

When recorded, please return to:  
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#### DRAINAGE EASEMENT

Parties: VF FACTORY OUTLET, INC., a Delaware corporation, in care of Mr. Roger Eichlin, 1047 North Park Road, Wyomissing, Pennsylvania 19610 ("VF"); and

H & E FAMILY LIMITED PARTNERSHIP ("Grantor")

Effective Date: June 8, 1989

A. Concurrently with the execution of this Drainage Easement, Grantor has conveyed to the Nebraska City Industrial Development Foundation, Inc. ("Foundation") and Foundation has conveyed to VF certain real property legally described in Exhibit '1' (the "VF Property") on such terms as more fully set forth in the Agreement for Purchase and Sale of Real Estate executed by VF and Foundation on April \_\_\_, 1989.

B. Part of VF's consideration in acquiring the VF Property was Grantor's agreement to grant a drainage easement (the "Drainage Easement") over certain property legally described in Exhibit "2" (the "Easement Property") as more fully described below.

THEREFORE, the parties agree as follows:

1. Grant of Easement. Grantor hereby grants to VF, and its assigns, a perpetual Drainageway Easement over the Easement Property. Under this Drainageway Easement:

- (a) VF or its successors will have the right to release storm drainage water from the VF Property onto the Easement Property, within existing and natural drainage patterns; and
- (b) VF or its successors will have the right, but not the obligation, to construct drainage structures or improvements within the Easement Property, if necessary to provide adequate drainage to the VF Property.

2. Appurtenance. This Drainage Easement is expressly made appurtenant to the VF Property.

3. Division of Dominant Tenement. If the VF Property is hereafter divided into two or more parts by separation of

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LEGAL DESCRIPTION OF  
VF PROPERTY

LEGAL DESCRIPTION:

Part of the West Half of the Northwest Quarter of Section 21, Township 8 North, Range 14 East of the Sixth P.M., Otoe County, Nebraska, described as follows: Commencing at the Northwest Quarter Corner Section 21, Township 8 North, Range 14 East; thence on the north line of the West Half of the Northwest Quarter Section 21, N90°00'00"E 1166.53 feet to the point of beginning; thence on the north line of the West Half Northwest Quarter Section 21 N90°00'00"E 45.16 feet to the west line of the Nebraska City Township Board of Education school grounds as recorded in Book M Deeds, pg. 422; thence on the west line of the school grounds S00°01'40"E 209.0 feet; thence on the south line of the schools grounds N90°00'00"E 107.0 feet to the east line of the West Half Northwest Quarter, Section 21; thence on the east line of the West Half Northwest Quarter, Section 21 S00°01'40"E 150.0 feet; thence N90°00'00"W 230.0 feet; thence S00°01'40"E 664.77 feet; thence N90°00'00"W 959.70 feet to the east line of Highway 75 Right-of-Way; thence on the east line of Highway 75 Right-of-Way as recorded in Miscellaneous Book 49, Page 73, N04°17'05"E 73.40 feet; thence on the east line of Highway 75 Right-of-Way, N05°43'34"W 441.67 feet; thence on the east line of Highway 75 Right-of-Way N00°13'32"E 200.0 feet; thence on the east line of Highway 75 Right-of-Way N05°49'33"E 163.32 feet to the south line of Highway 2 Right-of-Way; thence on the south line of Highway 2 Right-of-Way, as recored in Miscellaneous Book 49, Page 73, S81°58'30"E 262.50 feet; thence on the south line of Highway 2 Right-of-Way N81°18'23"E 564.12 feet; thence on the south line of Highway 2 Right-of-Way N67°26'11"E 260.65 feet to the north line of the West Half Northwest Quarter, Section 21 and the point of beginning. Said tract contains 21.35 acres. The north line of the Northwest Quarter Section 21 is assumed to bear N90°00'00"E. This Tract is referred to as part of Lot A, H & E Subdivision, recorded in Plat Book 3, Page 9, Register of Deeds, Otoe County, Nebraska.

LEGAL DESCRIPTION FOR  
EASEMENT PROPERTY

LEGAL DESCRIPTION:

Part of the West Half of the Northwest Quarter of Section 21, Township 8 North, Range 14 East of the Sixth P.M., Otoe County, Nebraska, described as follows: Commencing at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 21, thence South on the East line of the Northwest Quarter of the Northwest Quarter of Section 21,  $S00^{\circ}01'40''E$ , 359.00 feet to the point of beginning, thence South on the East line of the Northwest Quarter of the Northwest Quarter of Section 21,  $S00^{\circ}01'40''E$ , 1664.77 feet thence  $N90^{\circ}00'00''W$ , 1249.00 feet to the East Right Of Way of Highway 75, thence North on the East Right Of Way of Highway 75  $N00^{\circ}02'15''W$ , 213.15 feet, thence on the East Right Of Way  $N04^{\circ}17'05''E$ , 789.05 feet thence  $N90^{\circ}00'00''E$ , 959.70 feet thence on  $N00^{\circ}01'40''W$ , 664.77 feet thence  $N90^{\circ}00'00''E$ , 230.0 feet to the point of beginning, said tract contains 31.65 Acres. The East line of the Northwest Quarter of the Northwest Quarter of Section 21 is assumed to bear  $S00^{\circ}01'40''E$ .