

GAINES, MULLEN, PANSING & HOGAN
10050 REGENCY CIRCLE, SUITE 200
OMAHA, NEBRASKA 68114

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GEORGE J. CIESIOLZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

EASEMENT FOR PEDESTRIAN WALKING TRAIL

This indenture made this 31st day of January, 1995, by and between BENNINGTON COMPANY, a Nebraska corporation (hereinafter referred to as "Grantor"), and SANITARY AND IMPROVEMENT DISTRICT NO. 374 OF DOUGLAS COUNTY, NEBRASKA (hereinafter referred to as "Grantee").

W I T N E S S E T H :

That Grantor, in consideration of the sum of One and no/100 Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to Grantee, its successors and assigns, perpetual easements for a pedestrian walking trail over and through that part of Lot 31, Villas of Huntington Woods, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more specifically located and described on Exhibit A attached hereto which is hereby incorporated in and made a part of this Easement by reference.

To have and to hold said Easement and right-of-way unto the said Grantee, its successors and assigns, in perpetuity. Grantor, its successors and assigns, shall be entitled to and do hereby reserve the right, to connect to and make reasonable and customary use of such walking trail as is installed and maintained by Grantee under the terms of this Easement at no expense whatsoever. The approval of this term by Grantor and its successors and assigns shall be shown by recording this document with the Douglas County Register of Deeds. This Easement and the license contained herein is given without any warranty whatsoever. This Easement shall run with Lot 31 of Villas of Huntington Woods and be binding on this and all future owners of Lot 31.

IN WITNESS WHEREOF, the Grantor has caused this Easement to be signed on the day and year first above written.

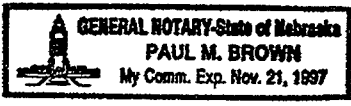
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FILE 10 50 NEW 40332
DATE 1 14 CD COMPVR
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STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

BENNINGTON COMPANY, a Nebraska corporation,
By Barbara Shaw
Title Pres

On this 31st day of January, 1995, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Barbara Shaw, President of BENNINGTON COMPANY, 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/her voluntary act and deed.

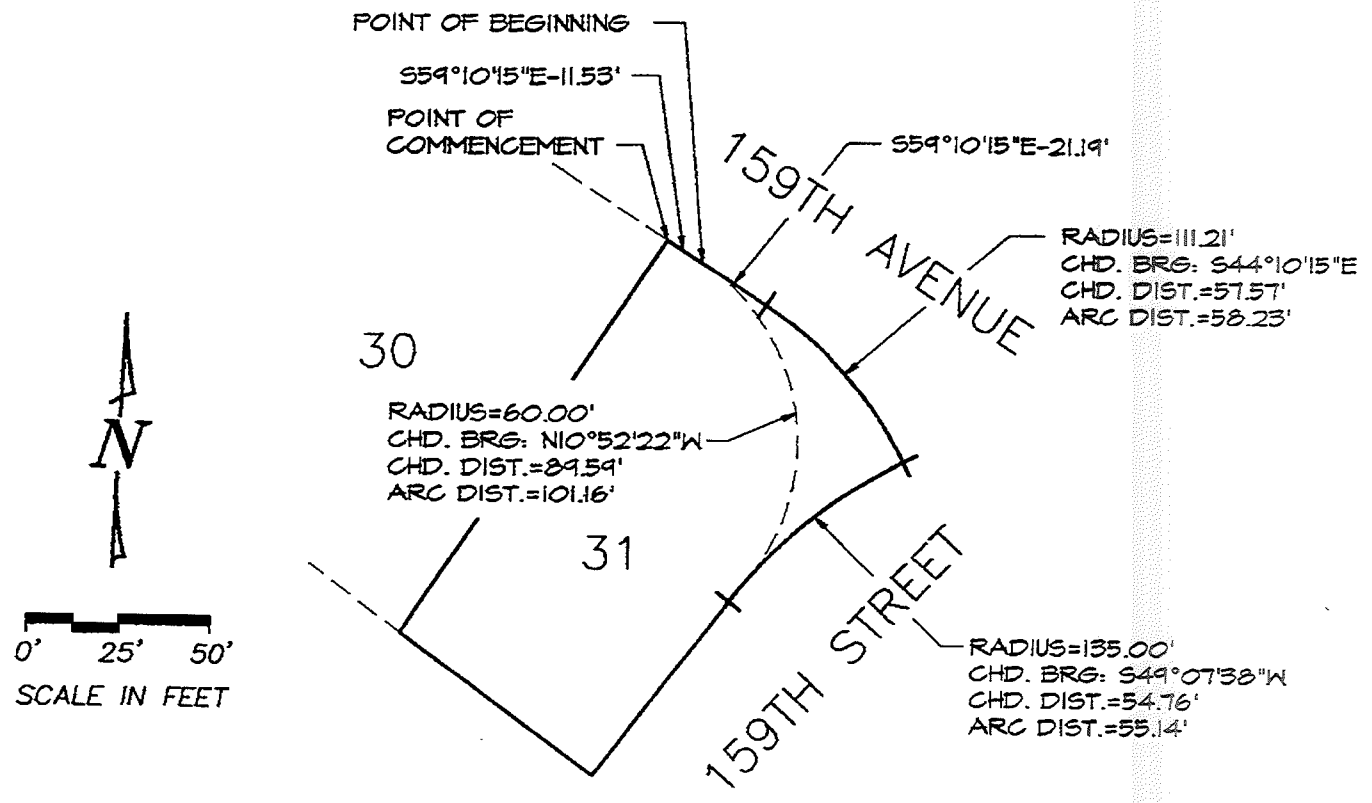
WITNESS my hand and notarial seal on the day and year last above written.



Paul M. Brown
Notary Public

My commission expires the 21st day of November, 1997.
NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

EXHIBIT A



LEGAL DESCRIPTION

THAT PART OF LOT 31, VILLAS OF HUNTINGTON WOODS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID LOT 31; THENCE S 59°10'15" E (ASSUMED BEARING) 11.53 FEET ON THE NORTHERLY LINE OF SAID LOT 31 TO THE POINT OF BEGINNING; THENCE CONTINUING S 59°10'15" E 21.19 FEET ON THE NORTHERLY LINE OF SAID LOT 31 TO A POINT OF CURVE; THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID LOT 31 ON A 111.21 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S 44°10'15" E, CHORD DISTANCE 57.57 FEET, AN ARC DISTANCE OF 58.23 FEET TO THE NE CORNER THEREOF; THENCE SOUTHWESTERLY ON THE EASTERLY LINE OF SAID LOT 31 ON A 135.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S 49°07'38" W, CHORD DISTANCE 54.76 FEET, AN ARC DISTANCE OF 55.14 FEET; THENCE NORTHWESTERLY ON A 60.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N 10°52'22" W, CHORD DISTANCE 89.59 FEET, AN ARC DISTANCE OF 101.16 FEET TO THE POINT OF BEGINNING.

JOB NO. 172-123
 SHEET NO.
 BOOK PAGE
 DATE 4-18-94