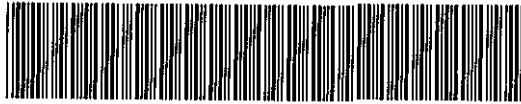




BK 1462 PG 526-527



MISC 2002 22462

JAMES N. TAYLOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

02 SEP 20 AM 11:45

RECEIVED

TREE MITIGATION AND LANDSCAPE EASEMENT

APOLLO BUILDING CORP., a Nebraska corporation, being the owner of the real estate described below and hereinafter referred to as the "Grantor", for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to STONY BROOK VILLAS HOMEOWNERS ASSOCIATION, and its successors, licensees and assigns, hereinafter referred to as "Grantee", a permanent right-of-way easement for the construction, installation, operation, maintenance, repair, replacement, preservation and renewal of landscape areas, including certain trees over, upon, above, along, in and across the following described real estate to-wit:

See attached Exhibit A, wherein the real estate is both legally and pictorially described.

Where such facilities are constructed, the Grantee shall have the right to construct, operate, repair, renewal, maintain, replace and preserve such landscaping and related accessories within the strip of land indicated above. Without limitation of the rights and easements granted by this Easement, the Grantee may come upon any of the Lot for the purpose of constructing, installing, repairing, maintaining, removing, and replacing the facilities.

The rights and easements granted herein shall fully and finally terminate as to any Lot if: (i) the owner of the Lot gives written notice to the Grantee that the Grantee has failed to maintain the facilities on the owner's Lot in neat and orderly condition and in good repair; and (ii) the Grantee fails to place the facilities on the owner's Lot into good order and repair within ninety (90) days after the written notice.

This conveyance is made for the benefit of the residents of Stony Brook Place, Stony Brook Villas and their successors and assigns.

A
MISC
2
10

FEE 15.00 FB _____
BKP _____ C/O _____ COMP _____
DEL _____ SCAN CR FY _____

APOLLO BUILDING CORP., a Nebraska corporation,

By *[Signature]*
President

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

On this 10TH day of SEPTEMBER, 2002, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Terrence J. Ficenec, President of APOLLO BUILDING CORP., a Nebraska corporation, to me personally known to be the person whose name is affixed to the foregoing instrument in that capacity and who acknowledges the same to be his voluntary act and deed as President of the corporation.

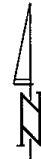
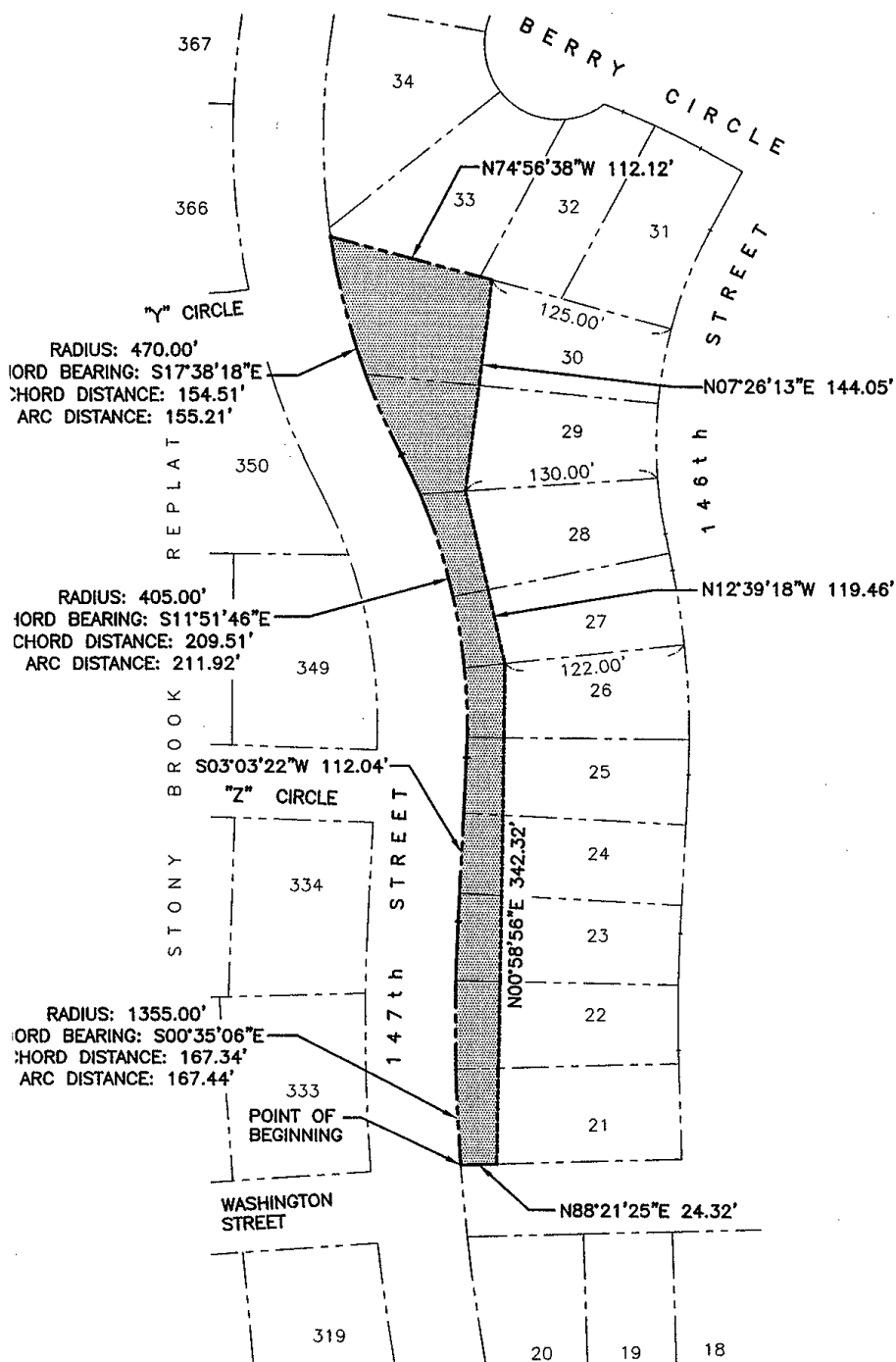
WITNESS my hand and notarial seal on the day and year last above written.

Joseph C. Franco
Notary Public

My commission expires the 20TH day of JANUARY, 2006

Return to TD²
10836 OLD MILL RD.
OMAHA, NE 68154





SCALE: 1"=100'

LEGAL DESCRIPTION

THAT PART OF LOTS 21 THRU 30, INCLUSIVE, STONY BROOK VILLAS, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SW CORNER OF SAID LOT 21;
 NCE N88°21'25"E (ASSUMED BEARING) 24.32 FEET ON THE SOUTHERLY LINE OF SAID LOT 21;
 NCE N00°58'56"E 342.32 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 26, SAID POINT BEING 122.00 FEET FROM THE NE CORNER OF SAID LOT 26;
 NCE N12°39'18"W 119.46 FEET TO A POINT OF THE NORTHERLY LINE OF SAID LOT 28, SAID POINT BEING 130.00 FEET FROM THE NE CORNER OF SAID LOT 28;
 NCE N07°26'13"E 144.05 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 30, SAID POINT BEING 125.00 FEET FROM THE NE CORNER OF SAID LOT 30;
 NCE N74°56'38"W 112.12 FEET ON THE NORTHERLY LINE OF SAID LOT 30 TO THE NW CORNER THEREOF;
 NCE SOUTHERLY ON THE WESTERLY LINE OF SAID STONY BROOK VILLAS ON THE FOLLOWING DESCRIBED 4 COURSES;
 NCE SOUTHEASTERLY ON A 470.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S17°38'18"E, CHORD DISTANCE 154.51 FEET, AN ARC DISTANCE OF 155.21 FEET;
 NCE SOUTHEASTERLY ON A 405.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S11°51'46"E, CHORD DISTANCE 209.51 FEET, AN ARC DISTANCE OF 211.92 FEET;
 NCE S03°03'22"W 112.04 FEET;
 NCE SOUTHEASTERLY ON A 1355.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S00°35'06"E, CHORD DISTANCE 167.34 FEET, AN ARC DISTANCE OF 167.44 FEET TO THE POINT OF BEGINNING.

POLLO BUILDING CORP.

TD2 FILE NO.: 131-136 EXH

DATE: MAY 10, 2002

OMPSON, DRESSSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

EXHIBIT "A"