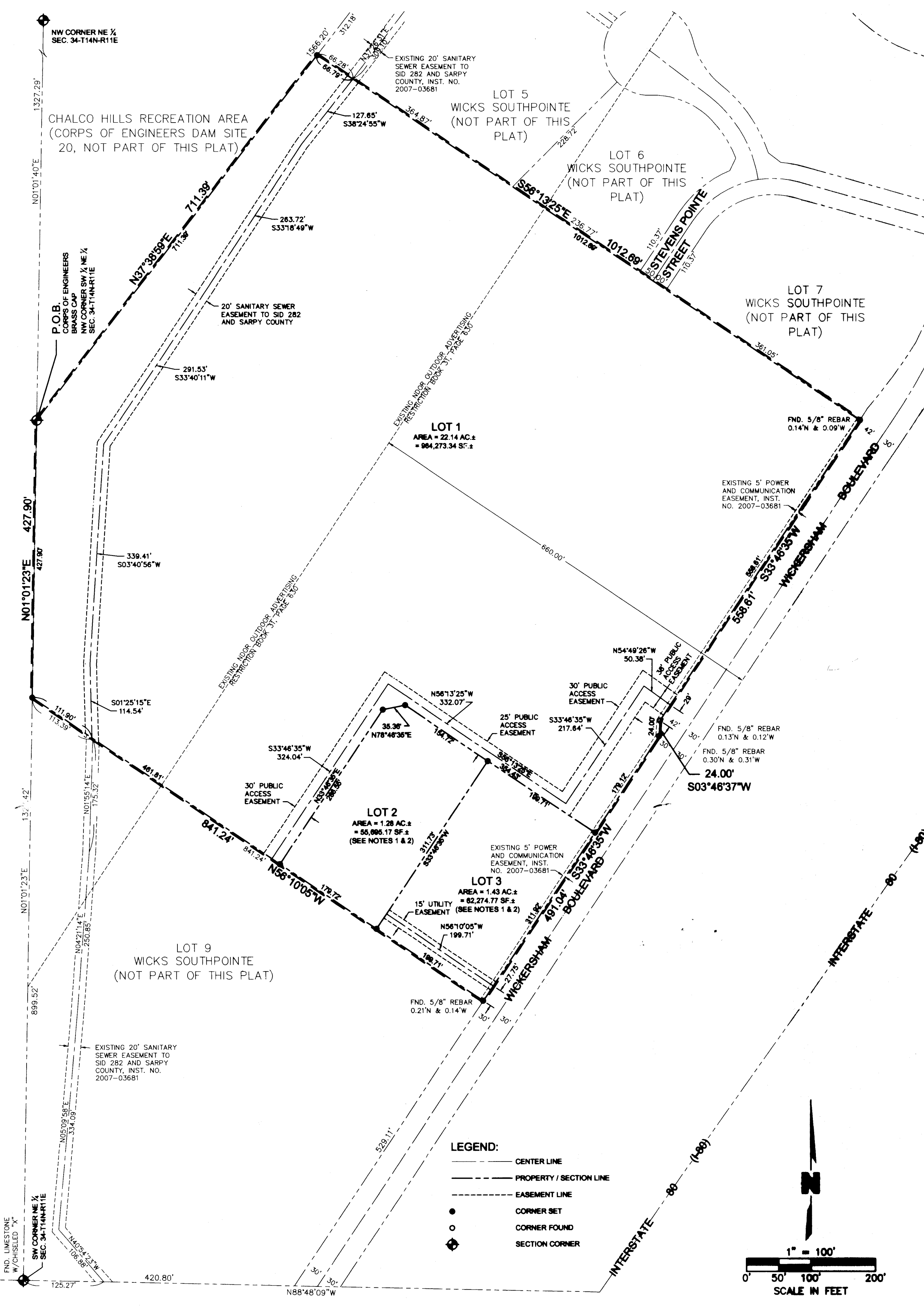


# WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE)

COUNTY AR FILED SARPY COUNTY NEBRASKA  
 VERIFY AR INSTRUMENT NUMBER  
 PROOF AR 2010-18638  
 FEES \$ 1750  
 CHECK# 1804  
 CHG CASH  
 REFUND CREDIT  
 SHORT NCR

FILED SARPY COUNTY NEBRASKA  
 INSTRUMENT NUMBER  
 2010-18638  
 07/21/2010 3:23:24 PM  
*Paul J. Deering*  
 REGISTER OF DEEDS

**OLSSON ASSOCIATES**  
 2111 South 67th Street  
 Omaha, NE 68106  
 TEL: 402.341.1118  
 FAX: 402.341.5885  
 www.olssoninc.com



- NOTES:**
- POST CONSTRUCTION STORM WATER MANAGEMENT: AS REQUIRED BY THE FEDERAL, STATE AND LOCAL AUTHORITIES HAVING JURISDICTION, THE OWNER OF LOTS 2 & 3 WILL BE REQUIRED TO DESIGN AND INSTALL POST-CONSTRUCTION STORM WATER QUALITY DEVICES WHICH MEETS FEDERAL, STATE AND LOCAL REGULATIONS AND REQUIREMENTS TO TREAT THE STORM WATER RUNOFF FROM THEIR RESPECTIVE LOT AT THE TIME OF CONSTRUCTION OF A BUILDING ON SUCH LOT.
  - EROSION AND SEDIMENTATION CONTROL: AS REQUIRED BY THE FEDERAL, STATE AND LOCAL AUTHORITIES HAVING JURISDICTION, THE OWNER OF LOTS 2 & 3 WILL BE REQUIRED TO PREPARE AND SUBMIT AN EROSION & SEDIMENTATION CONTROL PLAN THAT MEETS FEDERAL, STATE AND LOCAL REGULATIONS AND REQUIREMENTS PRIOR TO BEGINNING CONSTRUCTION OF A BUILDING ON SUCH LOT.

**COUNTY SURVEYOR'S CERTIFICATE**  
 THIS PLAT OF WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE) WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE. THIS 22 DAY OF July 2010.

*Thomas A. Linn*  
 SARPY COUNTY SURVEYOR

**COUNTY TREASURER'S CERTIFICATE**  
 THIS IS TO CERTIFY THAT I HAVE FOUND NO REGULAR NOR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE, THIS 22 DAY OF July 2010.

*Paul J. Deering*  
 SARPY COUNTY TREASURER

**TAXES ASSESSED AND LEVIED FOR THE CURRENT YEAR ARE NEITHER DUE NOR PAID. TREASURER'S CERTIFICATION IS ONLY VALID UNTIL DECEMBER 30th OF THIS YEAR.**

**APPROVAL OF COUNTY PLANNING COMMISSION**  
 THIS PLAT OF WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE) WAS APPROVED BY THE SARPY COUNTY PLANNING COMMISSION THIS 12 DAY OF March 2010.

*Paul J. Deering*  
 ATTEST: SARPY COUNTY CLERK

*Paul J. Deering*  
 Chairman, Planning Commission

**APPROVAL OF COUNTY BOARD OF COMMISSIONERS**  
 THIS PLAT OF WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE) WAS APPROVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS, THIS 22 DAY OF July 2010.

*Paul J. Deering*  
 ATTEST: SARPY COUNTY CLERK

*Paul J. Deering*  
 Chairman, County Board of Commissioners

**APPROVAL OF COUNTY PLANNING DIRECTOR**  
 THIS PLAT OF WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE) WAS APPROVED BY THE COUNTY PLANNING DIRECTOR, THIS 22 DAY OF July 2010.

*Paul J. Deering*  
 SARPY COUNTY PLANNING DIRECTOR

**ACKNOWLEDGMENT OF NOTARY**  
 STATE OF ARKANSAS )  
 ) SS.  
 COUNTY OF BENTON )

ON THIS 12 DAY OF June 2010, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME Frank V. Pamphre TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE FOREGOING INSTRUMENT AS Director of Design FOR WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, AND HEREBY ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID TRUST.

*Frank V. Pamphre*  
 NOTARY PUBLIC

*Michael R. Johnson*  
 Notary Public  
 Benton County, Arkansas  
 My Commission Expires 11/1/2015

**LAND SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION HEREIN AND THAT ALL CORNERS ARE MONUMENTED WITH 5/8" REBAR WITH PLASTIC CAPS STAMPED LS 528 UNLESS NOTED OTHERWISE HEREAFTER AT ALL ANGLE POINTS, CORNERS, AND END POINTS OF CURVES ON THE BOUNDARY OF THE PLAT AND THAT A BOND HAS BEEN POSTED WITH SARPY COUNTY, NEBRASKA, TO ENSURE THAT 5/8" REBAR WITH PLASTIC CAPS STAMPED LS 528 UNLESS NOTED OTHERWISE HEREAFTER WILL BE PLACED AT ALL ANGLE POINTS, CORNERS, AND END POINTS OF CURVES ON ALL LOTS, AND STREETS IN THE SUBDIVISION TO BE KNOWN AS WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE) BEING A PLATTING OF THE REMAINING PORTION OF LOT 8, WICKS SOUTHPONTE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34, SAID POINT BEING THE NORTHWEST CORNER OF SAID REMAINING PORTION OF LOT 8 AND THE TRUE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE NORTHWEST LINE OF SAID REMAINING PORTION OF LOT 8 ON AN ASSUMED BEARING OF N37°38'59"E, A DISTANCE OF 711.39 TO THE MOST NORTHERN CORNER OF SAID REMAINING PORTION OF LOT 8; THENCE S58°13'25"E ALONG THE NORTHEAST LINE OF SAID REMAINING PORTION OF LOT 8, A DISTANCE OF 1,012.69 TO THE MOST EASTERN CORNER OF SAID REMAINING PORTION OF LOT 8, SAID POINT BEING ON THE NORTHWEST RIGHT-OF-WAY LINE OF WICKERSHAM BOULEVARD; THENCE S33°46'35"W ALONG A SOUTHEAST LINE OF SAID REMAINING PORTION OF LOT 8, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 558.81 TO AN EASTERN CORNER OF SAID REMAINING PORTION OF LOT 8; THENCE S03°46'37"W ALONG AN EAST LINE OF SAID REMAINING PORTION OF LOT 8, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 24.00 TO AN EASTERN CORNER OF SAID REMAINING PORTION OF LOT 8; THENCE S33°46'35"W ALONG A SOUTHEAST LINE OF SAID REMAINING PORTION OF LOT 8, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 491.04 TO THE MOST SOUTHERN CORNER OF SAID REMAINING PORTION OF LOT 8; THENCE N58°10'05"W ALONG THE SOUTHWEST LINE OF SAID REMAINING PORTION OF LOT 8, A DISTANCE OF 841.24 TO THE SOUTHWEST CORNER OF SAID REMAINING PORTION OF LOT 8, SAID POINT BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE N01°01'23"E ALONG THE WEST LINE OF SAID REMAINING PORTION OF LOT 8, SAID LINE BEING THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 427.90 TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1,082,243.28 SQUARE FEET OR 24.84 ACRES, MORE OR LESS.

*Michael R. Johnson*  
 DATE: June 2nd, 2010 MICHAEL R. JOHNSON LS NUMBER 526

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS: THAT WE, WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST, OWNER, OF THE LAND DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE NUMBERED AND NAMED AS SHOWN HEREON SAID SUBDIVISION TO BE HEREAFTER KNOWN AS WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE); DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT; AND WE DO HEREBY GRANT THE EASEMENTS AS SHOWN HEREON. WE DO HEREBY GRANT TO THE GRANTEE, THEIR SUCCESSORS AND ASSIGNS AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, AND CONTRACTORS, THE PERMANENT RIGHT TO ENTER AND USE, FROM TIME TO TIME, THE EASEMENT AREAS, SHOWN HEREON FOR THE STATED PURPOSE, FOR INGRESS AND EGRESS IN THE CONNECTION WITH THE INSPECTION, OPERATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF FACILITIES; PROVIDED, HOWEVER, THERE IS RESERVED TO THE GRANTOR, AND TO THE GRANTOR'S HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE THE EASEMENT AREA. IN THE EVENT THAT THE GRANTEE ENTERS THE EASEMENT AREA FOR PURPOSES OF MAINTENANCE OR REPAIR, THE GRANTEE SHALL COMPENSATE GRANTOR FOR ANY DAMAGE TO AUTHORIZED USES WITHIN SAID EASEMENTS. THIS GRANT OF ANY EASEMENT SHOWN HEREON SHALL NOT PASS, NOR BE CONSTRUED TO PASS, TO THE GRANTEE IN FEE SIMPLE INTEREST OR TITLE OF THE EASEMENT AREAS. ANY VARIANCE OR RELEASE TO THE RIGHTS GRANTED HEREIN MUST BE APPROVED BY THE GRANTEE IN WRITTEN FORM.

**GRANTS OF EASEMENTS**

**FOR POWER AND COMMUNICATIONS**  
 WE DO HEREBY GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT AND QWEST AND TO ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE UNDER THE AUTHORITY OF SARPY COUNTY, NEBRASKA, TO PROVIDE A CABLE TELEVISION AND ELECTRONIC COMMUNICATION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CROSS ARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES; AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS INCLUDING SIGNALS PROVIDED BY CABLE TELEVISION SYSTEMS, AND THE RECEPTION THEREON, OVER, THROUGH, UNDER, AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND IN EACH LOT ABUTTING ALL PUBLIC STREETS AND PUBLIC ACCESS EASEMENTS.

**FOR WATER AND GAS**  
 WE DO HEREBY GRANT A PERPETUAL EASEMENT TO THE METROPOLITAN UTILITIES DISTRICT OF OMAHA, BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS, AND OTHER RELATED FACILITIES; AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND ALONG THE FRONT OF EACH LOT ABUTTING ALL PUBLIC STREETS AND PUBLIC ACCESS EASEMENTS, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THIS EASEMENT, BUT THE SAME MAY BE USED FOR DRIVEWAYS, GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS HEREIN GRANTED.

**FOR DRAINAGE AND STORM SEWERS AND/OR SANITARY SEWERS**  
 WE DO HEREBY GRANT THE PERPETUAL STORM SEWER EASEMENTS, THE PERPETUAL SANITARY SEWER EASEMENTS, AND/OR THE PERPETUAL DRAINAGE EASEMENTS SHOWN HEREON FOR THE CONSTRUCTION AND MAINTENANCE OF SAID UTILITIES TO THE SANITARY AND IMPROVEMENT DISTRICT # 282. NO PERMANENT STRUCTURES, TREES, RETAINING WALLS, LOOSE ROCK WALLS NOR ANY GRADING, FILL OR FILL MATERIAL OR EMBANKMENT WORK SHALL BE PLACED IN, ON, OVER, OR ACROSS THIS EASEMENT, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST

BY: *Frank V. Pamphre*  
 NAME: Frank V. Pamphre  
 TITLE: Director of Design



REV. NO.	DATE	REVISIONS DESCRIPTION

FINAL PLAT	2010
WICKS SOUTHPONTE 1ST ADDITION (LOTS 1, 2 AND 3 INCLUSIVE)	2010
SARPY COUNTY, NEBRASKA	

drawn by: MJR  
 checked by: MJR  
 approved by: CR  
 QA/QC by: 208-1310  
 project no.: ABC DWG  
 drawing no.:    
 date: MAY 24, 2010

SHEET  
1 of 1