



MISC 2016058647



JUL 22 2016 15:08 P 4

Fee amount: 28.00
FB: 59-05683
COMP: SB

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
07/22/2016 15:08:29.00



2016058647

AMENDMENT OF STORM SEWER EASEMENT

This Amendment of Storm Sewer Easement (the "Amendment") is made this 22nd day of July, 2016, by ROYCE CANDLEWOOD, LLC, a Nebraska limited liability company ("GRANTOR"), and PARK 125 WDODGE, LLC, a Nebraska limited liability company ("PARK 125").

Preliminary Statement

GRANTOR executed a Storm Sewer Easement dated February 3, 2015, and recorded February 3, 2015, in the Office of the Register Deeds of Douglas County, Nebraska, as Instrument No. 2015007950 (the "Sewer Easement").

The Sewer Easement was made for the benefit of the Candlewood Hills Property Owners Association, a Nebraska not-for-profit corporation, and the owners of the real estate legally described on Exhibit "A" attached hereto and their successors and assigned (collectively, "GRANTEE").

GRANTOR and PARK 125 are the owners of the real estate legally described on Exhibit "B" attached hereto.

GRANTOR and PARK 125 desire to replace Exhibit "B" attached to the Sewer Easement with Exhibit "B" attached to this Amendment to reflect the adjustment of the location of the Sewer and Easement Property.

NOW, THEREFORE, in consideration of the foregoing and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR and PARK 125 agree as follows:

1. Terms used in this Amendment with an initial capitalized letter that are not otherwise defined herein shall have the meanings ascribed to them by the Sewer Easement.
2. Exhibits "A" and "B" as attached to the Sewer Easement are replaced and modified in their entirety with Exhibit "A" and Exhibit "B" attached to this Amendment.
3. Except as amended and modified by this Amendment, the Sewer Easement remains in full force and effect in accordance with its terms.

Return to:
James D. Buser
Pansing Hogan Ernst & Bachman, LLP
10250 Regency Circle, Suite 300
Omaha, Nebraska 68114

IN WITNESS HEREOF, GRANTOR and PARK 125 have executed this Amendment to be effective as of the date first above written.

GRANTOR:


ROYCE CANDLEWOOD, LLC, a Nebraska limited liability company

By: *LZ [Signature]*
Lawrence R. James, II, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 21st day of July, 2016, by Lawrence R. James, II, Manager of Royce Candlewood, LLC, a Nebraska limited liability company, on behalf of the company.

Shannon M. Groves
Notary Public

 GENERAL NOTARY - State of Nebraska SHANNON M. GROVES My Comm. Exp. Sept. 22, 2017
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PARK 125 WDODGE, LLC, a Nebraska limited liability company

By: *[Signature]*
Patrick G. McNeil, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on this 21st day of July, 2016, by Patrick G. McNeil, Manager of Park 125 WDodge, LLC, a Nebraska limited liability company, on behalf of said company.

Shannon M. Groves
Notary Public


 GENERAL NOTARY - State of Nebraska SHANNON M. GROVES My Comm. Exp. Sept. 22, 2017
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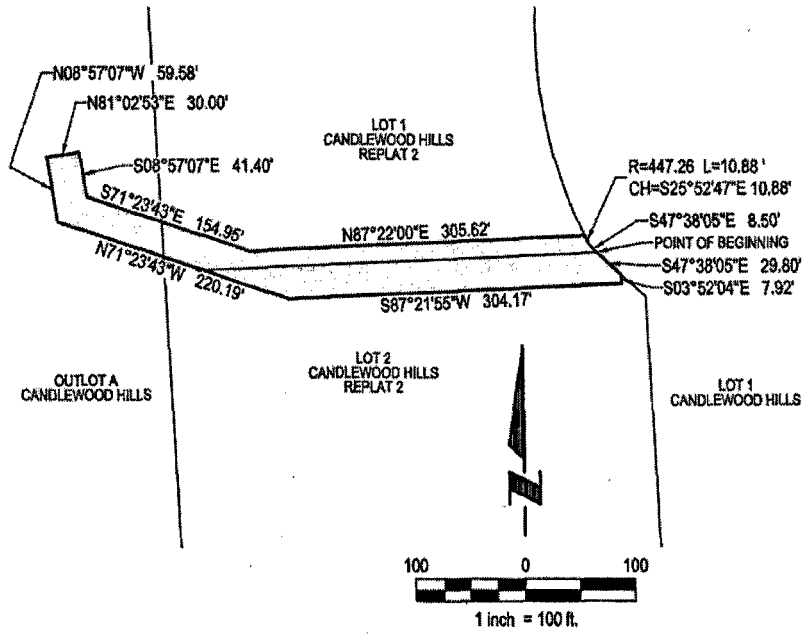
EXHIBIT "A"
GRANTEE PROPERTY

Lots 1, 2, 4 and 5, and Outlot A1, Candlewood Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, (59-05683)

and

Lots 1 and 2, Candlewood Hills Replat 2, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska. (59-05685)

EXHIBIT "B"




LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF OUTLOT A1, CANDLEWOOD HILLS, AND ALSO PART OF LOTS 1 AND 2, CANDLEWOOD HILLS REPLAT 2, BOTH SUBDIVISIONS LOCATED IN THE SE1/4 OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, CANDLEWOOD HILLS REPLAT 2, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 2, CANDLEWOOD HILLS REPLAT 2, AND ALSO BEING ON THE WESTERLY LINE OF LOT 1, SAID CANDLEWOOD HILLS; THENCE S47°38'05\"E (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 2, CANDLEWOOD HILLS REPLAT 2, SAID LINE ALSO BEING SAID WESTERLY LINE OF LOT 1, CANDLEWOOD HILLS, A DISTANCE OF 29.80 FEET; THENCE S03°52'04\"E, A DISTANCE OF 7.92 FEET; THENCE S87°21'55\"W, A DISTANCE OF 304.17 FEET; THENCE N71°23'43\"W, A DISTANCE OF 220.19 FEET; THENCE N08°57'07\"W, A DISTANCE OF 59.58 FEET; THENCE N81°02'53\"E, A DISTANCE OF 30.00 FEET; THENCE S08°57'07\"E, A DISTANCE OF 41.40 FEET; THENCE S71°23'43\"E, A DISTANCE OF 154.95 FEET; THENCE N87°22'00\"E, A DISTANCE OF 305.62 FEET TO A POINT ON SAID WESTERLY LINE OF LOT 1, CANDLEWOOD HILLS, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 1, CANDLEWOOD HILLS REPLAT 2; THENCE SOUTHEASTERLY ALONG SAID WESTERLY LINE OF LOT 1, CANDLEWOOD HILLS, SAID LINE ALSO BEING SAID EASTERLY LINE OF LOT 1, CANDLEWOOD HILLS REPLAT 2, ON A CURVE TO THE RIGHT WITH A RADIUS OF 447.26 FEET, A DISTANCE OF 10.88 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S25°52'47\"E, A DISTANCE OF 10.88 FEET; THENCE S47°38'05\"E ALONG SAID WESTERLY LINE OF LOT 1, CANDLEWOOD HILLS, SAID LINE ALSO BEING SAID EASTERLY LINE OF LOT 1, CANDLEWOOD HILLS REPLAT 2, A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 20,907 SQUARE FEET OR 0.480 ACRES, MORE OR LESS.

	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services <small>10000 Mill Valley Road, Suite 100 • Omaha, NE 68114 Phone: 402.866.4700 • Fax: 402.866.3590</small>	STORM SEWER EASEMENT LOTS 1 AND 2, CANDLEWOOD HILLS REPLAT 2 AND ALSO OUTLOT A1, CANDLEWOOD HILLS <small>DOUGLAS COUNTY, NEBRASKA</small>
E & A CONSULTING GROUP, INC. Engineering Services	Drawn by: FCE Chkd by: [] Job No.: M2015.085.001 Date: 05/17/2016	

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