

2015-24047

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Clay J. Dowling

By: pcastle

COUNTER anp C.E. P
VERIFY anp D.E. P
PROOF D
FEES \$ 37.80
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REFUND _____ CREDIT _____
SHORT _____ NCR _____

REGISTER OF DEEDS



EASE

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DECLARATION OF BUFFER ZONE EASEMENT

This Declaration of Buffer Zone Easement is made as of this 25th day of September, 2015, by ROYCE CORNHUSKER, LLC, a Nebraska limited liability company ("Declarant").

WHEREAS, Declarant is the owner of the real estate legally described on Exhibit "A" attached hereto (herein the "Declarant Property").

WHEREAS, Declarant desires to reserve a perpetual buffer zone easement on that part of the Declarant Property as depicted and legally described on Exhibit "B" attached hereto (the "Restricted Area").

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant does hereby reserve and grant to and for the benefit of the owners of property with a common boundary with the Declarant Property, a buffer zone easement across the Restricted Area within which easement area, the owners of the Declarant Property may not construct any above-ground improvements other than landscaping and green areas, and provided further that such easement may only be amended or terminated with the consent of the owners of the adjacent property.

DATED this 25th day of September, 2015.

ROYCE CORNHUSKER, LLC, a Nebraska limited liability company

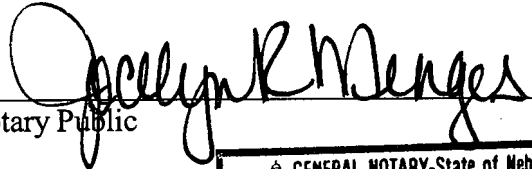
By: *L.R.J.*
Lawrence R. James, II, Manager

RLR

Return to:
James D. Buser
PANSING, HOGAN, ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25th day of September, 2015, by Lawrence R. James, II, Manager of ROYCE CORNHUSKER, LLC, a Nebraska limited liability company, on behalf of the company.



Notary Public

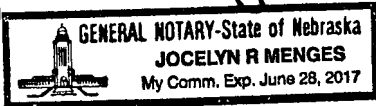


EXHIBIT A

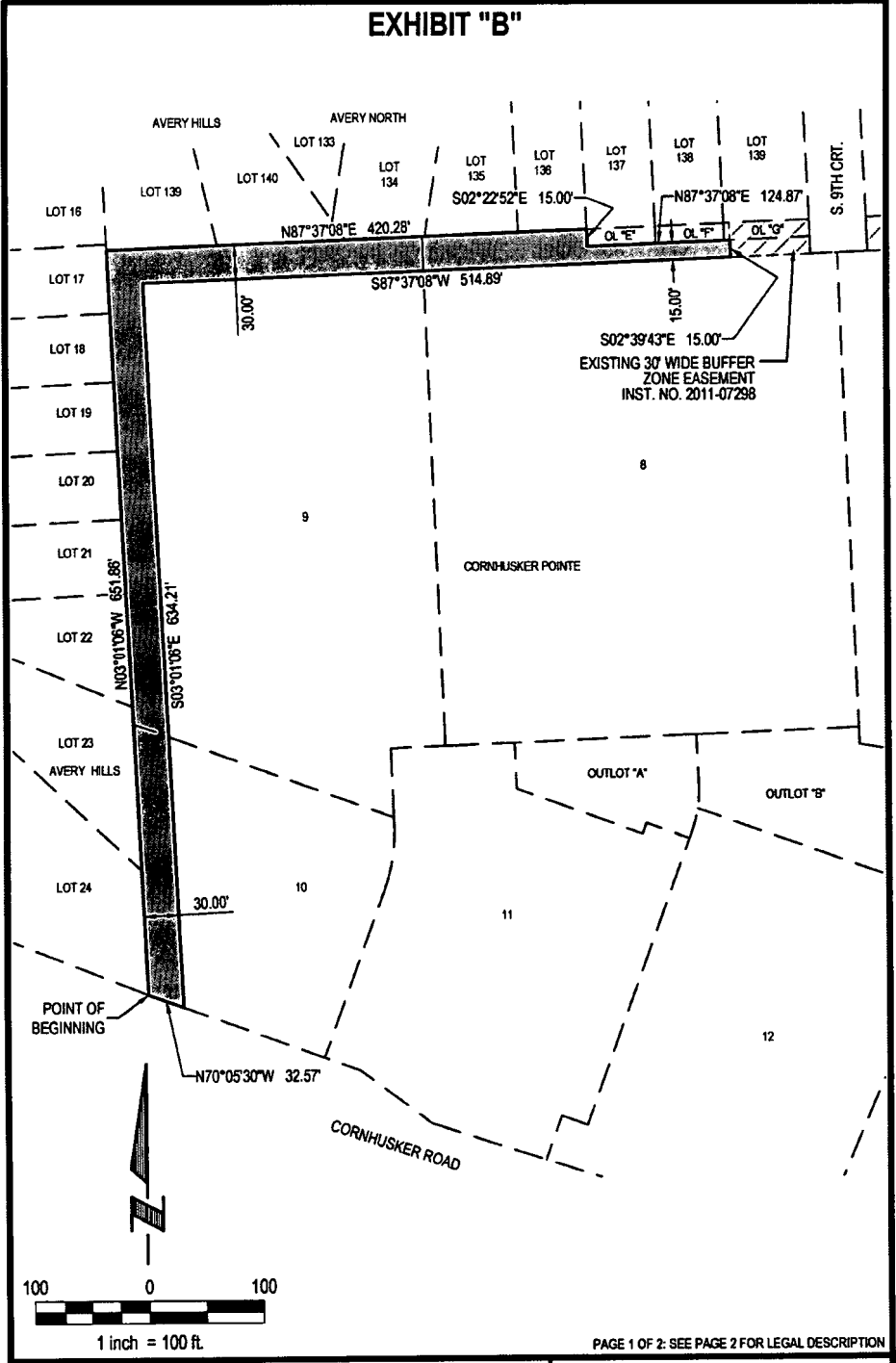
A 30 FOOT WIDE TRACT OF LAND BEING PART OF LOTS 8, 9 AND 10 AND ALSO ALL OF OUTLOTS "E" AND "F" AND ALSO PART OF OUTLOT "G" CORNHUSKER POINTE, A SUBDIVISION LOCATED IN THE NE1/4 OF SECTION 27, AN ALSO THE NW1/4 OF SECTION 26, AND ALSO THE SW1/4 OF SECTION 23, ALL LOCATED IN TOWNSHIP 14 NORTH RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10, CORNHUSKER POINTE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 24, AVERY HILLS, A SUBDIVISION LOCATED IN SAID NE1/4 OF SECTION 27, AND ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD; THENCE N03°01'06"W ALONG THE WESTERLY LINE OF SAID LOT 10, CORNHUSKER POINTE SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 9, CORNHUSKER POINTE, AND ALSO BEING THE EASTERLY LINE OF LOTS 17 THRU 24, SAID AVERY HILLS, A DISTANCE OF 651.86 FEET TO THE NORTHWEST CORNER OF SAID LOT 9, CORNHUSKER POINTE, SAID POINT ALSO BEING THE SOUTHWEST CORNER LOT 139, SAID AVERY HILLS; THENCE N87°37'08"E ALONG THE NORTHERLY LINE OF SAID LOT 9, CORNHUSKER POINTE, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 8, CORNHUSKER PLAZA AND ALSO THE NORTHERLY LINE OF SAID OUTLOTS "E", "F" AND "G" CORNHUSKER POINTE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF LOTS 139 AND 140, SAID AVERY HILLS, AND ALSO LOTS 134 THRU 139, AVERY NORTH, A SUBDIVISION LOCATED IN SAID SECTION 27, A DISTANCE OF 545.08; THENCE S02°39'43"E A DISTANCE OF 30.00 FEET; THENCE S87°37'08"W A DISTANCE OF 514.89 FEET; THENCE S03°01'06"E A DISTANCE OF 634.21 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 10, CORNHUSKER POINTE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD; THENCE N70°05'30"W ALONG SAID SOUTHERLY LINE OF LOT 10, CORNHUSKER POINTE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD, A DISTANCE OF 32.57 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 35,190 SQUARE FEET OR 0.808 ACRES, MORE OR LESS.

C

EXHIBIT B RESTRICTED AREA



<p>E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10009 141st Street, Suite 100 • Omaha, NE 68154 • Phone: 402.896.4700 • Fax: 402.896.3599</p>	<p>Drawn by: FCE/CJV Chkd by: Date: 07/08/2015</p>	
	<p>Job No.: P2012.172.001</p>	

BUFFER ZONE EASEMENT
LOTS 8, 9 AND 10, CORNHUSKER POINTE
 LOCATED IN THE NE1/4 OF SECTION 27, T14N, R13E
 SARPY COUNTY, NEBRASKA

EXHIBIT "B"

LEGAL DESCRIPTION:

A 30 FOOT WIDE TRACT OF LAND BEING PART OF LOTS 8, 9 AND 10, CORNHUSKER POINTE, A SUBDIVISION LOCATED IN THE NE1/4 OF SECTION 27, AN ALSO THE NW1/4 OF SECTION 26, AND ALSO THE SW1/4 OF SECTION 23, ALL LOCATED IN TOWNSHIP 14 NORTH RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10, CORNHUSKER POINTE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 24, AVERY HILLS, A SUBDIVISION LOCATED IN SAID NE1/4 OF SECTION 27, AND ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD; THENCE N03°01'06"W ALONG THE WESTERLY LINE OF SAID LOT 10, CORNHUSKER POINTE SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 9, CORNHUSKER POINTE, AND ALSO BEING THE EASTERLY LINE OF LOTS 17 THRU 24, SAID AVERY HILLS, A DISTANCE OF 651.86 FEET TO THE NORTHWEST CORNER OF SAID LOT 9, CORNHUSKER POINTE, SAID POINT ALSO BEING THE SOUTHWEST CORNER LOT 139, SAID AVERY HILLS; THENCE N87°37'08"E ALONG THE NORTHERLY LINE OF SAID LOT 9, CORNHUSKER POINTE, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 8, CORNHUSKER POINTE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF LOTS 139 AND 140, SAID AVERY HILLS, AND ALSO LOTS 134 THRU 136, AVERY NORTH, A SUBDIVISION LOCATED IN SAID SECTION 27, A DISTANCE OF 420.28 FEET TO THE NORTHWEST CORNER OF OUTLOT "E", CORNHUSKER POINTE; THENCE S02°22'52"E ALONG THE NORTHERLY LINE OF SAID LOT 8, CORNHUSKER POINTE, SAID LINE ALSO BEING THE WESTERLY LINE OF OUTLOT "E", CORNHUSKER POINTE, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "E", CORNHUSKER POINTE; THENCE N87°37'08"E ALONG THE NORTHERLY LINE OF SAID LOT 8, CORNHUSKER POINTE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF OUTLOTS "E", "F" & "G", SAID CORNHUSKER POINTE, A DISTANCE OF 124.87 FEET; THENCE S02°39'43"E, A DISTANCE OF 15.00 FEET; THENCE S87°37'08"W, A DISTANCE OF 514.89 FEET; THENCE S03°01'06"E, A DISTANCE OF 634.21 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 10, CORNHUSKER POINTE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD; THENCE N70°05'30"W ALONG SAID SOUTHERLY LINE OF LOT 10, CORNHUSKER POINTE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF CORNHUSKER ROAD, A DISTANCE OF 32.57 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 33,318 SQUARE FEET OR 0.765 ACRES, MORE OR LESS.

PAGE 2 OF 2: SEE PAGE 1 FOR DRAWING

 E & A CONSULTING GROUP, INC. <small>Engineering Services</small>	E & A CONSULTING GROUP, INC. <small>Engineering • Planning • Environmental & Field Services</small> <small>10309 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599</small>		BUFFER ZONE EASEMENT LOTS 8, 9 AND 10, CORNHUSKER POINTE <small>LOCATED IN THE NE1/4 OF SECTION 27, T14N, R13E SARPY COUNTY, NEBRASKA</small>
	Drawn by: FCE/CJV Chkd by:	Date: 07/08/2015	
Job No.: P2012.172.001			