

EASEMENT AGREEMENT

WHEREAS, Frazier-Schurkamp, Inc., a Nebraska corporation ("Frazier-Schurkamp") and U. S. Supply Realty Corporation, a corporation ("U. S. Supply") entered into an Easement Grant on May 15, 1973 governing a strip of land 40 feet in width, located 20 feet on each side of and parallel to the common lot line between Lot 3 and Lot 4 in Cornhusker Industrial Park No. 3 and extending from the Northwest property line of Parcel 2 to the Southwest right-of-way line of the "L" Street frontage road on the Northeast, recorded at Book 522, Page 203 of the Miscellaneous Records of the Register of Deeds in Douglas County, Nebraska; and

WHEREAS, said Easement was for ingress and egress for the benefit of the parties thereto; and

WHEREAS, the Easement Grant contemplated the division of Parcels 1 and 2 as identified therein into two parcels; and

WHEREAS, Frazier-Schurkamp later conveyed its interest in Lots 3 and 4 in Cornhusker Industrial Park #3 as surveyed, platted and recorded, Douglas County, Nebraska, except the Northwesterly Fifty (50) feet of said Lot 3 and except Parcel 2 described in said Easement Grant to Develco, a Nebraska partnership; and

WHEREAS, Develco, a Nebraska partnership, is now composed of two partners, Dean R. Frazier and Richard D. Schurkamp; and

WHEREAS, said partners have entered into an Agreement dated September 23, 1983 whereby Dean R. Frazier obtained permanent interests and rights to property described on Exhibit A and Richard D. Schurkamp obtained permanent interests and rights to property described on Exhibit B; and

WHEREAS, said individuals wish to further provide for their respective rights and benefits to said Easement area as contemplated by the original Easement Grant;

NOW, THEREFORE, the parties hereto agree that:

1. Benefits and burdens of the Easement Grant available to Frazier-Schurkamp in and to the Easement Premises shall inure to the benefit of Dean R. Frazier and Richard D. Schurkamp and their respective heirs, successors, representatives and assigns.
2. The parties acknowledge the binding effect of the Easement Grant and agree to be bound by its terms and provisions.
3. The parties agree that the costs of maintenance of the Easement Premises to be borne by Frazier-Schurkamp in accordance with the Easement Grant shall be shared equally between them and subsequently by their heirs, successors, representatives and assigns

as the respective and successor owners of the Parcels described on Exhibits A and B.

Dated this 12th day of DECEMBER,

1983.

Richard D. Schurkamp
Richard D. Schurkamp

Dean R. Frazier
Dean R. Frazier

DEVELCO, a Nebraska Partnership, by

Richard D. Schurkamp
Dean R. Frazier

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

Before me, a notary public qualified in said county, personally came Dean R. Frazier and Richard D. Schurkamp, known to me to be the Partners of Develco, a Nebraska Partnership, and the identical persons who signed the foregoing Easement Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said partnership.

EXHIBIT "A"

PARCEL 1:

That part of Lot Three (3), Cornhusker Industrial Park #3, an Addition to the City of Omaha, in Douglas County, Nebraska, except the Northwesterly 50.00 feet in width thereof described as follows: Commencing at the Southwesterly corner of said Lot 3, thence S 48° 43' 42" E (assumed bearing) on the Southwesterly line of said Lot 3, 50.00 feet; thence N 41° 14' 37" E on a line 50.00 feet Southwesterly from and parallel with the Northwesterly line of said Lot 3, 366.00 feet to the point of beginning; thence continuing N 41° 14' 37" E on a line 50.00 feet Southwesterly from and parallel with the Northwesterly line of said Lot 3, 192.65 feet to the Northeastly curved line of said Lot 3; thence Southeastly on a curve to the right of the Northeastly line of said Lot 3, (said curve having a chord bearing of S 56° 37' 57" E, a chord distance of 352.31 feet) an arc distance of 352.57 feet to the Northeastly corner of said Lot 3; thence S 41° 13' 15" W on the Southeastly line of said Lot 3, 234.69 feet; thence N 38° 46' 45" W, 349.66 feet to the point of beginning.

EXHIBIT B

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PARCEL 2:

Lot Four (4), Cornhusker Industrial Park #3, an Addition to the City of Omaha, in Douglas County, Nebraska, except the Southwesterly 365 feet thereof, all more particularly described as follows: Beginning at the Northeastly corner of said Lot 4; thence S 37° 55' 27" W (assumed bearing) on the Southeastly line of said Lot 4, 262.93 feet; thence N 48° 46' 45" W, 415.43 feet to a point on the Northwestly line of said Lot 4; thence N 41° 13' 18" E on the Northwestly line of said Lot 4, 234.69 feet to the Northwestly corner of said Lot 4; thence Southeastly on a curve to the right of the Northeastly line of said Lot 4, (said curve having a chord bearing of S 53° 25' 05" E, chord distance of 62.81 feet) an arc distance of 62.81 feet; thence S 52° 37' 44" E on the Northeastly line of said Lot 4, 338.51 feet to the point of beginning.

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E. HARRIS
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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