

AGREEMENT

This Agreement is entered into this 4 day of July 1993 between SKS, INC., a Nebraska corporation ("Developer"), SANITARY AND IMPROVEMENT DISTRICT NO. 367 OF DOUGLAS COUNTY, NEBRASKA ("District"), and the CITY OF OMAHA ("City").

1. Developer will grant to the City and the District, their successors and assigns, storm water drainage and detention easements covering parts of the golf course land being developed by Developer in connection with The Ridges subdivision. The legal description of the land subject to such easements is parts of Lots 268, 270, 271 and 272, The Ridges subdivision.

2. Developer, for itself and its successors and assigns, agrees to maintain said easement areas to accept the storm water drainage over and through them, so that at all times they remain open and capable of accommodating the flow (including some detention) of storm waters they are designed to receive.

3. Developer agrees that in no case shall any claim be made against the City and the District, their successors and assigns, for any damages done to the golf course by reason of said storm water drainage, including but not limited to siltation.

4. This Agreement may be enforced in law or equity by action for specific performance, and will be binding on Developer's successors and assigns. This Agreement runs with the land known as Lots 268, 270, 271 and 272 of The Ridges.

ATTEST:

Mary Halligan O'Connell
City Clerk

CITY OF OMAHA

By P. Moran 2/4/93
Mayor Date

ATTEST:
Seymour Katz
Clerk

SANITARY AND IMPROVEMENT DISTRICT
NO. 367 OF DOUGLAS COUNTY, NEBRASKA

By John Callahan
Chairman

ATTEST:
Steve Schulz
Secretary

SKS, INC.
A Nebraska Corporation

By Robert J. Fuld
President

Joseph J. Haman
ASSISTANT CLERK

EXHIBIT "I"
SHEET 1 OF 2

NOTICE: THIS INSTRUMENT HAS BEEN RECORDED BUT ERROR HAS BEEN FOUND INASMUCH AS: NOTARIAL SEAL OR CORPORATE SEALS CANNOT BE AFFIXED OVER PRINTED MATTER: NOTARIAL SEALS ARE TOO LIGHT OR BLURRED AND WILL NOT COPY. COMMISSION EXPIRES MUST BE TYPED OUT. REGISTER OF DEEDS

STATE OF NEBRASKA)
)ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 4th day of February, 1992, by P. J. Morgan and Mary Galligan Cornett, Mayor and Clerk, respectively, of the City of Omaha, a municipal corporation, on behalf of the City.

[Signature]
NOTARY PUBLIC



STATE OF NEBRASKA)
)ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 23rd day of October, 1992, by Seymour Katz and John C. Allen, Chairman and Clerk, respectively, of Sanitary and Improvement District no. 367 of Douglas County, Nebraska, a political subdivision on behalf of the District.

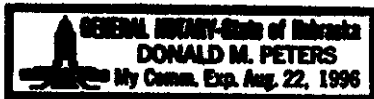
[Signature]
NOTARY PUBLIC



STATE OF NEBRASKA)
)ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 19 day of October, 1992, by Robert F. Krohn and Steve Shanahan, President and Secretary, respectively, of SKS, INC., a Nebraska Corporation, on behalf of the corporation.

[Signature]
NOTARY PUBLIC



RECEIVED
FEB 9 11 28 AM '93
CLERK OF DISTRICT COURT
DOUGLAS COUNTY, NE

CASH 2874 BK 1057 R Comp FB 00-37945
TYPE M19C PG 428-429 COMP SCAN
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