

FILLED SARPY CO. NE  
INSTRUMENT NUMBER  
2006-26773

2006 AU -4 PM 3: 10

*Glenn J. Dunning*  
REGISTER OF DEEDS

COUNTER	<u>LM</u>	C.E.	<u>SA</u>
VERIFY	<u>Pach</u>	D.E.	<u>SA</u>
PROOF	<u>Pach</u>		
FEES \$	<u>25.50</u>		
CHECK #	<u>5527</u>		
CHC		CASH	
REFUND		CREDIT	
SHORT		NCR	

### AMENDED AND RESTATED EASEMENT AGREEMENT

This AMENDED AND RESTATED EASEMENT AGREEMENT ("Agreement") is made and entered into this 4<sup>th</sup> day of August, 2006, by and between Michael Bilgere and Nicole Bilgere, husband and wife ("Bilgere") and Alan Bach, a single person ("Bach").

**WHEREAS**, Bilgere is the successor to Cottonwood Limited Partnership L.T.D., a Nebraska limited partnership and the current fee simple title holder to the following described real estate located in Sarpy County, Nebraska legally described as:

Lot 79B, Cotton-Wood, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

said parcel, for convenience, shall hereinafter be referred to as "Parcel A"; and

**WHEREAS**, Bach is the successor to Cam-Dell Enterprises, a Nebraska general partnership and the current fee simple title holder to the following described real estate located in Sarpy County, Nebraska legally described as:

Lot 79A, Cotton-Wood, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

said parcel, for convenience, shall hereinafter be referred to as "Parcel B"; and

**WHEREAS**, the purpose of this Agreement is to modify the dimensions of the easement across a portion of Parcel A, hereinafter more fully described, and to restate the Easement Agreement dated June 26, 1987 and recorded on June 30, 1987 in Book 60, Page 2147, Sarpy County Register of Deeds; and

**WHEREAS**, this Agreement shall supersede the Easement Agreement dated June 26, 1987 and recorded on June 30, 1987 in Book 60, Page 2147, Sarpy County Register of Deeds in its entirety.

**NOW, THEREFORE**, in consideration of One Dollar and other valuable consideration paid and received, the parties hereby grant the following easements upon the parcels.

R&R  
Overland Constructors Inc  
PO Box 451145  
Omaha, Ne 68145

A

Bilgere hereby grants, conveys and transfers unto Bach and his respective successors, assigns, heirs and representatives a nonexclusive permanent easement over, through and across the property described as follows:

The East 22.00 feet of the North 100.00 feet and the West 3.00 feet of the East 25.00 feet of the North 80.00 feet of Lot 79B, Cotton-Wood, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, as depicted on Exhibit "A" attached hereto and by this reference incorporated herein; and

Bach hereby grants, conveys and transfers unto Bilgere and their respective successors, assigns, heirs and representatives a nonexclusive permanent easement over, through and across the property described as follows:

The West 25 feet of Lot 79A, Cotton-Wood, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, as depicted on Exhibit "B" attached hereto and by this reference incorporated herein;

for the purpose of providing Bilgere and Bach, their successors and assigns, and their customers and invitees, the right to ingress and egress to and from said Parcels A and B onto Cornhusker Road, a publicly dedicated street

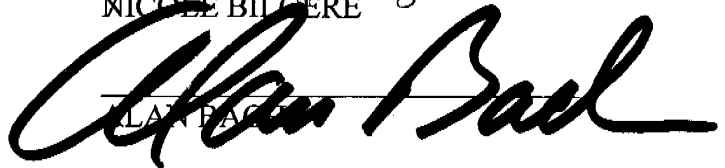
TO HAVE AND TO HOLD the above described easement unto Bilgere and Bach, their successors and assigns respectively, as appurtenant to the properties described in Parcels A and B.

ALL provisions of this Agreement, including the benefits and burdens, shall be perpetual and shall run with the land as to Parcels A and B and shall be binding upon the present and future owners and their respective successors, assigns, heirs and representatives.

IN WITNESS WHEREOF, the parties hereto have executed this Amended and Restated Easement Agreement as of the day first above written.

  
MICHAEL BILGERE

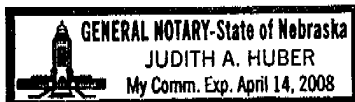
  
NICOLE BILGERE

  
ALAN BACH

B

STATE OF NEBRASKA     )  
  )ss.  
COUNTY OF Sarpy     )

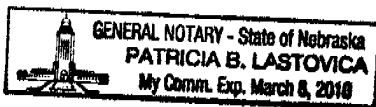
On this 1<sup>st</sup> day of August, 2006, before me, a notary public in and for said county and state, personally came Michael Bilgere and Nicole Bilgere, husband and wife, personally known to me to be the identical persons whose names are affixed to the above and foregoing instrument, and acknowledged said instrument to be their voluntary act and deed.



Judith A. Huber  
NOTARY PUBLIC

STATE OF NEBRASKA     )  
  )ss.  
COUNTY OF Douglas     )

On this 4<sup>th</sup> day of Aug, 2006, before me, a notary public in and for said county and state, personally came Alan Bach, a single person, personally known to me to be the identical person whose names is affixed to the above and foregoing instrument, and acknowledged said instrument to be his voluntary act and deed.



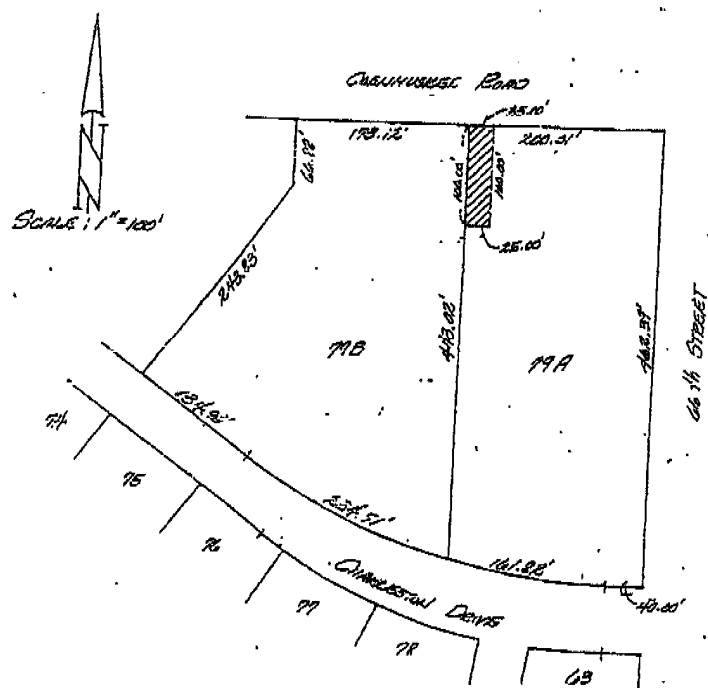
Patricia B. Lastovica  
NOTARY PUBLIC

NOV. 3. 2005 1:12PM

NEW CENTURY TITLE

NO. 009

P. 11



LEGAL DESCRIPTION:

The North 100.00 feet of the West 25.00 feet of Lot 79A, Corroded, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

WILLIAM CHARLES HORN'S  
JUNE 24, 1987  
TD FILE NO. 492-103

EXHIBIT "B"

JOB NO.  
SHEET NO.  
BOOK PAGE

THOMPSON, DREESSEN & DORNER, INC., 10730 PACIFIC STREET, OMAHA, NEBRASKA 68114, 402-997-7694

PROJECT NUMBER 050179