

COUNTER LM C.E. LM
 VERIFY LM D.E. LM
 PROOF _____
 FEES \$ 58.00
 CHECK# 4335
 CHG _____ CASH _____
 REFUND _____ CREDIT _____
 SHORT _____ NCR _____

FILED SARPY COUNTY NEBRASKA
 INSTRUMENT NUMBER

2016-28511

11/03/2016 1:57:58 PM

Clay J. Dowling

REGISTER OF DEEDS



FIRST AMENDMENT TO SUBDIVISION AGREEMENT

Springfield Pines, Phase 1
 (Lots 1-128 and Outlots A-I)

THIS AGREEMENT, made and entered into this 3rd day of November, 2016, among SPRINGFIELD PINES, LLC, a Nebraska limited liability company, (hereinafter referred to as "Subdivider"), THE SPRINGFIELD PINES HOMEOWNERS ASSOCIATION, (hereinafter referred to as "Association") SANITARY AND IMPROVEMENT DISTRICT NO 311 OF SARPY COUNTY, NEBRASKA, (hereinafter referred to as "District"), and the CITY OF SPRINGFIELD, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, the parties wish to amend the original Subdivision Agreement for Lots 1-128 and Outlots A-I, Springfield Pines, Phase 1, which was filed with the Sarpy County Register of Deeds as Instrument No. 2016-18537 on July 29, 2016, for the purpose of relocating the sanitary sewer main and temporary lift station for the District from dedicated utility easements on Lots 110, 111, 112 and Outlot I to road right-of-way along 132nd Street.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

According to Exhibit "C" of the Subdivision Agreement filed with the Sarpy County Register of Deeds as Instrument No. 2016-18537 on July 29, 2016, the sanitary sewer main and temporary lift station were to be located within dedicated utility easements on Lots 110, 111, 122 and Outlot I. The Subdivider has since requested that the sanitary sewer main and temporary lift station be constructed within the road right-of-way along 132nd Street.

Council requested that the Subdivider's Engineer submit a plan and profile for future road improvements to 132nd Street to ensure that future improvements would not negatively affect the sanitary sewer system located within the road right-of-way. A plan set was submitted and approved by the Sarpy County Engineer and City Engineer. A copy of the plan set is attached hereto as Exhibit "A." Both engineers were acceptable to the roadway plan and profile, as well as the sewer main being located within the right-of-way along 132nd Street.

An updated sanitary sewer map is attached hereto as Exhibit "B" and replaces Exhibit "C" in the original Subdivision Agreement.

It is hereby agreed that the Subdivider may construct the sanitary sewer main and temporary lift station within the right-of-way along 132nd Street, as opposed to dedicated utility easements on Lots 110, 111, 122 and Outlot I

IN WITNESS WHEREOF, we the executing parties, by our respective duly authorized agents, hereby enter into this Agreement, effective on the day and year first above written.

ATTEST:

CITY OF SPRINGFIELD, NEBRASKA

Kathleen R. Gottsch 10/18/16
CITY CLERK DATE

Robert Rowland 10/18/16
MAYOR DATE

ATTEST:

SANITARY AND IMPROVEMENT DISTRICT NO. 311 OF SARPY COUNTY, NEBRASKA

Susan Sawyer Malnack 11/3/16
DATE

Eugene J. Gumpf 11/3/16
CHAIRMAN DATE

ATTEST:

SPRINGFIELD PINES HOMEOWNERS ASSOCIATION

Susan Sawyer Malnack 11/3/16
DATE

Eugene J. Gumpf 11/3/16
PRESIDENT DATE

ACKNOWLEDGMENT OF NOTARY:

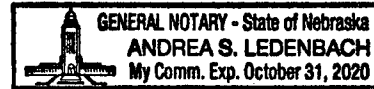
STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On this 18 day of October, 2016, before me, a Notary Public, duly commissioned and qualified in and for said County and State, personally appeared Robert Rowland, personally known by me to be the Mayor of the City of Springfield, and Kathleen Gottsch personally known by me to be the City Clerk of the City of Springfield, and the identical persons whose names are affixed to the foregoing Agreement, and they acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

WITNESS my hand and Notarial Seal the day and year last above written.

Andrea S. Ledebach
NOTARY PUBLIC

(SEAL)



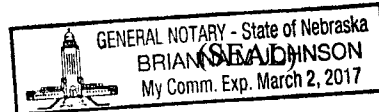
ACKNOWLEDGMENT OF NOTARY:

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On this 3rd day of November, 2016, before me, a Notary Public, duly commissioned and qualified in and for said County and State, personally appeared Eugene J. Graves Jr., personally known by me to be the Chairman of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his/her voluntary act and deed and the voluntary act and deed of said District.

WITNESS my hand and Notarial Seal the day and year last above written.

Brian Seabornson
NOTARY PUBLIC



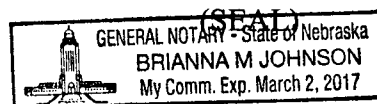
ACKNOWLEDGMENT OF NOTARY:

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On this 3rd day of November, 2016, before me, a Notary Public, duly commissioned and qualified in and for said County and State, personally appeared Eugene J. Graves, Jr., personally known by me to be the President of The Springfield Pines Homeowners Association, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his/her voluntary act and deed and the voluntary act and deed of said District.

WITNESS my hand and Notarial Seal the day and year last above written.

Brianna M. Johnson
NOTARY PUBLIC



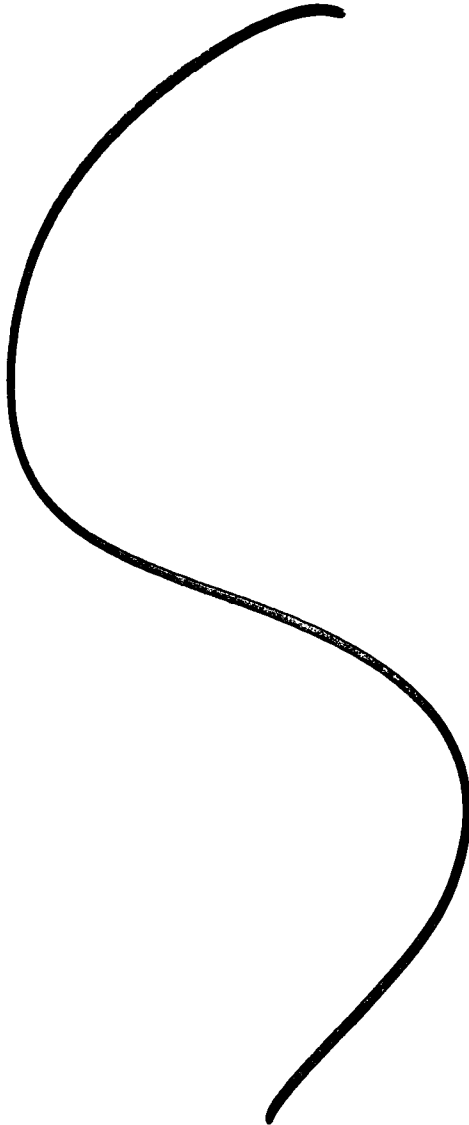
(SEAL)

C

FIRST AMENDMENT TO SUBDIVISION AGREEMENT
EXHIBIT LIST

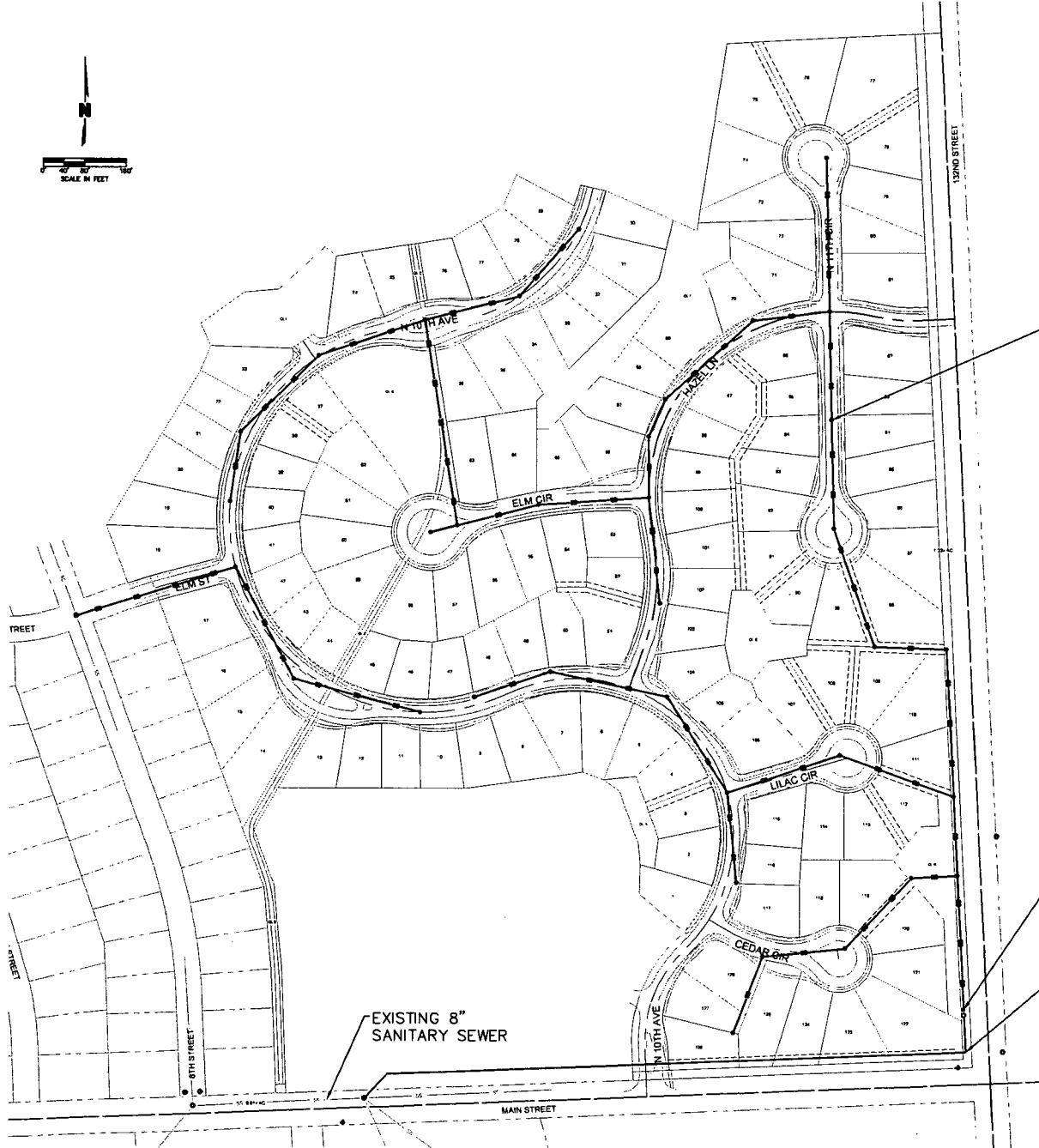
EXHIBIT A
EXHIBIT B

132ND STREET PROFILE & PLAN SET
SANITARY SEWER



2016-28511 H

DWG. P:\Projects\015-1228\00-Design\15050\Utility\Subdivision Agreement\16-10-17\DWG\Final_C.dwg USDR: Roberczak
 DATE: Oct 17, 2016 8:56am PROJECT: 015-1228 C:\Users\jst128 C:\Users\jst128 C:\Users\jst128 C:\Users\jst128
 P: 3/18/08 20129



PROPOSED 8"
SANITARY SEWER
(TYP.)

PROPOSED TEMPORARY
LIFT STATION

PROPOSED 4"
FORCE MAIN

EXISTING 8"
SANITARY SEWER

| NO. | DATE | REVISION DESCRIPTION |
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| | | |

2016

SANITARY SEWER
S.I.D. 311 SPRINGFIELD PINES
SUBDIVISION AGREEMENT

SPRINGFIELD, NEBRASKA

SHEET
EXHIBIT "C"