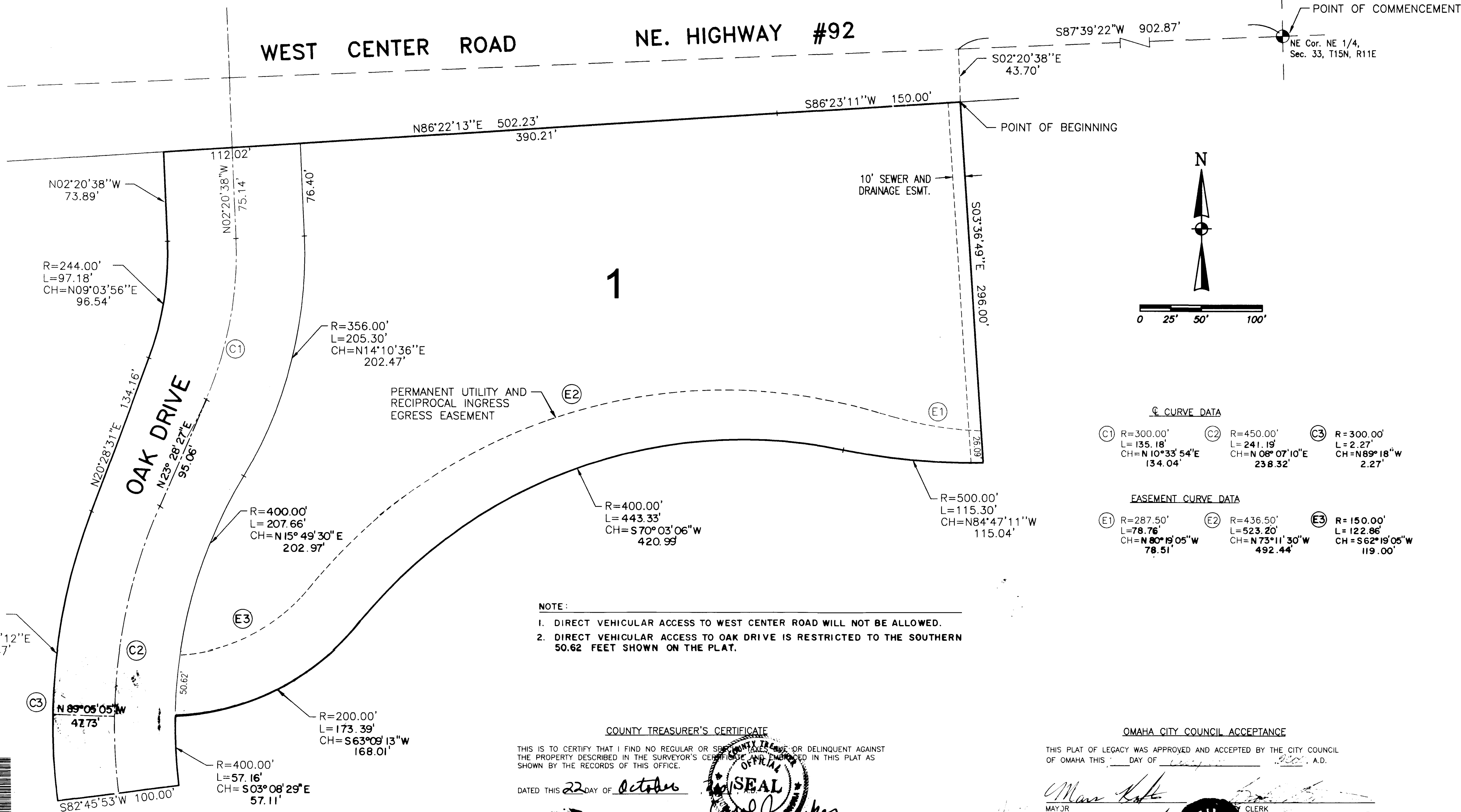


WEST CENTER ROAD NE. HIGHWAY #92



# LEGACY

(LOT 1, INCLUSIVE)  
PART OF THE NE 1/4, SECTION 33,  
T. 15 N., R. 11 E. OF THE 6TH P.M.  
DOUGLAS COUNTY, NEBRASKA

**SURVEYOR'S CERTIFICATE**

I, ROBERT M. TICHY, A REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT A SURVEY OF THE OUTER BOUNDARIES OF THIS PLAT OF LEGACY HAS BEEN MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I SHALL INSTALL PERMANENT IRON PINS (5/8-INCH X 24-INCH REBAR) AT THE CORNERS OF ALL LOTS, ANGLE POINTS, AND THE TERMINAL POINTS OF ALL CURVES UPON COMPLETION OF THE GRADING, AS SHOWN ON THIS PLAT OF LEGACY, THE LIMITS AND BOUNDARIES OF SAID PLAT ARE AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NE 1/4 OF SECTION 33, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA; THENCE ALONG THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 33, S87°39'22"W (ASSUMED BEARING) 902.87 FEET; THENCE S02°20'38"E, 43.70 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF WEST CENTER ROAD; THENCE S03°36'49"E, 296.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, AND A CHORD BEARING N84°47'11"W, 115.04 FEET, AND AN ARC DISTANCE OF 115.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, AND A CHORD BEARING S70°13'15"W, 419.17 FEET, AND AN ARC DISTANCE OF 441.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, AND A CHORD BEARING S63°09'13"W, 168.01 FEET, AND AN ARC DISTANCE OF 174.27 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, AND A CHORD BEARING S02°57'59"E, 59.55 FEET, AND AN ARC DISTANCE OF 59.61 FEET; THENCE S82°45'53"W, 100.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, AND A CHORD BEARING OF N02°37'12"E, 239.47 FEET, AND AN ARC DISTANCE OF 241.82 FEET; THENCE N02°20'38"W, 73.89 TO A POINT OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST CENTER ROAD; THENCE N86°22'13"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 502.23 FEET; THENCE N86°23'11"E, 150.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.56 ACRES MORE OR LESS.

**CURVE DATA**

|    |   |    |   |    |  |
|----|---|----|---|----|--|
| C1 | R=300.00'<br>L=135.18'<br>CH=N10°33'54"E<br>134.04' | C2 | R=450.00'<br>L=241.19'<br>CH=N08°07'10"E<br>238.32' | C3 | R=300.00'<br>L=2.27'<br>CH=N89°18'W<br>2.27' |
|----|---|----|---|----|--|

**EASEMENT CURVE DATA**

|    |   |    |   |    |   |
|----|---|----|---|----|---|
| E1 | R=287.50'<br>L=78.76'<br>CH=N80°19'05"W<br>78.51' | E2 | R=436.50'<br>L=523.20'<br>CH=N73°11'30"W<br>492.44' | E3 | R=150.00'<br>L=122.86'<br>CH=S62°19'05"W<br>119.00' |
|----|---|----|---|----|---|

- NOTE:**
- DIRECT VEHICULAR ACCESS TO WEST CENTER ROAD WILL NOT BE ALLOWED.
  - DIRECT VEHICULAR ACCESS TO OAK DRIVE IS RESTRICTED TO THE SOUTHERN 50.62 FEET SHOWN ON THE PLAT.

**COUNTY TREASURER'S CERTIFICATE**

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMPLOYED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

DATED THIS 22 DAY OF October 1999



**OMAHA CITY COUNCIL ACCEPTANCE**

THIS PLAT OF LEGACY WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF OMAHA THIS 22 DAY OF October 1999, A.D.

*Mayor*  
MAYOR  
*Clerk*  
CLERK  
CITY COUNCIL PRESIDENT

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, UTOPIA, L.L.C., TIM WARD, PRESIDENT OF AVALAN, INC., A SOUTH DAKOTA CORPORATION, MANAGER, JEFF W. JOHNSON, MEMBER OF HAMILTON DEVELOPMENT CO., L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER AND KEVIN IRISH, MEMBER OF NEW MILLENNIUM IV, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER OF I-UP, L.L.C. A LIMITED LIABILITY COMPANY, MANAGER, OWNER AND PROPRIETOR OF THE LAND EMBRACED WITHIN THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS; SAID SUBDIVISION TO BE KNOWN AS LEGACY; THE LOT TO BE NUMBERED AS LOT 1, AND WE APPROVE THE DISPOSITION OF THE PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE STREETS AS SHOWN HEREON AND WE DO ALSO GRANT THE EASEMENTS SHOWN ON THIS PLAT TO THE AGENCIES DESIGNATED AND THEIR ASSIGNS FOR THE PURPOSES NOTED. WE DO FURTHER GRANT A PERPETUAL EASEMENT IN FAVOR OF AND GRANTING TO OMAHA PUBLIC POWER DISTRICT, AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM WITHIN THE BOUNDARIES OF THIS PLAT, AND U.S. WEST COMMUNICATIONS, THEIR SUCCESSORS AND ASSIGNS, TO ERRECT AND OPERATE, MAINTAIN REPAIR, AND RENEW UNDERGROUND CABLES OR CONDUITS, POLES WITH NECESSARY SUPPORTS, SUSTAINING WIRES, CROSS ARMS, GUTS AND ANCHORS AND OTHER INSTRUMENTALITIES, AND EXTEND THEREON WIRE FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, POWER AND THE TRANSMISSION OF SIGNALS AND SOUNDS FOR ALL KINDS INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM, AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5) FEET WIDE STRIP OF LAND ABUTTING THE FRONT AND THE SIDE BOUNDARY LINES OF ALL LOTS; AN EIGHT (8) FEET WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FEET WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS THAT ARE NOT ADJACENT TO PRESENTLY PLATTED AND RECORDED LOTS, THE SIXTEEN (16) FEET WIDE EASEMENT WILL BE REDUCED TO AN EIGHT (8) FEET WIDE STRIP WHEN THE ADJACENT LAND IS SURVEYED, PLATTED, AND RECORDED, DOES FURTHER GRANT A PERPETUAL EASEMENT TO THE METROPOLITAN UTILITIES DISTRICT OF OMAHA, THEIR SUCCESSORS AND ASSIGNS, TO ERRECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS, VALVES, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF NATURAL GAS AND WATER ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CIRCLES, WHETHER PUBLIC OR PRIVATE, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE ABOVE DESCRIBED EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE FORESAID USES OR RIGHTS HEREIN GRANTED.

IN WITNESS WHEREOF, WE DO HEREBY SET OUR HANDS THIS 3rd DAY OF December 1999, A.D.

FOR  
AVALAN, INC., A SOUTH DAKOTA CORPORATION, MANAGER

*Tim Ward*  
TIM WARD, PRESIDENT

HAMILTON DEVELOPMENT CO., L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER

BY: *Jeff W. Johnson*  
JEFF W. JOHNSON, MEMBER

I-UP, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER  
BY: NEW MILLENNIUM IV, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER

BY: *Kevin Irish*  
KEVIN IRISH, MEMBER

**APPROVAL OF CITY PLANNING BOARD**

THIS PLAT OF LEGACY WAS APPROVED BY THE CITY PLANNING BOARD OF THE CITY OF OMAHA THIS 5 DAY OF January 1999, A.D.

*Chairperson*  
CHAIRPERSON

**APPROVALS OF CITY ENGINEER OF OMAHA**

I HEREBY APPROVE THIS PLAT OF LEGACY (LOT 1, INCLUSIVE) AND AS TO THE DESIGN STANDARDS THIS 8 DAY OF December 1999, A.D.

*City Engineer*  
CITY ENGINEER

**COUNTY ENGINEER'S CERTIFICATE**

THIS PLAT OF LEGACY WAS REVIEWED BY THE DOUGLAS COUNTY ENGINEER'S OFFICE ON THIS 6th DAY OF December 1999, A.D.

*County Engineer*  
COUNTY ENGINEER

I HEREBY CERTIFY THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR COMPLIANCE WITH CHAPTER 53 OF THE OMAHA MUNICIPAL CODE THIS 15 DAY OF October 2001, A.D.

*City Engineer*  
CITY ENGINEER

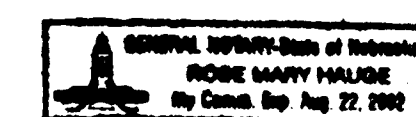
**CORPORATION ACKNOWLEDGEMENT**

STATE OF NEBRASKA } SS  
COUNTY OF DOUGLAS }

ON THIS 3rd DAY OF December 1999, A.D., BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY PERSONALLY CAME THE ABOVE, TIM WARD, PRESIDENT OF AVALAN, INC., A SOUTH DAKOTA CORPORATION, MANAGER, JEFF W. JOHNSON, MEMBER OF HAMILTON DEVELOPMENT CO., L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER AND KEVIN IRISH, MEMBER OF NEW MILLENNIUM IV, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, MANAGER OF I-UP, L.L.C., A LIMITED LIABILITY COMPANY, MANAGER, UTOPIA, L.L.C. A NEBRASKA CORPORATION WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THE INSTRUMENT, AND THEY ACKNOWLEDGE THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED AS SUCH OFFICER AND VOLUNTARY ACT AND DEED OF SAID CORPORATION AND THE CORPORATE SEAL OF SAID CORPORATION WAS HERETO AFFIXED BY ITS AUTHORITY.

*Notary Public*  
NOTARY PUBLIC

MY COMMISSION EXPIRES ON THE 22 DAY OF August 2002, A.D.



**KIRKHAM MICHAEL**  
CONSULTING ENGINEERS  
9110 WEST DODGE ROAD, P.O. BOX 24129, OMAHA, NEBRASKA 68124  
(402) 393-5630 FAX (402) 255-3650

01 OCT 29 AM 11:32  
RECEIVED  
LEGACY L-1  
G-15 #7