

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2000-04095
2000 FEB 24 PM 2:30

Glenn J. [Signature]
REGISTER OF DEEDS

Counter [Signature]
Verify [Signature]
D.E. [Signature]
Proof [Signature]
Fee \$ 37.00
Ck Cash Chg

2
AFFIDAVIT

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The undersigned Affiants hereby state the following under oath:

1. This Affidavit is given regarding a 20 foot shoreline easement as shown on the final plat of Lots 136 through 179 of Lakewood Villages, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (herein referred to collectively as the "Lake Lots").

2. When the final plat which included the Lake Lots was recorded, a shoreline easement on the Lake Lots was shown on the final plat and erroneously marked "20" Shoreline Easement to SID 180," "SID 180" being a reference to Sanitary and Improvement District No. 180 of Sarpy County, Nebraska. It was the intent of the Affiants that the twenty foot shoreline easement on the Lake Lots be reserved for the Lakewood Villages Lake Lot Owners Association, Inc. (herein referred to as the "Association"), a Nebraska non-profit corporation, to be organized.

3. When the final plat of Lakewood Villages, which included the Lake Lots, was approved by the City of Bellevue, the signed Subdivision Agreement required by the City of Bellevue provided that the two private lakes (herein referred to as the "Lakes") which the Lake Lots bordered and the dams, spillways and related facilities (herein referred to as "the Improvements") be constructed, paid for, and owned by the developer and at a subsequent date conveyed by the developer to the Association. Thereafter, the Association, at its sole cost, has the responsibility to operate, maintain, repair and improve the Lakes and Improvements, including the dredging of the Lakes, maintaining the shoreline to control erosion, and the rebuilding, if necessary, of the Improvements. The Subdivision Agreement specifically prohibited SID 180 from spending its funds for the development or maintenance of the Lakes or Improvements.

2000-04095A

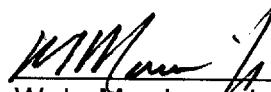
4. The Declaration of Covenants, Conditions, and Restrictions for Lakewood Villages – Lake Lots recorded in Sarpy County on February 15, 1999 at Instrument Number 99-004520 granted a shoreline and temporary lake water storage easement, twenty feet in width, on the Lake Lots to the Association. The grant of the shoreline easement to the Association, as outlined in the covenants discussed in this Paragraph 4, was correct and the shoreline easement to SID 180 noted on the plat of the Lake Lots was incorrect.

5. This Affidavit is being executed by W. L. Morrison, Jr., as the Chairman of the Board of Trustees of Sanitary and Improvement District No. 180 of Sarpy County, Nebraska, by W. L. Morrison, Jr., as President of Dodge Land Co., a Nebraska corporation, and by W. L. Morrison, Jr., as President of Lots, Inc., a Nebraska corporation, both Dodge Land Co. and Lots, Inc. being the sole members of the Dodge-Lots Joint Venture, a Nebraska joint venture, which is the sole General Partner of Lakewood Villages Limited Partnership, a Nebraska limited partnership, the developer and owner of the Lakewood Villages subdivision.

6. Further, Affiants sayeth not.

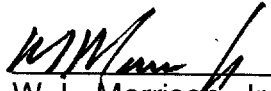
DATED this 7th day of February, 2000.

SANITARY AND IMPROVEMENT
DISTRICT #180



W. L. Morrison, Jr., Chairman

DODGE LAND CO., a Nebraska corporation



W. L. Morrison, Jr., President

LOTS, INC., a Nebraska corporation



W. L. Morrison, Jr., President

2000-04095B

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

SUBSCRIBED and sworn to before me, a Notary Public in and for said County and State, this 7th day of February, 2000, by W. L. Morrison, Jr. as Chairman of SID #180 of Sarpy County, Nebraska and as President of Dodge Land Co. and Lots, Inc.

Kristy J. Gregath

Notary Public

