

DECLARATION OF EASEMENT

This Declaration of Easement is made by HOME LAND CORP., a Nebraska corporation (hereinafter the "Declarant").

PRELIMINARY STATEMENT

Declarant is the owner and developer of two hundred twenty-three (223) lots situated in Douglas County, Nebraska, known as Autumn Ridge. Declarant wishes to landscape and erect monuments in the area of 168th and "P" Streets, and 172nd and "Q" Streets, Autumn Ridge Subdivision, at and along the entrances to Autumn Ridge. The area extends (i) north approximately 235 feet along 168th Street on the north side of the "P" Street entrance to Autumn Ridge Subdivision, and (ii) east approximately 100 feet along "Q" Street on either side of the 172nd Street entrance to Autumn Ridge Subdivision; such area is legally described and shown pictorially in the attached Exhibits A, B, C, D, E, and F (herein collectively the "Landscape Area"). The Landscape Area is situated on (i) the east boundary of Lots 221, 222, and 223, and extends onto the south side of Lot 223; and (ii) the east boundary of Lot 134, and the west boundary of Lot 15 and 16, and extends onto the north and south boundaries of Lots 134 and 16, and onto the south boundary of Lot 15 (herein collectively the "Landscape Lots").

Declarant desires to impose certain easements on the Landscape Lots to enable Declarant and Autumn Ridge Homeowners Association, a Nebraska nonprofit corporation (the "Association") to maintain, preserve, and replace the Landscape Area or part of the Common Facilities referred to in the Declaration of Covenants, Conditions, Restrictions and Easements for Autumn Ridge, a Subdivision in Douglas County, Nebraska.

NOW, THEREFORE, the Declarant hereby declares that each of the Landscape Lots shall be held, sold and conveyed subject to the following easements which shall run with each of the Landscape Lots and shall be binding upon all parties having or acquiring any right, title or interest in such Landscape Lots:

1. Declarant hereby declares that the Landscape Lots are subject to a permanent and exclusive right and easement in favor of Declarant and the Association to maintain, preserve, and replace the Landscape Area. Without limitation of the rights and easements granted by this Declaration, the Declarant or Association may come upon any of the Landscape Lots and, in particular, Landscape Area, for the purpose of constructing, installing, repairing, maintaining, removing, and replacing the Landscape Area.
2. No owner of a Landscape Lot shall plant any trees or shrubbery within the Landscape Area.
3. No owner of a Landscape Lot shall construct, install or permit any fence on or within the Landscape Area.
4. The rights and easements granted by this Declaration shall run with the land perpetually until this Declaration is terminated in writing by the Association, at which time the rights and easements granted by this Declaration shall fully and finally terminate. In addition, the rights and easements

RECEIVED

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GEORGE J. SUGLENICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

BK 914 N _____ C/O _____ FEE 43⁰⁰
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granted in this Declaration shall fully and finally terminate as to any Landscape Lot if: (i) the owner of the Landscape Lot gives written notice to the Association that the Association has failed to maintain the Landscape Area on the Owner's Lot in neat and orderly condition and in good repair; and (ii) the Association fails to place any improvements to the Landscape Area on the Owner's Lot into good order and repair within ninety (90) days after the written notice.

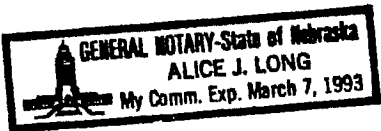
IN WITNESS WHEREOF, the Declarant has executed this Declaration of Easement on the 21st day of February, 1990.

HOME LAND CORP., a Nebraska corporation

By [Signature]
President

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

The foregoing instrument was acknowledged before me this 21st day of February, 1990, by John C. Allen, President of Home Land Corp., a Nebraska corporation, on behalf of the corporation.

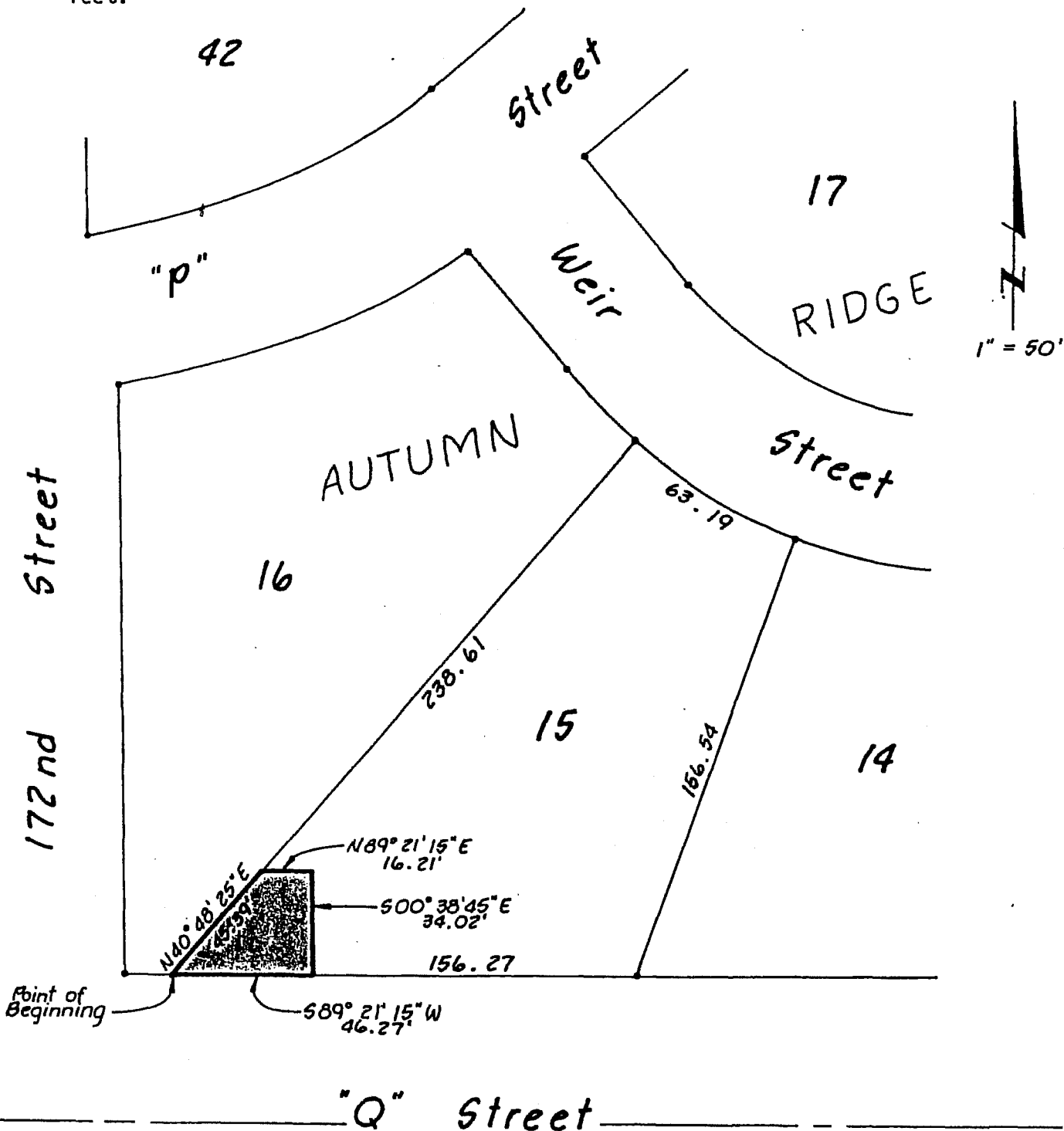


[Signature]
Notary Public

LEGAL DESCRIPTION

EXHIBIT A

A permanent easement in that part of Lot 15 AUTUMN RIDGE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Beginning at the Southwest corner of said Lot 15; thence North 40°48'25" East (bearing referenced to the Autumn Ridge Final Plat) for 45.39 feet along the West line of said Lot 15; thence North 89°21'15" East for 16.21 feet; thence South 00°38'45" East for 34.02 feet to a point on the South line of said Lot 15; thence South 89°21'15" West for 46.27 feet along the South line of said Lot 15 to the Point of Beginning. Contains 1063 square feet.



Book _____ Page _____

Date 12-20-89

Job Number 83040-5948



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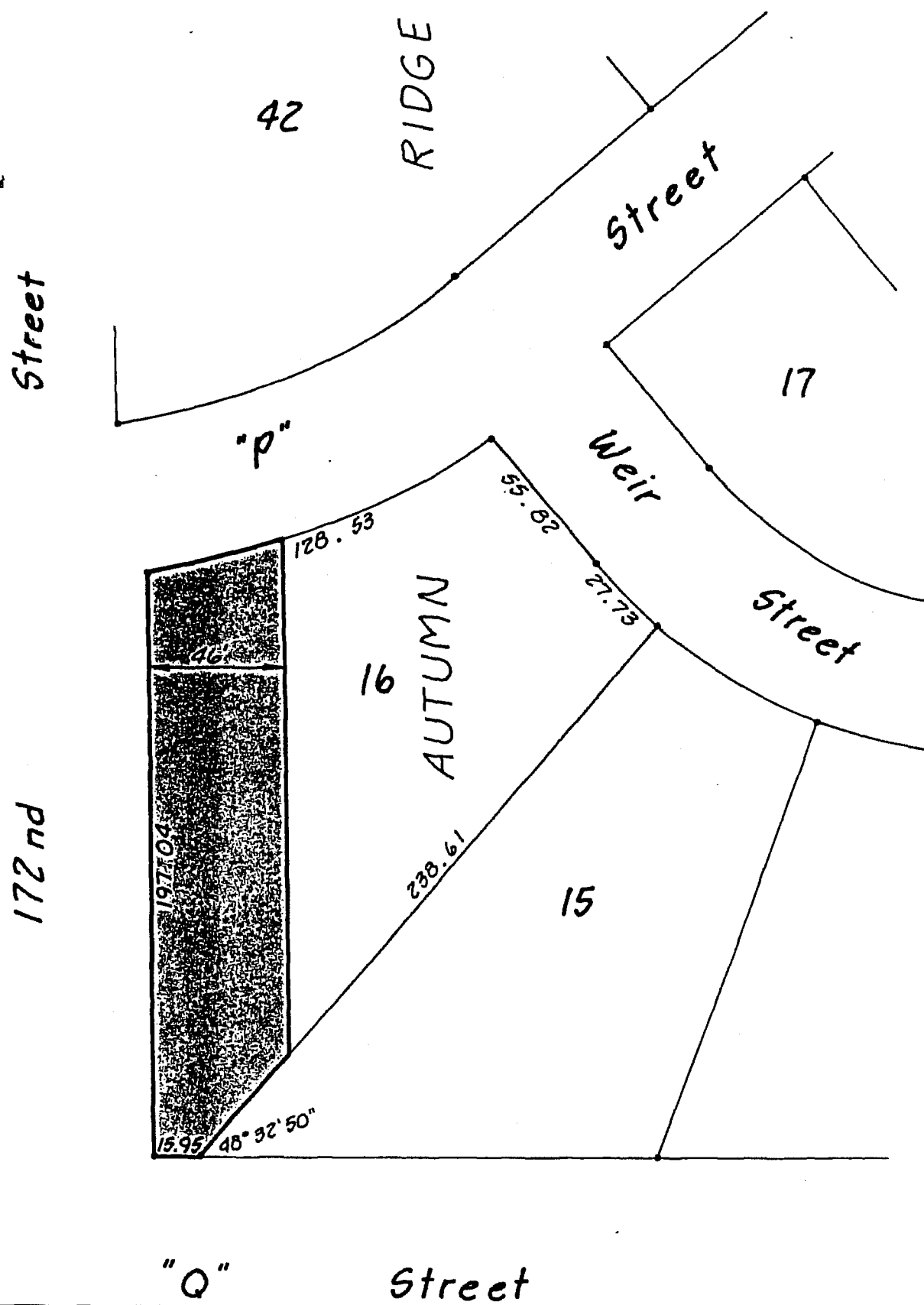
omaha, nebraska 68154

402-498-2498

EXHIBIT B

LEGAL DESCRIPTION

A permanent easement on the West 46.00 feet of Lot 16 AUTUMN RIDGE, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska. Contains 8746 square feet.



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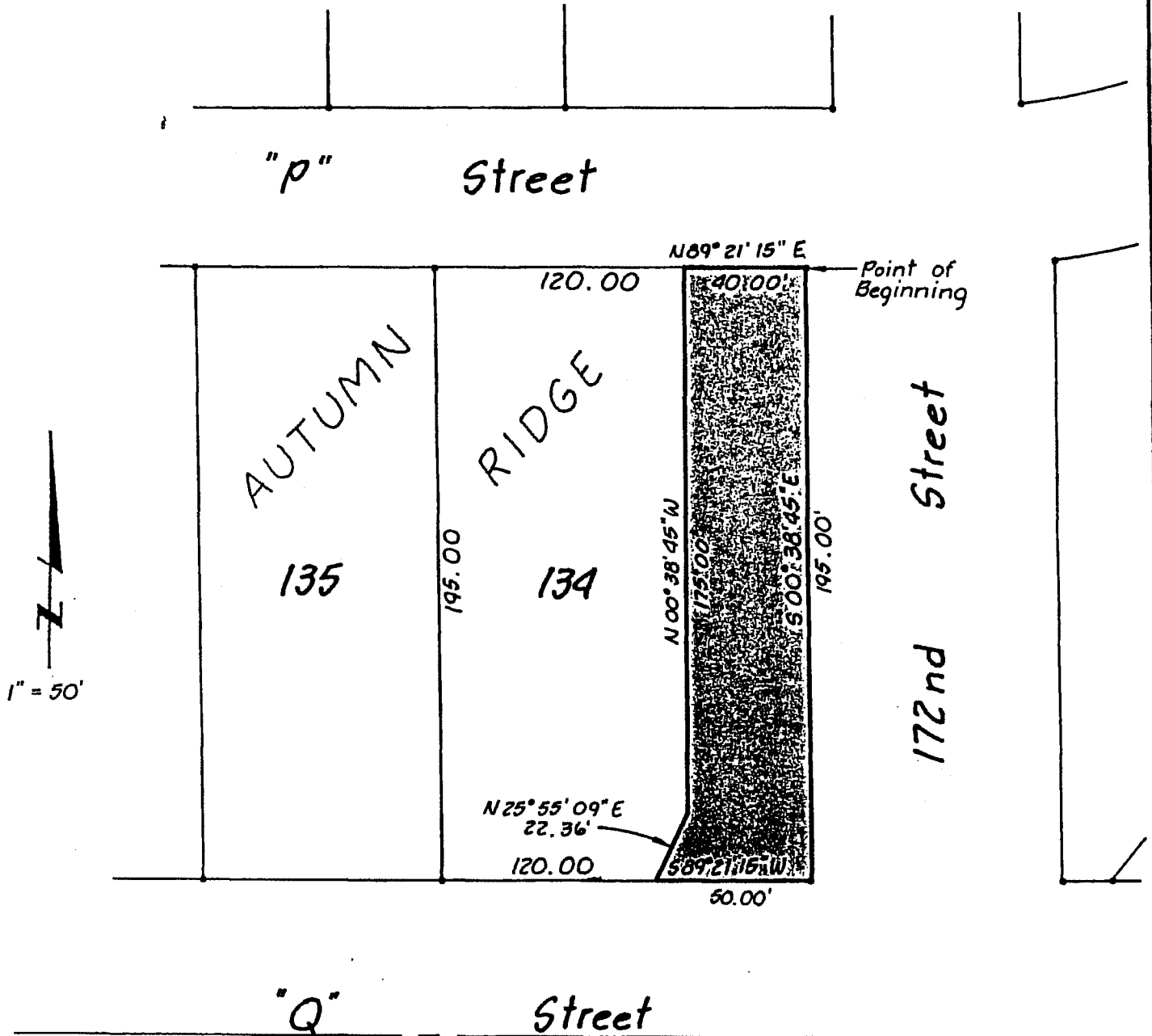
omaha, nebraska 68154

402-498-2488

EXHIBIT C

LEGAL DESCRIPTION

A permanent easement in that part of Lot 134 AUTUMN RIDGE, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, described as follows: Beginning at the Northeast corner of said Lot 134; thence South 00°38'45" East (bearing referenced to the Autumn Ridge Final Plat) for 195.00 feet along the East line of said Lot 134; thence South 89°21'15" West for 50.00 feet along the South line of said Lot 134; thence North 25°55'09" East for 22.36 feet; thence North 00°38'45" West for 175.00 feet to a point on the North line of said Lot 134; thence North 89°21'15" East for 40.00 feet along the North line of said Lot 134 to the Point of Beginning. Contains 7900 square feet.



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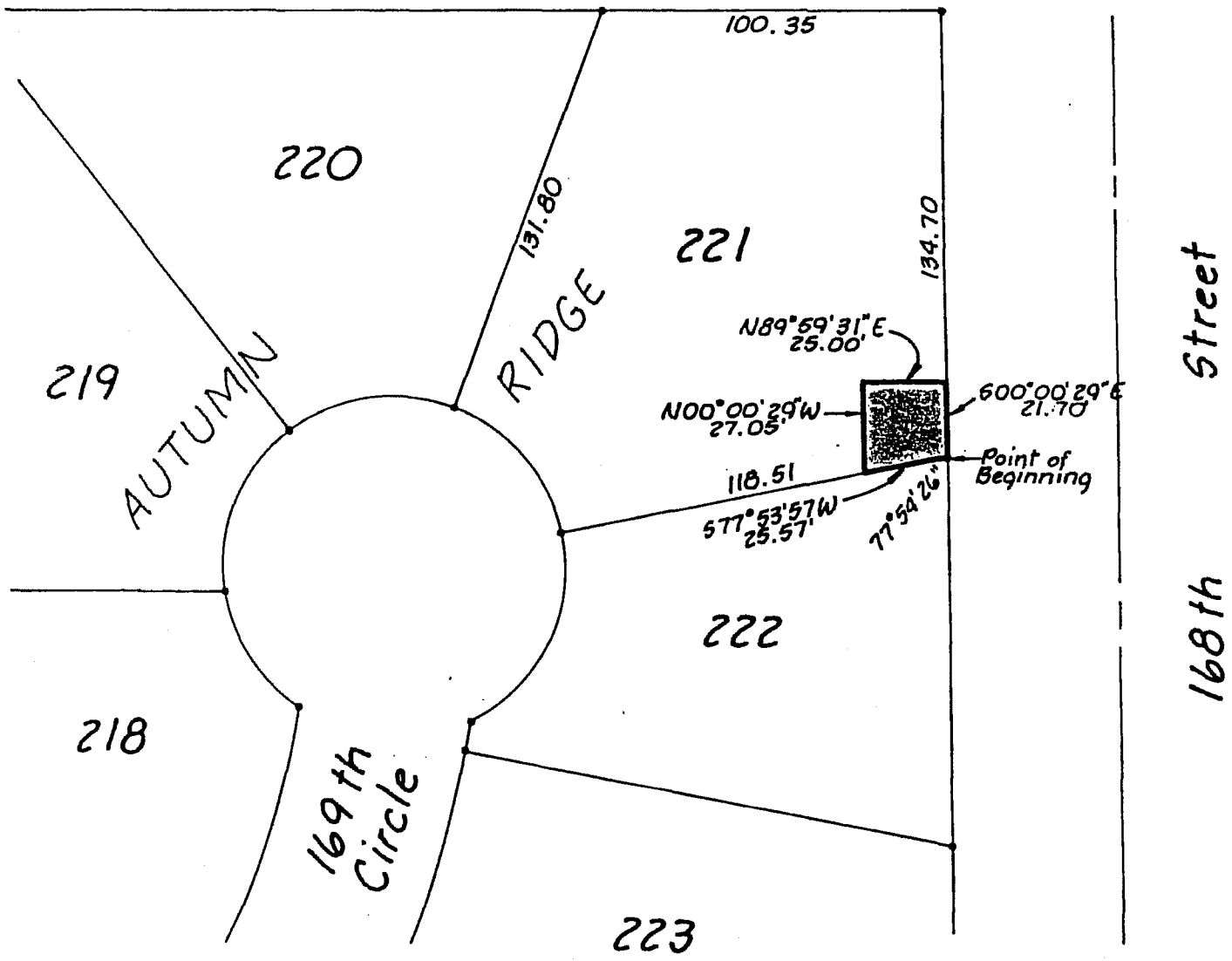
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LEGAL DESCRIPTION

EXHIBIT D

A permanent easement in that part of Lot 221 AUTUMN RIDGE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of said Lot 221; thence South 77°53'57" West (bearing referenced to the Autumn Ridge Final Plat) for 25.57 feet along the South line of said Lot 221; thence North 00°00'29" West for 27.05 feet; thence North 89°59'31" East for 25.00 feet to a point on the East line of said Lot 221; thence South 00°00'29" East for 21.70 feet along the East line of said Lot 221 to the Point of Beginning. Contains 609 square feet.

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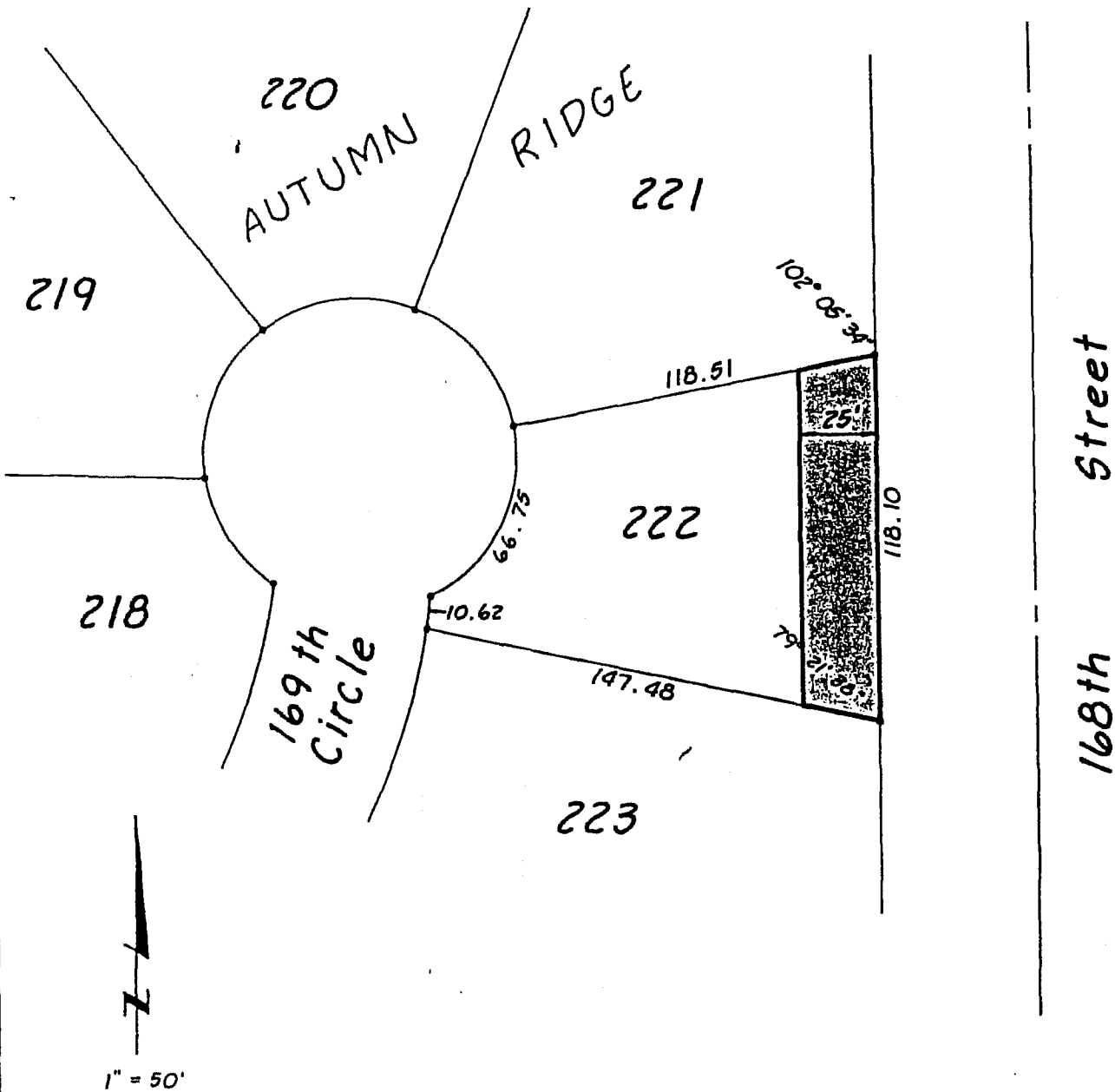
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EXHIBITE

LEGAL DESCRIPTION

A permanent easement on the East 25.00 feet of Lot 222 AUTUMN RIDGE, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska. Contains 2827 square feet.



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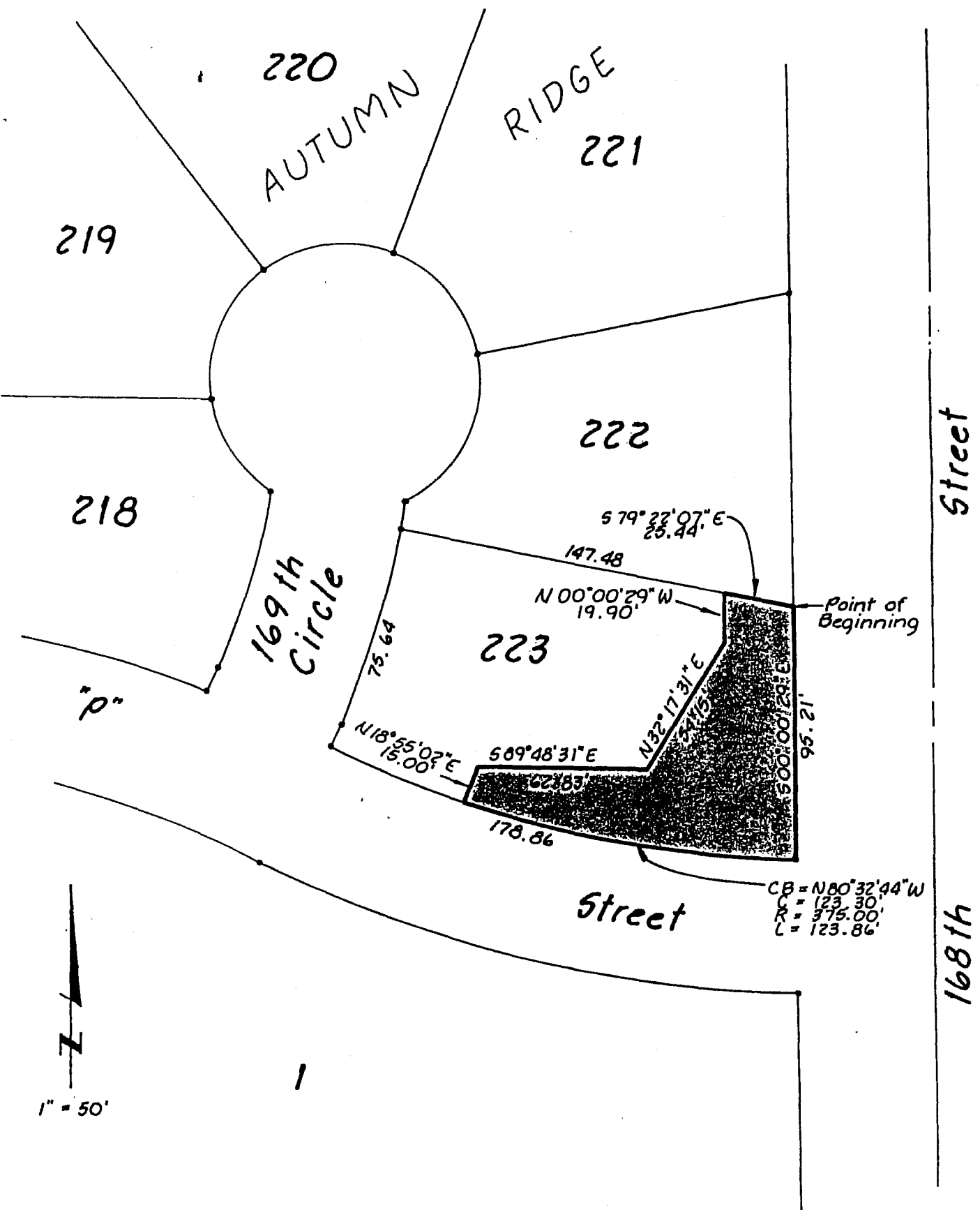
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A permanent easement in that part of Lot 223 AUTUMN RIDGE, a subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, described as follows: Beginning at the Northeast corner of said Lot 223; thence South 00°00'29" East (bearing referenced to the Autumn Ridge Final Plat) for 95.21 feet along the East line of said Lot 223; thence along a curve to the right (having a radius of 375.00 feet and a long chord bearing North 80°32'44" West for 123.30 feet) for an arc distance of 123.86 feet along the South line of said Lot 223; thence North 18°55'02" East for 15.00 feet; thence South 89°48'31" East for 62.83 feet; thence North 32°17'31" East for 54.15 feet; thence North 00°00'29" West for 19.90 feet to a point on the North line of said Lot 223; thence South 79°22'07" East for 25.44 feet along the North line of said Lot 223 to the Point of Beginning. Contains 5571 square feet.



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