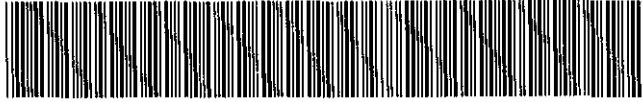




MISC 2004024309



FEB 25 2004 11:19 P 10

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
2/25/2004 11:19:12 AM



2004024309

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PEDESTRIAN TRAIL EASEMENT

This grant of Pedestrian Trail Easement ("Easement") is made this ____ day of February, 2004, by Commercial Federal Bank, a federal savings bank ("Grantor"), in favor of Commercial Federal Business Park Association, L.L.C., a Nebraska limited liability company ("Grantee").

RECITALS:

WHEREAS, Grantor is the owner of the real property, described on Exhibit "A" attached hereto, located in the Commercial Federal Business Park; and

WHEREAS, Pursuant to the Commercial Federal Business Park Declaration of Covenants, Conditions and Restrictions dated December 26, 2000, and recorded on December 26, 2000, at Book 1363, Page 112, of the Register of Deeds of Douglas County, Nebraska, ("Declaration") and amended by the First Amendment to Commercial Federal Business Park Declaration of Covenants, Conditions and Restrictions on June 5, 2001, and recorded on July 5, 2001, at Book 1388, Page 415, of the Register of Deeds of Douglas County, Nebraska, and amended by the Second Amendment to the Declaration of Covenants, Conditions and Restrictions dated December 18, 2003, and recorded on December 22, 2003, at Instrument No. 2003245628 of the Register of Deeds of Douglas County, Nebraska (the Declaration and all amendments thereto including future amendments shall be referred to as the "Declaration"), Grantee is the property owners association for the Commercial Federal Business Park and includes as its purpose, the maintenance of common areas contained in the Commercial Federal Business Park; and

WHEREAS, the Declaration provides for the establishment and maintenance of a pedestrian trail within the Commercial Federal Business Park for the use by the general public for pedestrian traffic ("Pedestrian Trail").

NOW, THEREFORE, upon the consideration recited herein and upon such other good and valuable consideration herein received, Grantor does hereby grant to Grantee, its successors and assigns the following easement subject to the following terms and conditions:

146663

(misc

FEE 52.00 FB MIC-07102

BKP _____ C/O _____ COMP 4

DEL _____ SCAN _____ FV _____

✓ 22485

10/4

1. Grantor does hereby grant to Grantee a permanent easement to maintain, operate, repair, and regulate the Pedestrian Trail for use by the general public for pedestrian traffic on, over, and through the real estate described on Exhibit "B" attached hereto.

2. The Pedestrian Trail shall be constructed by those persons and in such manner as provided in the Declaration and shall be maintained as provided in the Declaration.

3. This Easement shall be binding upon the parties' successors and assigns and shall run with the land.

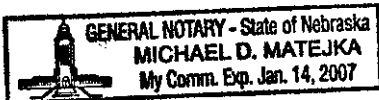
IN WITNESS WHEREOF, Grantor has executed this Pedestrian Trail Easement on the date referenced above.

COMMERCIAL FEDERAL BANK,
a federal savings bank

By: David S. Fisher
David S. Fisher
Executive Vice President & CFO

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 20 day of February, 2004, before me the undersigned, a Notary Public in and for said county personally came David S. Fisher, Executive Vice President and CFO of Commercial Federal Bank, a federal savings bank, on behalf of said bank



Michael D. Matejka
Notary Public

RETURN TO
FITZGERALD, SCHORR,
BARMETTLER & BRENNAN, P.C., L.L.O.
13220 CALIFORNIA STREET, SUITE 400
OMAHA, NE 68154-5225
(402) 342-1000

ATTN: Michael D. Matejka

EXHIBIT "A"

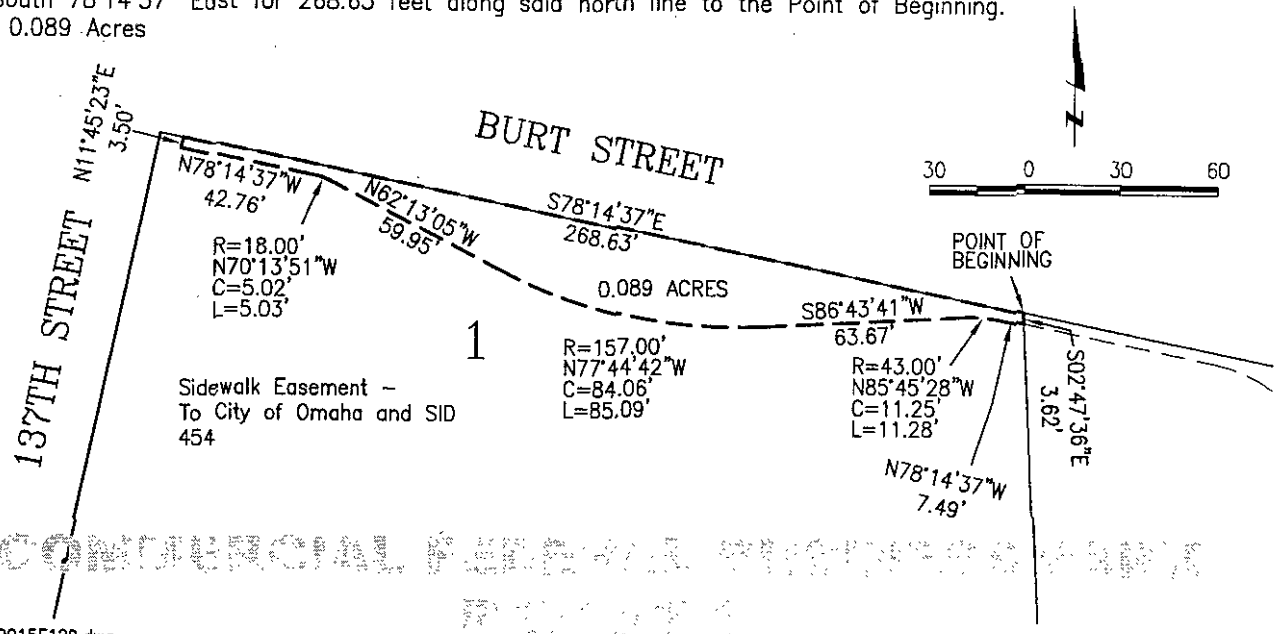
Lots 1 through 4, Commercial Federal Business Park Replat 1, Douglas
County, Nebraska.

EXHIBIT "B"

LEGAL DESCRIPTION


A permanent easement for the construction and maintenance of sidewalks over that part of Lot 1, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the northeast corner of said Lot 1;
 Thence South 02°47'36" East (bearings reference to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 3.62 feet along the east line of said Lot 1;
 Thence North 78°14'37" West for 7.49 feet;
 Thence along a curve to the left (having a radius of 43.00 feet and a long chord bearing North 85°45'28" West for 11.25 feet) for an arc length of 11.28 feet;
 Thence South 86°43'41" West for 63.67 feet;
 Thence along a curve to the right (having a radius of 157.00 feet and a long chord bearing North 77°44'42" West for 84.06 feet) for an arc length of 85.09 feet;
 Thence North 62°13'05" West for 59.95 feet;
 Thence along a curve to the left (having a radius of 18.00 feet and a long chord bearing North 70°13'51" West for 5.02 feet) for an arc length of 5.03 feet;
 Thence North 78°14'37" West for 42.76 feet;
 Thence North 11°45'23" East for 3.50 feet to the north line of said Lot 1;
 Thence South 78°14'37" East for 268.63 feet along said north line to the Point of Beginning.
 Contains 0.089 Acres



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Book 99015 Page _____ Date 01/16/04 Dwn.By RER Job Number 99015.00/026



Lamp, Rynearson & Associates, Inc.

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

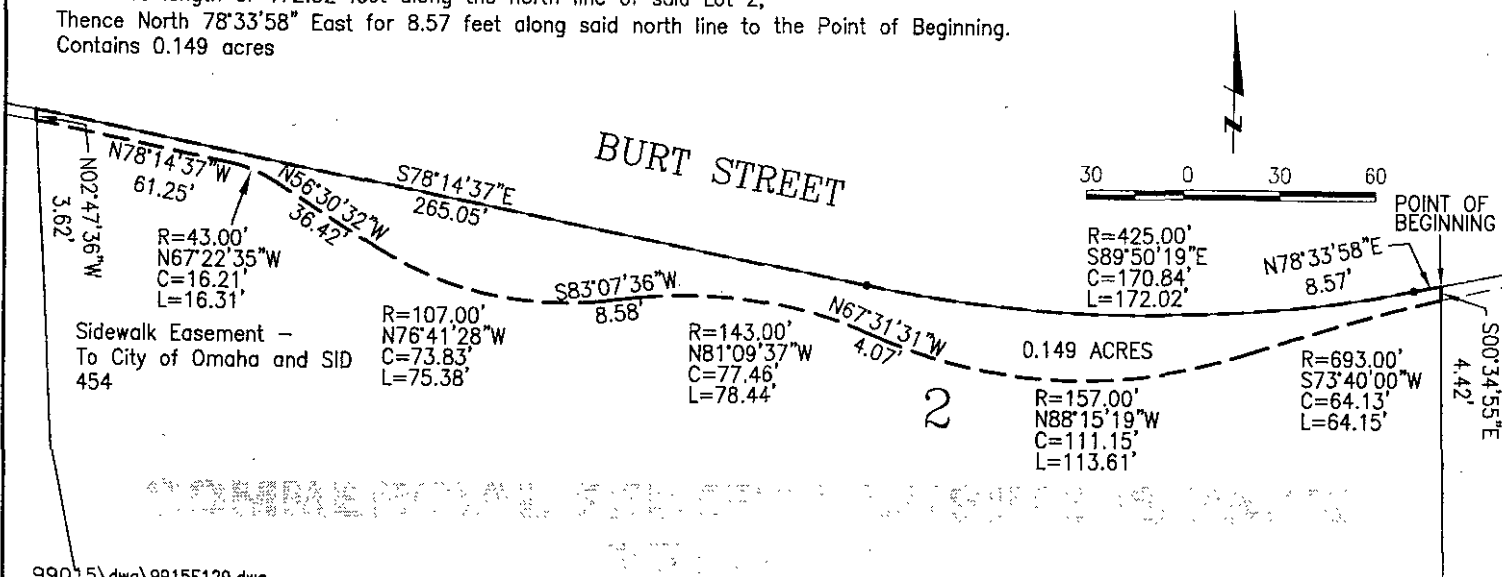
WWW.LRA-INC.COM

(Ph) 402.496.2498
(Fax) 402.496.2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 2, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

- Beginning at the northeast corner of said Lot 2;
 - Thence South 00°34'55" East (bearings reference to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 4.42 feet along the east line of said Lot 1;
 - Thence along a curve to the left (having a radius of 693.00 feet and a long chord bearing South 73°40'00" West for 64.13 feet) for an arc length of 64.15 feet;
 - Thence along a curve to the right (having a radius of 157.00 feet and a long chord bearing North 88°15'19" West for 111.15 feet) for an arc length of 113.61 feet;
 - Thence North 67°31'31" West for 4.07 feet;
 - Thence along a curve to the left (having a radius of 143.00 feet and a long chord bearing North 81°09'37" West for 77.46 feet) for an arc length of 78.44 feet;
 - Thence South 83°07'36" West for 8.58 feet;
 - Thence along a curve to the right (having a radius of 107.00 feet and a long chord bearing North 76°41'28" West for 73.83 feet) for an arc length of 75.38 feet;
 - Thence North 56°30'32" West for 36.42 feet;
 - Thence along a curve to the left (having a radius of 43.00 feet and a long chord bearing North 67°22'35" West for 16.21 feet) for an arc length of 16.31 feet;
 - Thence North 78°14'37" West for 61.25 feet to the west line of said Lot 2;
 - Thence North 02°47'36" West for 3.62 feet to the northwest corner of said Lot 2;
 - Thence South 78°14'37" East for 265.05 feet along the north line of said Lot 2;
 - Thence along a curve to the left (having a radius of 425.00 feet and a long chord bearing South 89°50'19" East for 170.84 feet) for an arc length of 172.02 feet along the north line of said Lot 2;
 - Thence North 78°33'58" East for 8.57 feet along said north line to the Point of Beginning.
- Contains 0.149 acres



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Job Number 99015.00/026



Lamp, Rynearson & Associates, Inc.

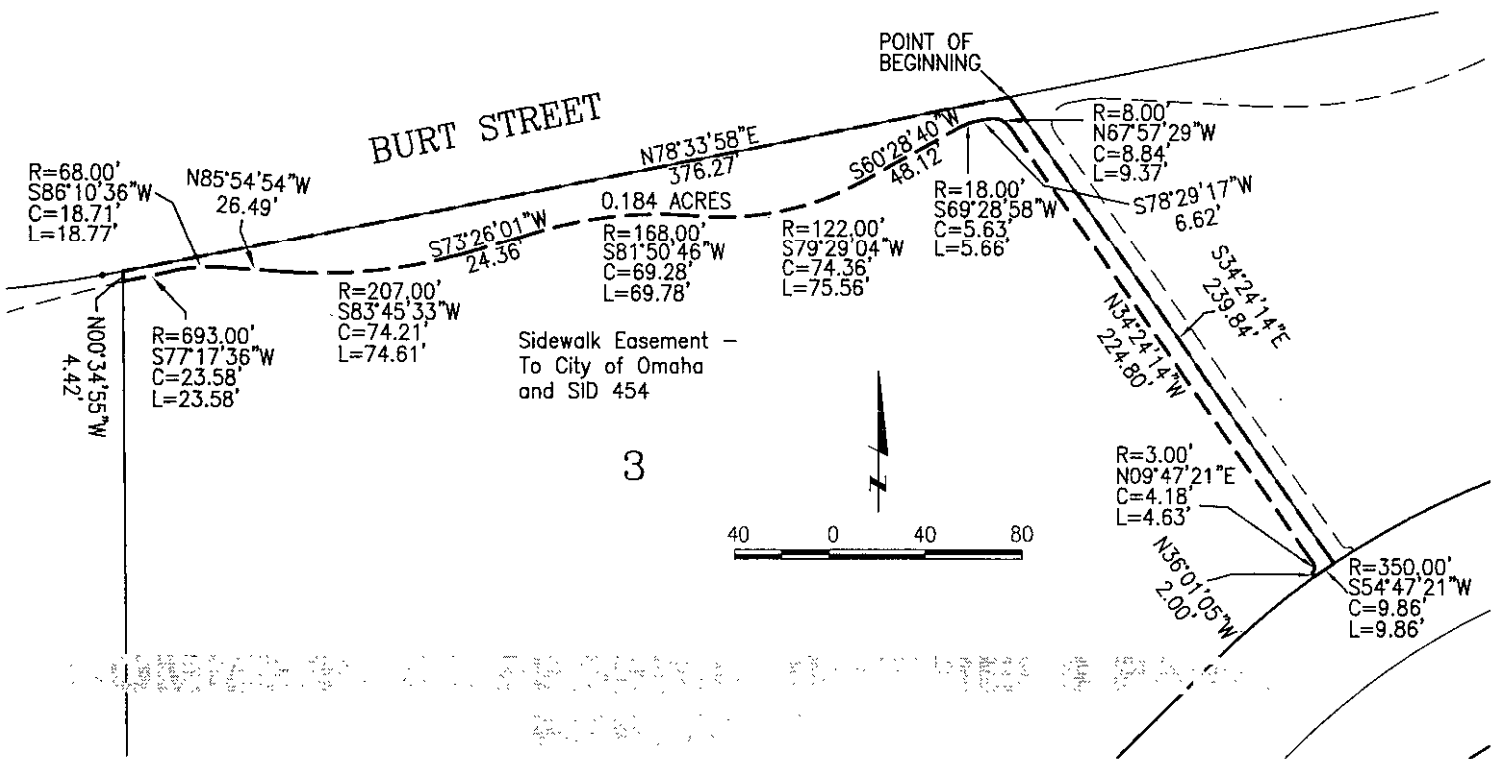
WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498
(Fax) 402.496.2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 3, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: SEE ATTACHED SHEET



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Sheet 1 of 2

Book 99015

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Date 01/16/04

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Job Number 99015.00/026



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14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

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(Fax) 402.496.2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 3, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the northeast corner of said Lot 3;
Thence South 34°24'14" East (bearings reference to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 239.84 feet to the southeast corner of said Lot 3;
Thence along a curve to the left (having a radius of 350.00 feet and a long chord bearing South 54°47'21" West for 9.86 feet) for an arc length of 9.86 feet along the south line of said line of Lot 3;
Thence North 36°01'05" West for 2.00 feet;
Thence along a curve to the left (having a radius of 3.00 feet and a long chord bearing North 09°47'21" East for 4.18 feet) for an arc length of 4.63 feet;
Thence North 34°24'14" West for 224.80 feet;
Thence along a curve to the left (having a radius of 8.00 feet and a long chord bearing North 67°57'29" West for 8.84 feet) for an arc length of 9.37 feet;
Thence South 78°29'17" West for 6.62 feet;
Thence along a curve to the left (having a radius of 18.00 feet and a long chord bearing South 69°28'58" West for 5.63 feet) for an arc length of 5.66 feet;
Thence South 60°28'40" West for 48.12 feet;
Thence along a curve to the right (having a radius of 122.00 feet and a long chord bearing South 79°29'04" West for 74.36 feet) for an arc length of 75.56 feet;
Thence along a curve to the left (having a radius of 168.00 feet and a long chord bearing South 81°50'46" West for 69.28 feet) for an arc length of 69.78 feet;
Thence South 73°26'01" West for 24.36 feet;
Thence along a curve to the right (having a radius of 207.00 feet and a long chord bearing South 83°45'33" West for 74.21 feet) for an arc length of 74.61 feet;
Thence North 85°54'54" West for 26.49 feet;
Thence along a curve to the left (having a radius of 68.00 feet and a long chord bearing South 86°10'36" West for 18.71 feet) for an arc length of 18.77 feet;
Thence along a curve to the left (having a radius of 693.00 feet and a long chord bearing South 77°17'36" West for 23.58 feet) for an arc length of 23.58 feet to the west line of said Lot 3;
Thence North 00°34'55" West for 4.42 feet to the northwest corner of said Lot 3;
Thence North 78°33'58" East for 376.27 feet to the Point of Beginning.
Contains 0.184 Acres

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Sheet 2 of 2

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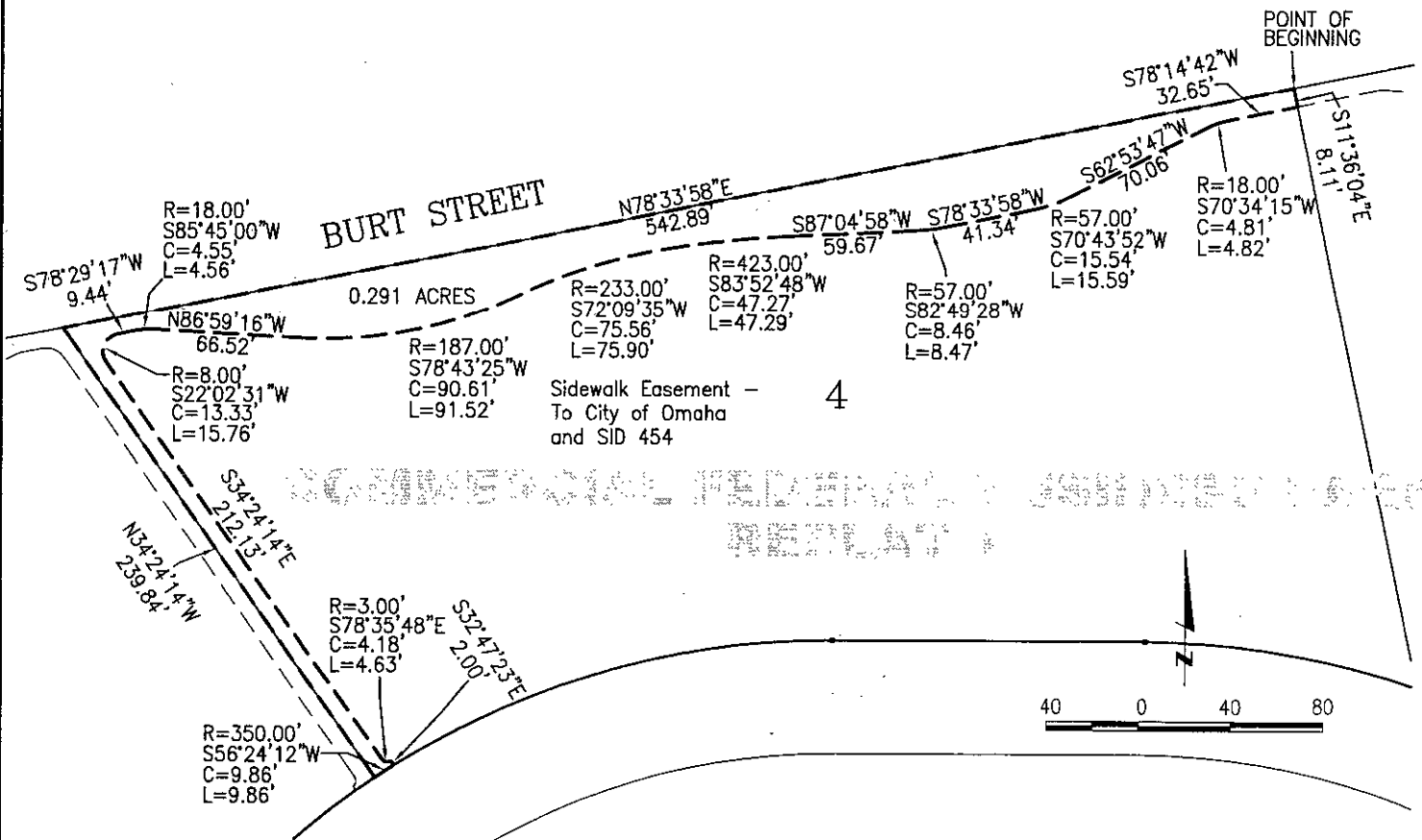
WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498
(Fax) 402.496.2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 4, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: SEE ATTACHED SHEET



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Job Number 99015.00/026

Sheet 1 of 2



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Omaha, Nebraska 68154-2027

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(Ph) 402.496.2498
(Fax) 402.496.2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 4, COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the northeast corner of said Lot 4;

Thence South 11°36'04" East (bearings reference to the Final Plat of COMMERCIAL FEDERAL BUSINESS PARK REPLAT 1) for 8.11 feet along the east line of said Lot 4;

Thence South 78°14'42" West for 32.65 feet;

Thence along a curve to the left (having a radius of 18.00 feet and a long chord bearing South 70°34'15" West for 4.81 feet) for an arc length of 4.82 feet;

Thence South 62°53'47" West for 70.06 feet;

Thence along a curve to the right (having a radius of 57.00 feet and a long chord bearing South 70°43'52" West for 15.54 feet) for an arc length of 15.59 feet;

Thence South 78°33'58" West for 41.34 feet;

Thence along a curve to the right (having a radius of 57.00 feet and a long chord bearing South 82°49'28" West for 8.46 feet) for an arc length of 8.47 feet;

Thence South 87°04'58" West for 59.67 feet;

Thence along a curve to the left (having a radius of 423.00 feet and a long chord bearing South 83°52'48" West for 47.27 feet) for an arc length of 47.29 feet;

Thence along a curve to the left (having a radius of 233.00 feet and a long chord bearing South 72°09'35" West for 75.56 feet) for an arc length of 75.90 feet;

Thence along a curve to the right (having a radius of 187.00 feet and a long chord bearing South 78°43'25" West for 90.61 feet) for an arc length of 91.52 feet;

Thence North 86°59'16" West for 66.52 feet;

Thence along a curve to the left (having a radius of 18.00 feet and a long chord bearing South 85°45'00" West for 4.55 feet) for an arc length of 4.56 feet;

Thence South 78°29'17" West for 9.44 feet;

Thence along a curve to the left (having a radius of 8.00 feet and a long chord bearing South 22°02'31" West for 13.33 feet) for an arc length of 15.76 feet;

Thence South 34°24'14" East for 212.13 feet;

Thence along a curve to the left (having a radius of 3.00 feet and a long chord bearing South 78°35'48" East for 4.18 feet) for an arc length of 4.63 feet;

Thence South 32°47'23" East for 2.00 feet to the south line of said Lot 4;

Thence along a curve to the left (having a radius of 350.00 feet and a long chord bearing South 56°24'12" West for 9.86 feet) for an arc length of 9.86 feet to the southwest corner of said Lot 4;

Thence North 34°24'14" West for 239.84 feet to the northwest corner of said Lot 4;

Thence North 78°33'58" East for 542.89 feet to the Point of Beginning.

Contains 0.291 Acres

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