

52-359

Charles G. Smith

AGREEMENT

This indenture, made this 15th day of MAY, 19 82, between Charles G. Smith and Nellie M. Smith, Husband and Wife, hereinafter referred to as first party, and First Northwestern Trust Co., of Nebraska, Trustee, hereinafter referred to as second party.

WHEREAS, first party is the owner of real estate situated in Sarpy County, State of Nebraska, legally described on Exhibit "A" attached hereto; and

WHEREAS, second party is the owner of adjoining real estate situated in Sarpy County, Nebraska, described on Exhibit "B" attached hereto; and

WHEREAS, there has been constructed a black-topped certain parking area on the property of the party of the first part above described for the convenience of both parties hereto; and

WHEREAS, both parties are desirous to set forth, in writing, their mutual obligations and benefits in regards to this parking land area,

IT IS HEREBY mutually agreed as follows:

1. First party hereby grants a license to the second party, their customers and invitees to use the following real estate owned by first party, for parking purposes of private automobiles only, said property being described on Exhibit "C" attached hereto.

2. That the first party, their assigns, customers and invitees have the same privilege of parking, using and traveling across the aforesaid parking area for the purpose of making ingress and egress to and from the land owned by the first party, and for any and all other purposes.

3. That the first party, their successors, assigns and tenants will be in no way bound or be liable to construct or keep the parking area premises in repair, nor does the first party, their successors or assigns assume any liability or responsibility to the second party, its successors, assigns, executors and administrators, or any person using the parking area by invitation express or implied, or by reason of any business conducted with the second party its successors, assigns, executors or administrators or otherwise. Second party, its successors, assigns, executors, or administrators will hold the first party, their successors and assigns harmless from any and all liability resulting from injuries or damage sustained by second party, its successors, assigns, executors, administrators, customers and invitees as a result of their using the parking area.

4. In consideration of the foregoing the second party has paid herewith the sum of One (\$1.00) Dollar, as consideration and acknowledgement that the enjoyment of said parking area is had under this license and not otherwise.

X Charles G. Smith
CHARLES G. SMITH, one of the First Parties

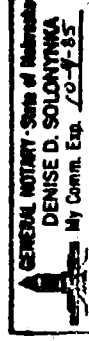
FIRST NORTHWESTERN TRUST CO., TRUSTEE
Second Party.

X Nellie M. Smith
NELLIE M. SMITH, One of the First Parties

By: Larry B. Ludwig
Larry B. Ludwig, their Attorney-in-fact.

By: Larry B. Ludwig
Larry B. Ludwig, Vice President

The foregoing instrument was acknowledged before me on the 15th day of May, 1982 by Charles G. Smith and Nellie M. Smith, Husband and Wife.



Denise D. Solomyka
Notary Public

The foregoing instrument was acknowledged before me on the 15th day of May, 1982 by Larry B. Ludwig, Vice President of Landco, Inc. on behalf of the corporation and as attorney-in-fact for the FIRST NORTHWESTERN TRUST CO., TRUSTEE.



Denise D. Solomyka
Notary Public

File 120930

55-359A.

EXHIBIT "A"

Filed in the office of SARPY COUNTY SURVEYOR — Papillion, Nebr.
Legal Description

SE 1/4 of Section 15, Alpine Village South, an addition, located in the Sarpy County, Nebraska, more particularly described as follows:
Beginning at the Northeast corner of said Lot 22A, Alpine Village South; thence S30°51'47"E (assumed bearing) along the Northeastly line of said Lot 22A, a distance of 105.75 feet; thence N89°51'59"W, a distance of 149.99 feet; thence S00°27'50"W, a distance of 184.53 feet; thence S71°09'16"W, a distance of 113.80 feet; thence N84°05'26"W, a distance of 11.53 feet to a point on the Northeastly right-of-way line of Granville Parkway; thence N24°33'20"W along said Northeastly right-of-way line of Granville Parkway, a distance of 103.44 feet; thence Northwesterly along said Northeastly right-of-way line of Granville Parkway on a curve to the left, with a radius of 1036.63 feet, a distance of 52.86 feet, said curve having a long chord which bears N25°31'11"W, a distance of 52.85 feet to the Northwest corner of said Lot 22A, Alpine Village South; thence N59°07'02"E along the Northwesterly line of said Lot 22A, Alpine Village South, a distance of 328.76 feet to the Point of Beginning.

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CLERK OF COURTS
SARPY COUNTY, NEBRASKA

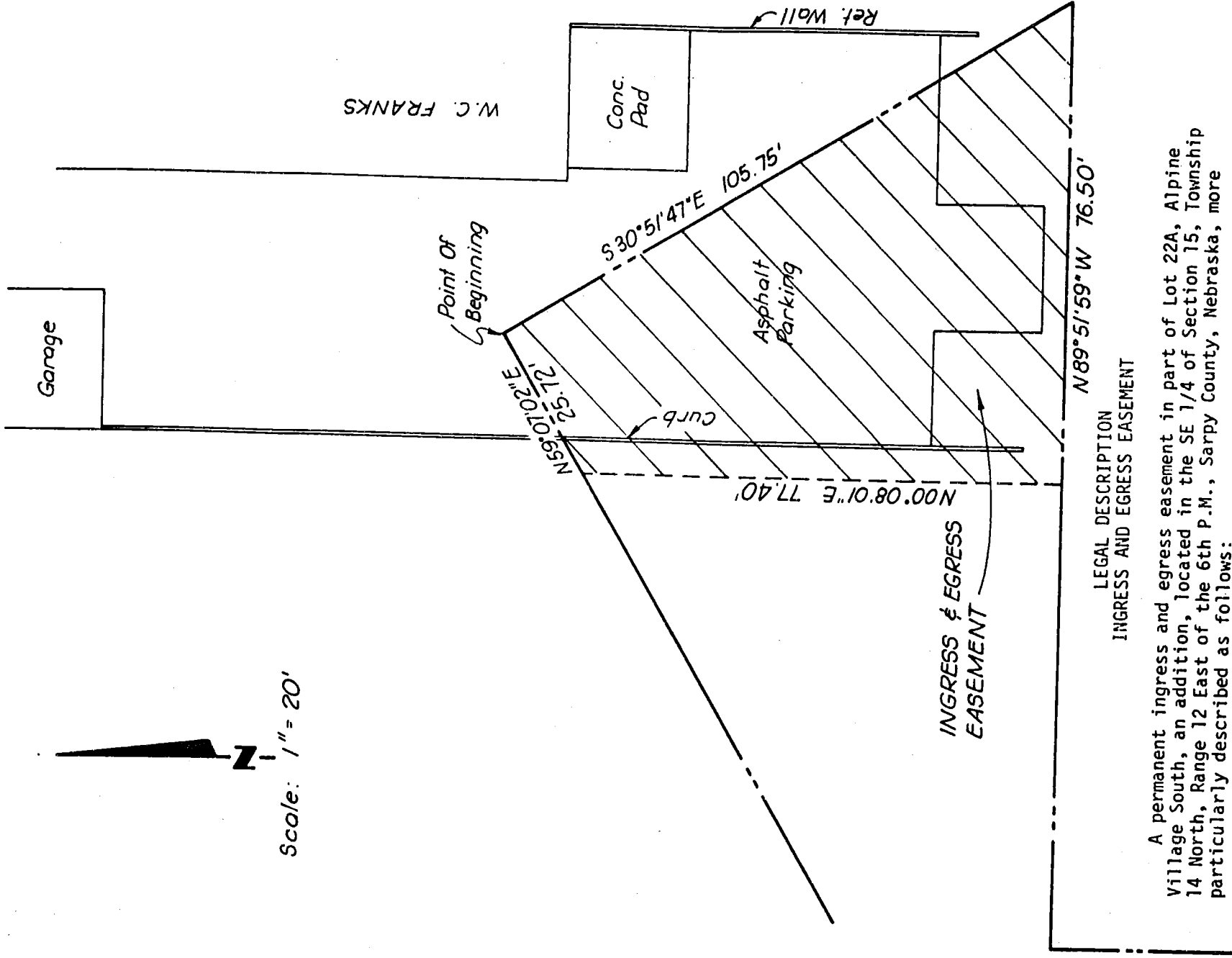
527-259B

EXHIBIT "B"

Part of Lot 21 and Lot 22, Alpine Village South, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows: Beginning at the northeast corner of Lot 22, Alpine Village South; thence S00°27'50"W along the east line of said Lot 22 a distance of 236.47 feet; thence N30°51'01"W a distance of 202.02 feet to a point on the northwesterly line of said Lot 22, said point being 122.90 feet southwesterly from the point of beginning; thence N00°27'50"E on a line parallel to and 105 feet west of the east line of Lot 21, Alpine Village South, a distance of 573.48 feet; thence N89°59'57"E a distance of 105.00 feet to a point on the east line of said Lot 21, said point being 260.00 feet southerly from the northeast corner of said Lot 21; thence S00°27'50"W along the east line of said Lot 21 a distance of 510.46 feet to the point of beginning, and containing a calculated area of 1.59 acres.

5-19-82

EXHIBIT "C"



Scale: 1" = 20'

LEGAL DESCRIPTION INGRESS AND EGRESS EASEMENT

A permanent ingress and egress easement in part of Lot 22A, Alpine Village South, an addition, located in the SE 1/4 of Section 15, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Northeast corner of said Lot 22A, Alpine Village South; thence S30°51'47"E (assumed bearing) along the Northeastly line of said Lot 22A, Alpine Village South, a distance of 105.75 feet; thence N89°51'59"W, a distance of 76.50 feet; thence N00°08'01"E, a distance of 77.40 feet to a point on the Northwest line of said Lot 22A, Alpine Village South; thence N59°07'02"E, along said Northwest line of Lot 22A, Alpine Village South, a distance of 25.72 feet to the Point of Beginning.

ELLIOTT & ASSOCIATES
5316 SO. 152nd ST.
OMAHA, NE 68137

5-19-82
#79683