

EASEMENTS

WHEREAS, Country Place Venture, a Nebraska Partnership, hereinafter called Grantor, whether one or more, is the owner of the following described property:

✓
✓
Lots Twelve (12) and Five (5) in Country Place, a subdivision as surveyed, platted and recorded in the City of Omaha, Douglas County, Nebraska,

hereinafter referred to as the "burdened property", and

WHEREAS, Country Place Venture, a Nebraska Partnership, hereinafter called Grantee, whether one or more, is the owner of the following described property:

✓
Lot Thirteen (13) in Country Place, a subdivision as surveyed, platted and recorded in the City of Omaha, Douglas County, Nebraska,

hereinafter referred to as the "benefitted property".

NOW THEREFORE, in consideration of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee both an easement and right of way of continued receipt of direct radiant solar energy and an easement in and through the Solar Envelope developed for the burdened property as hereinafter defined. Under the terms of these Easements, no structure, object, tree or other vegetation shall be built, constructed, placed, planted, or maintained on the burdened property so as to exceed the Solar Envelope as hereinafter described.

Solar Envelope. A Solar Envelope has been developed for the burdened property which designates the maximum allowable space which may be utilized by buildings and other structures and by trees, bushes, plants and other vegetation on the burdened property while not shading designated portions of the benefitted property between the hours of 9:00 a.m. and 3:00 p.m. Mean Solar Time on December 21 for the purpose of collection, use and storage of solar energy for domestic hot water heating, space heating, space cooling and such other uses as may develop in the future. Said Solar Envelope for the burdened property is described as follows:

LOT TWELVE. Lot Twelve (12) has a solar envelope roof which can be defined as beginning at the southeast corner at a height of 80'. From this corner a roof slopes to a 20' height on the north property line.

LOT FIVE. Lot Five (5) has a solar envelope roof which can be defined as beginning at a point on the southeast corner at a height of 60'. From this point to a point 117' along the east property line, 60' in height to a point 100' west 60' in height to a point 120' south to the south property line, 60' in height. From this four sided roof form the envelope slopes to 20' in height to the north and west property lines.

An illustration of said Solar Envelope is attached hereto as Exhibit A.

No residence, garage, fence, wall, sign, billboard, antennae, pole or any other structure shall be constructed, altered, built, erected, installed, or otherwise maintained or undertaken on the burdened property so as to exceed the above-described Solar Envelope.

No tree, bush or any other type of vegetation may be planted, installed or otherwise maintained on the burdened property so as to exceed the above-described Solar Envelope. Specifically exempted from this provision is a grove of trees approximately 100' from the east property line of Lot 12, located on Lot 12.

Grantee may enforce the provisions of these easements by an action for damages, for injunctive relief, or both, plus reasonable attorney's fees and costs of enforcement.

These easements are interests in land, shall run with the land respectively burdened and benefitted, and shall be binding on the heirs, successors and assigns of all parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 3 day of June, 1981.

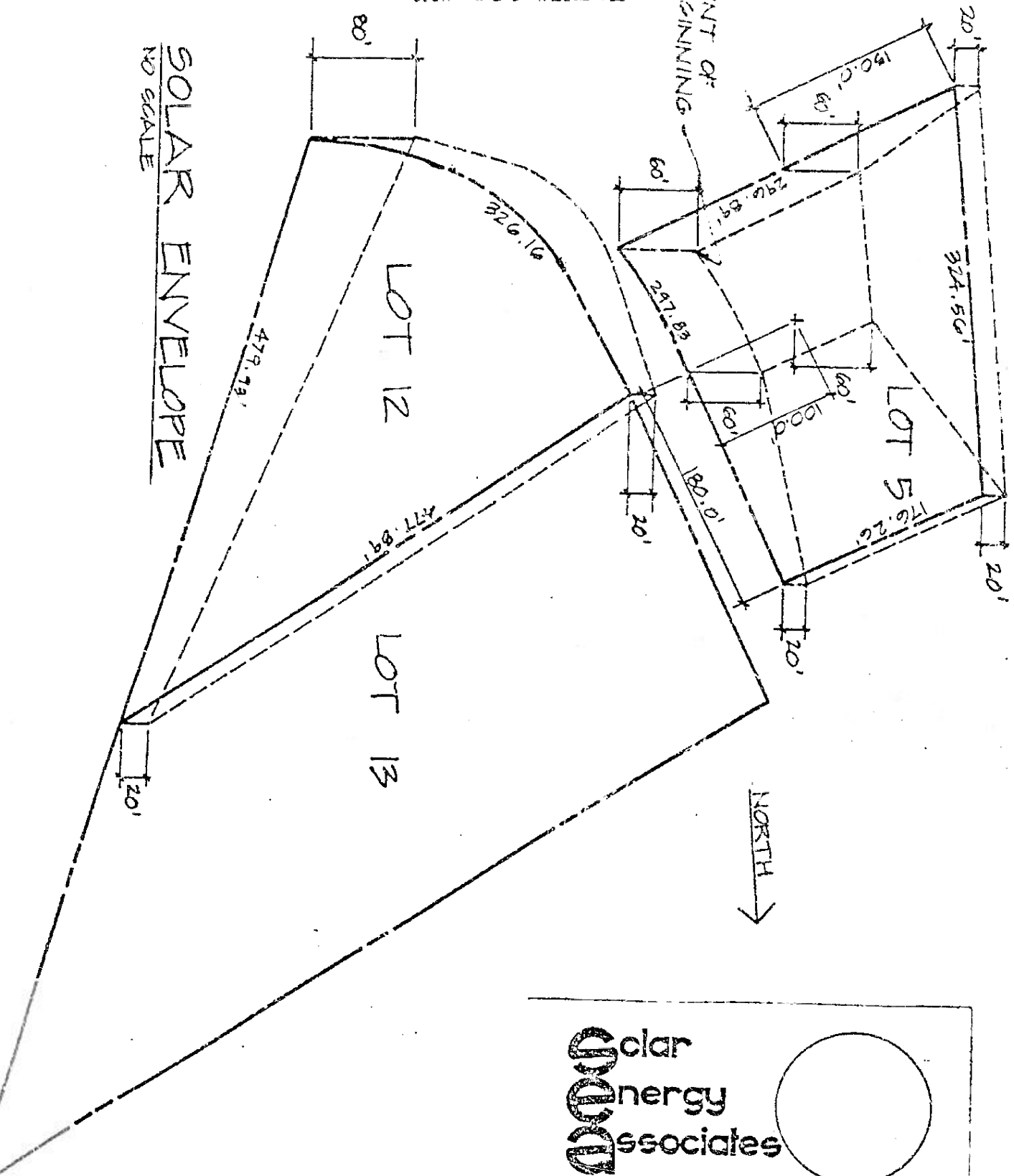
COUNTRY PLACE VENTURE, A
Nebraska Partnership, as
Grantor and Grantee

By Emerson S. Welty
Emerson S. Welty, Partner

By Bertha K. Welty
Bertha K. Welty, Partner

By Ralph W. Andersen
Ralph W. Andersen, Partner

SOLAR ENVELOPE
NO SCALE



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C. HAROLD OSTLER
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DOUGLAS COUNTY, NEBR.

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