

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2002-05703

2002 FEB 13 A 11:22 9

Glenn J. Lambing

REGISTER OF DEEDS

Counter *Sm*

Verify *AK*

D.E. *AK*

Proof *FW*

Fee \$ 21.00

Ck Cash Chg

1382

(E)
R+R

Return to Bearden Management Inc. 10460 West Sam Houston Parkway, Suite 200, Houston TX 77099: PH 281-568-8185

DECLARATION OF DRAINAGE EASEMENTS AND RESTRICTIONS

THIS DECLARATION, made on the date hereinafter set forth by Bearden Management Inc., Texas incorporation, hereinafter referred to as the "Declarant".

WITNESSETH:

WHERE AS the Declarant is the Owner of the following described real property:

Lots 3 and 4, of Papio Valley 1 Business Park, A Subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

Whereas overland storm water flow and underground storm water sewers will enhance the value and use of the property.

Whereas, the Declarant will convey said lots subject to within-described drainage easements.

NOW, THEREFORE, the Declarant hereby declares that all of the lots described above shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, all of which are for the purpose of enhancing and protecting the value desirability and attractiveness of said lots. These easements, covenants, restrictions, and conditions, shall run with said real property, and shall be binding upon all parties having or acquiring any right, title or interest in the above description lots, or any part thereof, and they shall inure to the benefit of each owner thereof.

- A. A 5-foot wide strip of land along the easterly border of Lot 4 south of Cary Circle, as more particularly described on Exhibit A
- B. A 5-foot wide strip of land along the westerly border of Lot 3 south of Cary Circle, as more particularly described on Exhibit B

Lot owners shall not themselves and shall not allow others to place permanent buildings in the overland flow easement ways: alter grades of the overland flow easement ways: or block or impede the flow of water through the overland flow easement ways. Lot owners shall not allow others to do likewise. The overland flow easement ways may be used for shrubs, landscaping and other purposes that do not then or later interfere with the uses or right granted herein.

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2002-05743A

11th IN WITNESS WHEREOF, the declarant has caused this document to be executed this day of Feb., 2002

DECLARANT:

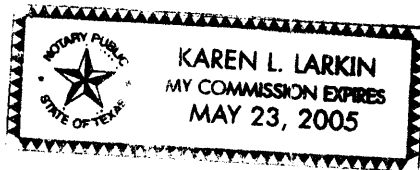
BEARDEN MANAGEMENT, INC.
a Texas incorporation

By: Dennis Bearden
Dennis Bearden

STATE OF TEXAS)
COUNTY FO Ft. Bend) ss.

On this 11th day of February, 2002 before me the undersigned a Notary Public in and for said County and State, personally came Dennis Bearden of Bearden Management Inc., a Texas incorporation, and acknowledged execution of the foregoing document on behalf of Bearden Management Inc., Texas incorporated company.

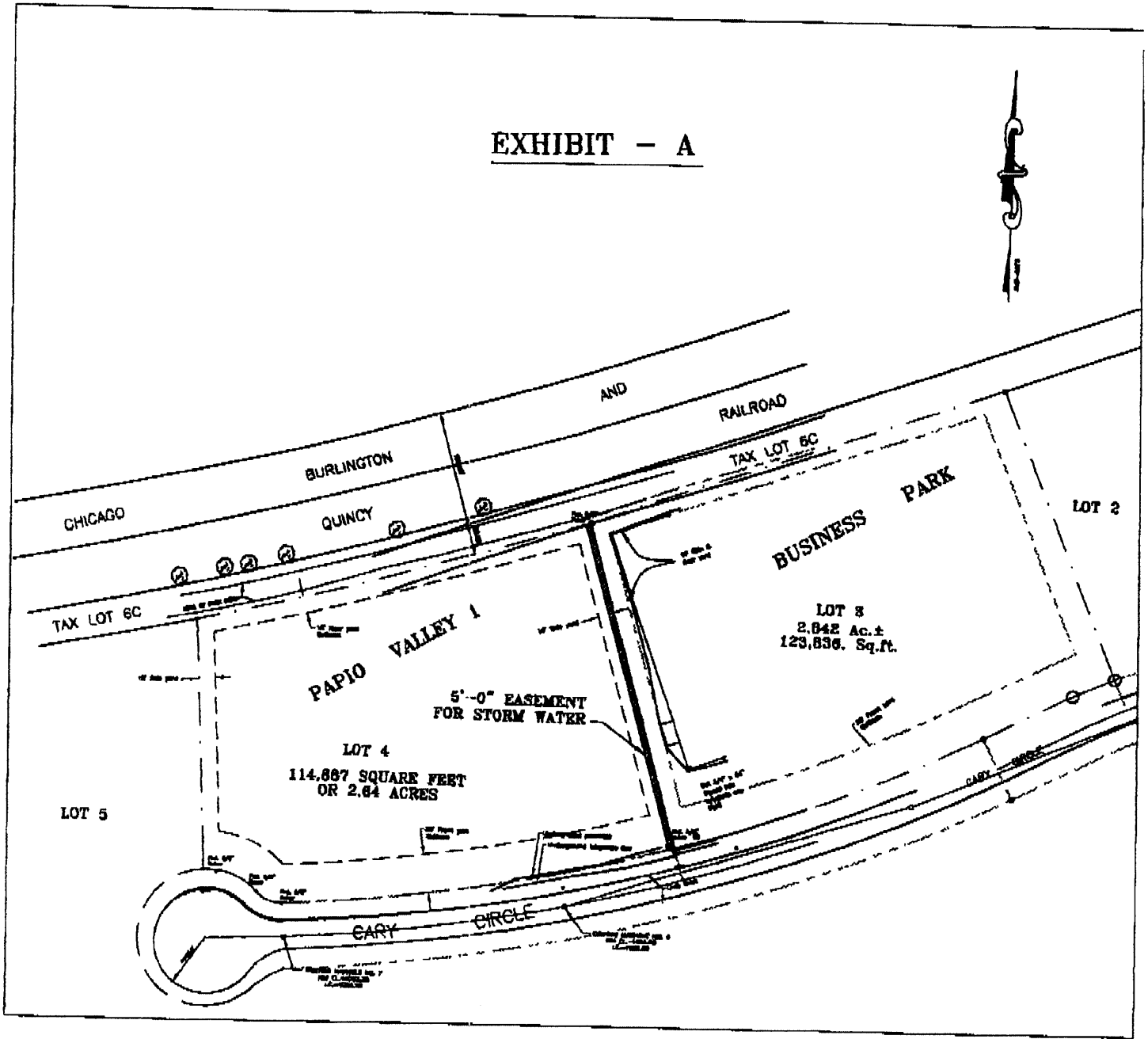
Witness my hand and official seal the day and year last above written.



Karen L. Larkin
Notary Public

2002-05703B

EXHIBIT - A



7007-05703C

EXHIBIT - B

