be developed shall be constructed by the Subdivider according to the following schedule:
 - (1) Sidewalks shall be constructed immediately abutting undeveloped lots on either side of any block or cul-de-sac (i.e. circle) as soon as the lots comprising 65% of the abutting footage on such side have been developed. A lot shall be developed for the purpose of this section when a dwelling has been constructed on the lot.



- (2) Sidewalks shall be constructed immediately abutting developed lots as soon after development as weather shall permit.
- (3) In any event, all sidewalks shall be constructed upon both sides of all public streets within the property within three years of the recording of the subdivision plat.
- 6. Right to connect to City sewer system. The City hereby acknowledges that it has given the subdivider the right to connect the sanitary sewer system of the property to the City sanitary sewer system, subject to obtaining proper permits and paying the regular fees.
- 7. Binding effect. This Subdivision Agreement shall be binding upon the parties, their respective successors, and assigns.

ATTEST:


Mary Galleaga Peres
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

CITY OF OMAHA

Michael Boyle 4/18/83
MAYOR

DEVELOPER:

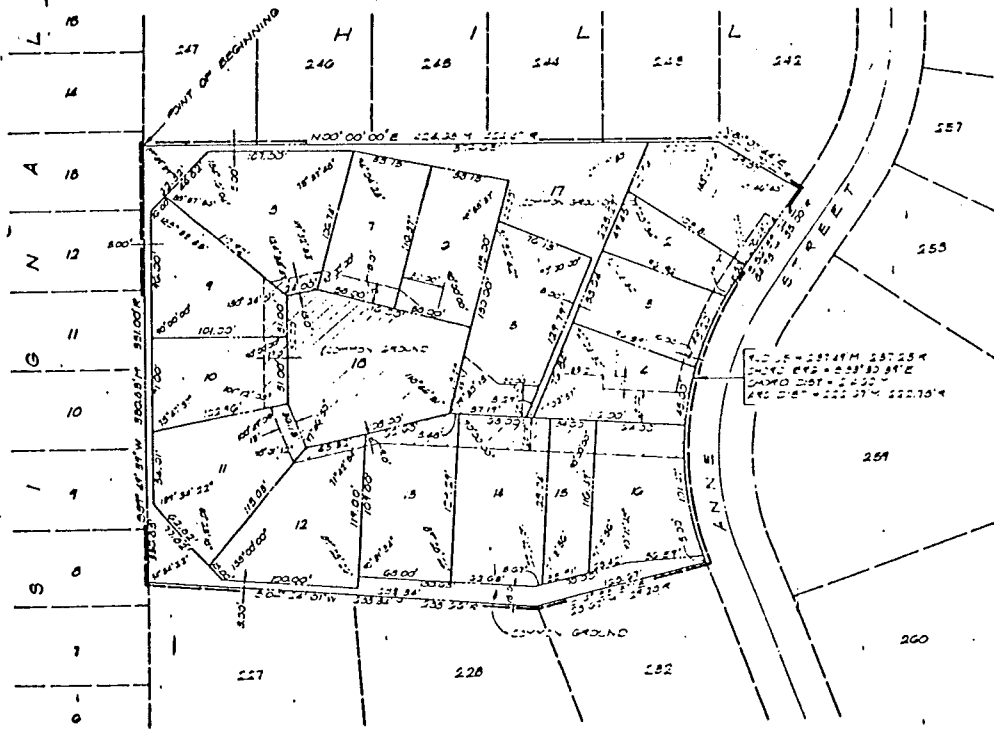
[Signature]



SIGNAL HILL TOWNHOMES⁶

LOTS 1 THRU 15, INCLUSIVE

BEING A REPLATTING OF LOTS 233 THRU 241 INCLUSIVE, SIGNAL HILL, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND VACATED 122ND STREET.



LEGEND

PRIVATE WALKWAY - EGRESS & UTILITY EASEMENT
 PRIVATE SEWER EASEMENT
 MEASURED DIMENSION
 RECORDED DIMENSION

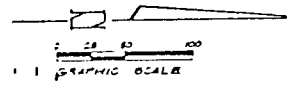


Exhibit A

Handwritten signature

RECEIVED
 1983 APR 18 PM 3:49
 C. HAROLD OSTLER
 REGISTER OF DEEDS
 DOUGLAS COUNTY, NEBR.

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