

STATE OF NEBRASKA COUNTY OF WASHINGTON)SS
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 1st DAY OF April A.D. 2002
AT 9:02 O'CLOCK A M AND RECORDED IN BOOK
361 AT PAGE 641-643
COUNTY CLERK Charlotte L. Petersen
DEPUTY Karen Madson

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CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

DEVELOPER AGREEMENT

THIS AGREEMENT made this 12th day of March, 2002, by and between the CITY OF BLAIR, NEBRASKA, hereinafter referred to as "City" and MARK E. BRESLEY and CRYSTAL C. BRESLEY, hereinafter referred to as "Developers".

WHEREAS, Developers propose to develop and subdivide a portion of Tax Lot Seventy-four (74) lying in the South Half of the Southeast Quarter (S1/2 SE1/4) of Section Nineteen (19), Township Eighteen (18) North, Range Twelve (12), East of the 6th P.M., Washington County, Nebraska, and have submitted a preliminary plat and a final plat of Crystal Lake Estates to the Blair Planning Commission and the Blair City Council; and,

WHEREAS, said final plat has been accepted and approved by the Planning Commission, subject to certain requirements regarding easements, restrictions and improvements therein; and,

WHEREAS, the plans and specifications for the roads and the sanitary sewer system have not been completed; and,

WHEREAS, City and Developers have mutually agreed to enter into this Agreement to provide for the guarantee to City by Developers of the completion of the road system and sanitary sewer system in said subdivision; and,

WHEREAS, City has agreed, that upon execution of this Agreement and the other documents contemplated hereby, subject only to the satisfaction of all other requirements in connection therewith, City will approve the final plat of Crystal Lake subdivision.

NOW, THEREFORE, in consideration of the Subdivision Regulations of the City of Blair, Nebraska, the agreements and covenants contain herein, and for other valuable consideration, it is agreed by and between City and Developers as follows:

1. Developers agree to construct and install all interior roads, and all cul-de-sacs, whether temporary or permanent, as shown on the final plat of Crystal Lake Estates. The Developers further agree that all roads shall be constructed pursuant to the specifications set forth in the Ordinances and Regulations of the City of Blair, Nebraska. Developers agree that they will have all roads constructed within one (1) year of the date of execution of this Agreement and furthermore, that City shall not be required to issue building permits until construction has been completed.
2. Developers agree that upon approval of the final plat of Crystal Lake Estates that Developers will execute and deliver to the Washington County Clerk, Washington County, Nebraska, for recording in the Real Estate Records, an easement document granting and conveying all easements specified on the final plat of Crystal Lake Estates, which include:
 - (a) Lake Easement over remainder of Tax Lot Seventy-four (74);

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- (b) Drainage Structure and Utility Maintenance Easement;
- (c) Emergency Spillway and Maintenance Easement;
- (d) Sanitary Sewer Installation and Maintenance Easement;
- (e) Cul-de-sac Right of Way Easement A;
- (f) Cul-de-sac Right of Way Easement B; and,
- (g) Wetlands Lateral Field Easement - In addition to the easements set forth in Paragraph 2 hereinabove, within one (1) year of the date of this Agreement, Developers shall execute and deliver to the Washington County Clerk, an Easement Agreement for the lateral fields in the constructed wetlands located in said Tax Lot Seventy-four (74) lying outside of the platted boundary of Crystal Lake Estates;

provided further, that each easement set forth above shall include a provision which prohibits any structure being constructed, located or placed on the easement area.

3. Developers agree to construct and install a common sewer line running to a central septic system for Lots One through Nine (1-9) in Crystal Lake Estates which shall run through a central septic system with lateral fields to be located in a constructed wetlands. The sewer line, septic tank system and the lateral fields located in the constructed wetlands shall comply with all rules and regulations of the Nebraska Department of Environmental Quality ("DEQ") and all laws of the State of Nebraska. Developers shall deliver to City documentation from DEQ verifying that the septic system has been satisfactorily installed.

4. Developers shall deliver to City documentation of the written Agreement between Developers and Washington County for the Developers' contribution to the improvements required by Washington County for County Road 37.

5. Developers will execute and deliver for recording to the Washington County Clerk, Washington County, Nebraska, a Restrictive Covenant for Lot Two (2) and Lot Three (3) of Crystal Lake Estates whereby the owners of Lot Two (2) and Lot Three (3) are restricted from allowing, constructing, or using any driveway or other outlet from Lot Two (2) or Lot Three (3) directly onto County Road 37.

6. Developers agree to execute and deliver for recording to the Washington County Clerk, a notice or other document notifying the owners of Lots One through Nine (1-9) in Crystal Lake Estates that the maintenance and repair of all interior roads are the responsibility of Developers or the Homeowners' Association for Crystal Lake Estates and furthermore, that said interior roads are not part of the Washington County road system or the City of Blair street system.

