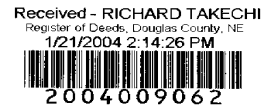




Filed: AS RECEIVED



Above Reserved for Register of Deeds

No. 931

**Commercial Private Line Agreement**

This agreement, between Metropolitan Utilities District of Omaha ("District"), and Park Service Developers LLC ("Owner"), witness:

For valuable consideration, including the payment of a private water line fee in the amount set forth in the District's current Billing Price Book, the District grants a permit to Owner, subject to the District's Water Rules and Regulations which are incorporated herein, to make a connection for the supply of water to a single, existing structure or a planned structure on the following described real estate in Douglas County, Nebraska:  
Lot 20 Gallup University Riverfront Campus

more commonly known as 601 Riverfront Dr (Street Address).

If the real estate is included in a Water Main District and becomes subject to assessment for the extension of a water main, Owner and Owner's successors shall waive and hereby waive all objections to the creation of the Water Main District and to the levy and assessment of a special tax against the real estate to pay the cost of the extension of a water main.

This permit is granted for a period of ten years from the date of execution of this agreement. At the expiration of the ten-year period, Owner shall abandon the private water line in accordance with the Water Rules and Regulations. Owner may connect to any water man designated by the District and abutting the property at that time, after payment of any applicable fees. The private line fee paid shall be a partial credit to any future connection charge or water main assessment unless there has been a change of service usage. If a water main does not abut the property at the end of such period, Owner may continue to utilize the private line until such time as the main is extended and abutting the property at which time the Owner shall abandon the private water line and may connect to the main, or until such time as the District, at its sole discretion and for any reason it deems appropriate may revoke this permit. This private water line shall not be used to provide water to more than one structure or to any structure subsequent to the existing structure or the planned structure, for which this permit was granted, except as otherwise provided in the Water Rules and Regulations.

This agreement shall run with the property and be binding upon the parties, their successors, grantees, heirs or representatives.

Metropolitan Utilities District of Omaha

Signature of Owners:

By: Scott L King 1-12-04  
Name Date

G.A. Culver 8/25/03  
Name agent for owner Date

Title: Manager

Name Date

Approval Law Department:

[Signature]

State of Nebraska )

) ss

County of DOUGLAS )

FEE 5.50 FB 07-13257

BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP ✓

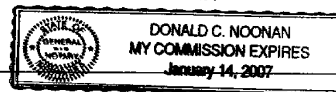
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

This instrument was acknowledged before me on AUGUST 25, 2003 (Date), by

G. A. CULVER

(Names of Owners).

Notary Public Donald C. Noonan Notary Stamp:



**For M.U.D. Use Only**

Application Fee: N/A Invoice # \_\_\_\_\_ Private Line Fee N/A Invoice # \_\_\_\_\_

Waiver Filing Fee: N/A

Owner's mailing address:

Return to:

601 RIVER FRONT DR.  
OMAHA, NE.

M.U.D.

Builder & Contractor Services  
1723 Harney St.

Omaha, NE 68102-1960

18890 ✓

Form 1694