

94-05744

FILED MAR 14 1994
INSTRUMENT NUMBER
94-05744

AFTER RECORDING RETURN TO:

Mr. Thomas R. Pansing, Jr.
Gaines Mullen, Pansing & Hogan
10050 Regency Circle, Suite 200
Omaha, NE 68114

94 MAR 14 AM 10:53

Carol A. Davis
REGISTERED CLERK

WARRANTY DEED

Michael F. Rogers and Joseph P. Rogers, Co-Trustees of the Franklin P. Rogers Marital Trust created by the Last Will and Testament of Franklin P. Rogers dated January 7, 1988; Michael F. Rogers, joined by his wife, Colleen M. Rogers; Joseph P. Rogers, joined by his wife, Dana J. Rogers; Barbara M. O'Connor, joined by her husband, Brad O'Connor; John C. Rogers, joined by his wife, Beth A. Rogers; and Mary P. Rogers, joined by her husband, Michael Marcovitz, as tenants-in-common, GRANTORS, in consideration of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, conveys to the Rogers Family Partnership, a Nebraska general partnership, GRANTEE, the following described real estate (as defined in Nebraska Revised Statutes Section 76-201):

The East 100 acres of that part of the East 1/2 of Section 25, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, lying North of the Right-of-Way of the Union Pacific Railroad EXCEPT that part taken for road purposes; and EXCEPT a strip of land conveyed to the Papillion Drainage District by deed recorded in Book 44 at Page 248.

Grantor covenants (jointly and severally, if more than one) with the Grantee that Grantor:

- (1) is lawfully seized of such real estate and that it is free from encumbrances subject to easements, reservations, covenants and restrictions of record;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Executed: DECEMBER 31, 1993.

Franklin P. Rogers Marital Trust
created by the Last Will and
Testament of Franklin P. Rogers
dated January 7, 1988

NEBRASKA DOCUMENTARY
STAMP TAX
MAR 14 1994
\$ 415 BY PW

BY: [Signature]
Michael F. Rogers, Co-Trustee

BY: [Signature]
Joseph P. Rogers, Co-Trustee

[Signature]
Michael F. Rogers

Proof [Signature]
D.E. [Signature]
Verify [Signature]
Filmed
Checked
Fee \$ 25.00

05744

94-05744A

Colleen M. Rogers
Colleen M. Rogers

Joseph P. Rogers
Joseph P. Rogers

Dana J. Rogers
Dana J. Rogers

Barbara M. O'Connor
Barbara M. O'Connor

Brad O'Connor
Brad O'Connor

John C. Rogers
John C. Rogers

Beth A. Rogers
Beth A. Rogers

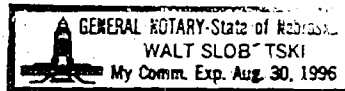
Mary P. Rogers
Mary P. Rogers

Michael Marcovitz
Michael Marcovitz

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Michael F. Rogers, Co-Trustee of the Franklin P. Rogers Marital Trust created by the Last Will and Testament of Franklin P. Rogers dated January 7, 1988 on behalf of said Trust.

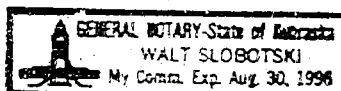
Walt Slobotski
Notary Public



STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Joseph P. Rogers, Co-Trustee of the Franklin P. Rogers Marital Trust created by the Last Will and Testament of Franklin P. Rogers dated January 7, 1988 on behalf of said Trust.

Walt Slobotski
Notary Public

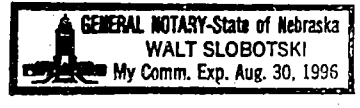


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Michael F. Rogers.

Walt Slobotski
Notary Public

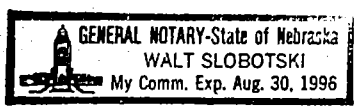


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Colleen M. Rogers.

Walt Slobotski
Notary Public

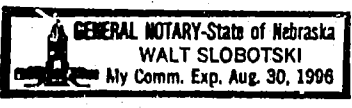


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Joseph P. Rogers.

Walt Slobotski
Notary Public

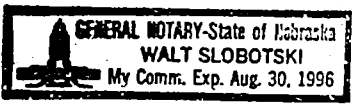


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Dana J. Rogers.

Walt Slobotski
Notary Public



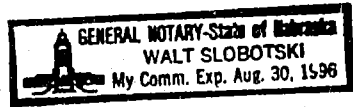
94-05744C

STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Barbara M. O'Connor.

Walt Slobotski
Notary Public

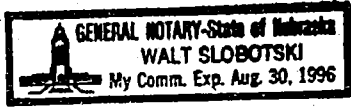


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Brad O'Connor.

Walt Slobotski
Notary Public

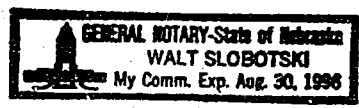


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by John C. Rogers.

Walt Slobotski
Notary Public

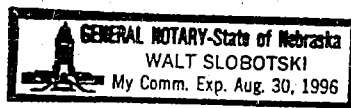


STATE OF NEBRASKA §

COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by Beth A. Rogers.

Walt Slobotski
Notary Public



94-05744 D

STATE OF NEBRASKA §

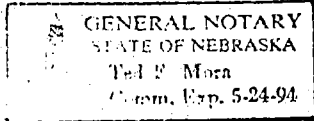
COUNTY OF DOUGLAS §

The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by
Mary P. Rogers.

Red J Mora
Notary Public

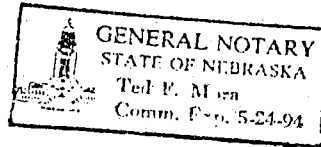
STATE OF NEBRASKA §

COUNTY OF DOUGLAS §



The foregoing instrument was acknowledged before me on DECEMBER 31, 1993 by
Michael Marcovitz.

Red J Mora
Notary Public



STATE OF NEBRASKA, County of Sarpy, Filed for record and entered in Numerical Index
on _____, 1993 at ____ o'clock ____ .m., and recorded in Deed Record
_____, Page _____.

County or Deputy County Clerk
Register or Deputy Register of Deeds

152-673

No. 48, Dec 75

TRUSTEE'S DEED (City or County - 1 Page)

PROJECT: S-485(5)

A/E: S-006

TRACT: 15 Revised

KNOW ALL MEN BY THESE PRESENTS:

THAT: G. NEALE SHANER, Vice President of THE OMAHA NATIONAL BANK, TRUSTEE

In the exercise of the power in this behalf conferred upon THEM by a conveyance to THEM in trust from J. H. INVESTMENT Co. dated MAY 21, 1973 and recorded MAY 24, 1973 for and in consideration of the sum of Two Thousand One Hundred Fifty and no/100 (\$2,150.00) DOLLARS in hand paid, does hereby grant, bargain, sell, convey and confirm unto SARP COUNTY, NEBRASKA

hereinafter known as the Grantor, the following described real property situated in SARPV County and the State of Nebraska:

A tract of land located in Tax Lot 4 of Section 25, Township 14 North, Range 12 East of the 6th Principal Meridian, Sarpy County, Nebraska, described as follows:

Commencing at the Northeast Corner of Section 25; thence due West along the North line of the Northeast Quarter of Section 25, a distance of 1,147.20 feet; thence due South a distance of 51.0 feet; thence due East a distance of 863.0 feet; thence North 59 degrees, 02 minutes, 10 seconds, East, a distance of 11.66 feet; thence due East a distance of 190.0 feet; thence North 65 degrees, 26 minutes, 06 seconds, East, a distance of 11.18 feet; thence South 87 degrees, 21 minutes, 27 seconds, East, a distance of 65.07 feet; thence South 48 degrees, 59 minutes, 27 seconds, East, a distance of 12.19 feet; thence due North a distance of 51.0 feet to the point of beginning, containing 1.30 acres, more or less, which includes 0.87 acre, more or less previously occupied as public highway.

NEBRASKA DOCUMENTARY STAMP TAX MAR 28 1977

FILED FOR RECORD 3-28-77 AT 8:20 A.M. IN BOOK 152 OF Deeds 25 PAGE 673 Carl L. Hellebo REGISTER OF DEEDS, SARP COUNTY, NEB.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto the said Grantee and to its successors and assigns forever.

And Trustee as Grantor does hereby covenant with said Grantee and with its successors and assigns that Grantor has not made, done, executed or suffered any act or thing whatsoever, whereby the above described premises or any part thereof now or at any time hereafter shall be imperiled, charged, or incumbered in any manner whatsoever; and Grantor as Trustee, does hereby warrant and defend the title to said premises against all persons lawfully claiming the same from, through, or under them.

Signed this 26th day of JANUARY A.D. 1977 THE OMAHA NATIONAL BANK, TRUSTEE By [Signature] Vice President

IN PRESENCE OF

64604 (see Acknowledgment - Over)

94-24756

KNOW ALL MEN BY THESE PRESENTS, That Westgate Plaza, Inc.

a corporation organized and existing under and by virtue of the laws of the State of Nebraska

in consideration of one dollar and other valuable consideration

received from grantees, does grant, bargain, sell convey and confirm unto Eagle Ridge Development Company herein called the grantee whether one or more, the following described real property in

Sarpy County, Nebraska

SEE EXHIBIT "A" HERETO ATTACHED AND MADE A PART HEREOF

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor for itself and its successors does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seised of said premises; that they are free from encumbrance subject to easements, restrictions, and declarations of record; also, subject to all taxes, levies, and charges of SID No. 350 of Sarpy County, Nebraska

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whosoever.

In witness whereof, grantor has hereunto caused its corporate seal to be affixed and these presents signed by its President.

Dated October 31 19 94

[Handwritten signature of Michael F. Rogers]

By Michael F. Rogers President

STATE OF Nebraska, County of Douglas

The foregoing instrument was acknowledged before me October 31, 19 94

by Michael F. Rogers of Westgate Plaza, Inc.

a Nebraska corporation, on behalf of the corporation.

NEBRASKA DOCUMENTARY STAMP TAX NOV 22 1994 \$ 15.50 BY mlw

[Handwritten signature of Notary Public]

Signature of Person Taking Acknowledgement Title

GENERAL NOTARY-State of Nebraska WALT SLOBOTSKI My Comm. Exp. Aug. 30, 1994

STATE OF County ss.

Entered on numerical index and filed for record in the Register of Deeds Office of said County the day of 19 at o'clock and minutes M., and recorded in Book of at page.

Proof D.E. Verify Filmed Checked \$ 15.50

By Reg. of Deeds Deputy

94-24756

RETURN TO ROGERS CONSTRUCTION INC. 8250 GROVER OMAHA, NB. 68124

24756

94-24756A

LEGAL DESCRIPTION

That part of Taxlots 7, 8 and 'B' in the Southeast Quarter of Section 25, Township 14 North, Range 12 East of the 6th P.M., County, Nebraska, described as follows:

Commencing at the southwest corner of the said Southeast Quarter of Section 25;

Thence North $00^{\circ}12'29''$ West (bearings referenced to the Final Plat of EAGLE RIDGE, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska) for 72.81 feet along the west line of the said Southeast Quarter of Section 25 to the TRUE POINT OF BEGINNING;

Thence continuing North $00^{\circ}12'29''$ West for 816.29 feet along said west line of the Southeast Quarter of Section 25;

Thence North $89^{\circ}47'31''$ East for 119.42 feet;

Thence North $02^{\circ}09'21''$ East for 532.09 feet;

Thence South $76^{\circ}55'14''$ East for 838.54 feet;

Thence South $00^{\circ}48'29''$ East for 510.86 feet;

Thence along a curve to the right (having a radius of 3064.83 feet and a long chord bearing North $77^{\circ}55'45''$ East for 797.72 feet) for an arc length of 799.99 feet;

Thence South $04^{\circ}35'35''$ East for 260.00 feet to the south right of way line of the former Chicago, Rock Island and Pacific Railway;

Thence along a curve to the left (having a radius of 2804.83 feet and a long chord bearing South $77^{\circ}09'34''$ West for 804.70 feet) for an arc length of 807.49 feet along said south right of way line of the former Chicago, Rock Island and Pacific Railway;

Thence South $68^{\circ}54'42''$ West for 1046.90 feet along said south right of way line of the Chicago, Rock Island and Pacific Railway to the Point of Beginning.

Contains 27.13 acres.

T O G E T H E R W I T H

That part of Taxlots 8A1, 12 and 13 in the East Half of Section 25, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the southwest corner of the Northeast Quarter of Section 25;

Thence South $89^{\circ}56'43''$ East (bearings referenced to the Final Plat of EAGLE RIDGE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska) for 33.00 feet along the south line of the said Northeast Quarter of Section 25 to the east right of way line of 66th Street and the TRUE POINT OF BEGINNING;

Thence North $00^{\circ}12'03''$ West for 212.74 feet along the said east right of way line of 66th Street to the extended south line of Lots 179 and 180, EAGLE RIDGE;

November 10, 1994

Page 1 of 2

LAMP, RYNEARSON & ASSOCIATES, INC. (8720.1g1)

87020-4988 (unplatted not in South Omaha Airport)

94-24756 B

Thence North 89°47'57" East for 179.00 feet along said line to the southeast corner of Lot 179, EAGLE RIDGE;

Thence South 87°35'31" East for 69.32 feet to the southeast corner of Lot 178, EAGLE RIDGE;

Thence South 78°43'55" East for 67.35 feet to the southeast corner of Lot 177, EAGLE RIDGE;

Thence South 69°42'46" East for 67.35 feet to the southeast corner of Lot 176, EAGLE RIDGE;

Thence South 63°04'59" East for 360.97 feet to the west corner of Lot 171, EAGLE RIDGE;

Thence South 59°18'10" East for 74.84 feet to the south corner of Lot 171, EAGLE RIDGE;

Thence North 34°25'43" East for 190.00 feet along the southeast line of Lot 171 to the northeast right of way line of Savannah Drive;

Thence along a curve to the left (having a radius of 765.00 feet and a long chord bearing North 56°04'42" West for 13.54 feet) for an arc length of 13.54 feet to the south corner of Lot 170, EAGLE RIDGE;

Thence North 33°24'52" East for 126.90 feet to the east corner of Lot 170, EAGLE RIDGE;

Thence South 60°06'11" East for 22.69 feet to the south corner of Lot 169, EAGLE RIDGE;

Thence North 46°23'34" East for 490.27 feet along the southeast line of Lots 165 through 169 extended to the east right of way line of Franklin Drive;

Thence North 43°36'26" West for 43.00 feet to the south corner of Lot 164, EAGLE DRIVE;

Thence North 46°23'34" East for 125.00 feet to the east corner of Lot 164, EAGLE RIDGE;

Thence North 43°36'26" West for 2.00 feet to the south corner of Lot 197, EAGLE RIDGE;

Thence North 46°23'34" East for 131.89 feet to the east line of said Taxlot 12;

Thence South 00°14'35" East for 1888.40 feet along the east line of Taxlots 12 and 13 to the former north right of way line of the Union Pacific Railroad;

Thence North 76°38'22" West for 1437.16 feet along said north right of way line of the Union Pacific Railroad to the east right of way line of 66th Street;

Thence North 00°12'29" West for 420.08 feet along the east right of way line of 66th Street which is parallel with and 50.00 feet east of the west line of Southeast Quarter of Section 25;

Thence South 89°47'31" West for 17.00 feet along the east right of way line of 66th Street;

Thence North 00°12'29" West for 345.61 feet along the east right of way line of 66th Street which is parallel with and 33.00 feet east of the west line of the Southeast Quarter of Section 25 to the Point of Beginning.

Contains 40.01 acres.

November 10, 1994

Page 2 of 2

LAMP, RYNEARSON & ASSOCIATES, INC.

(8720.lgl)

87020-4988

(unplatted not in South Omaha Airport)

94-24049

KNOW ALL MEN BY THESE PRESENTS

NEBRASKA DOCUMENTARY
STAMP TAX
NOV - 9 1994
\$ 5.50 BY Sam

THAT I or We, Rogers Family Partnership

herein called the grantor whether one or more,

in consideration of one dollar and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto

Eagle Ridge Development Company

herein called the grantee whether one or more, the following described real property in

Sarpy County State of Nebraska

The East 100 acres of that part of the East 1/2 of Section 25, Township 14 North, Range 12 East of the 6th P.M., in Sarpy County, Nebraska, lying North of the Right-of-Way of the Union Pacific Railroad EXCEPT that part taken for road purposes; and EXCEPT a strip of land conveyed to the Papillion Drainage District by deed recorded in Book 44 at Page 248.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seised of said premises; that they are free from encumbrance subject to easements, restrictions, and declaration of record; also, subject to all taxes, levies, and charges of SID No. 143 of Sarpy County, Nebraska

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated September 30 1994

Michael F. Rogers
Rogers Family Partnership

State of ...Nebraska...
County of Douglas.....

The foregoing instrument was acknowledged before me on September 30, 1994
by Michael F. Rogers, a partner in Rogers Family Partnership

Walt Slobotski

GENERAL NOTARY - State of Nebraska
WALT SLOBOTSKI
My Comm Exp. Aug. 30, 1996

STATE OF }
County } ss.

Entered on numerical index and filed for record in the Register of Deeds Office of said County the day of, 19....., at..... o'clock and..... minutes M., and recorded in Book..... of..... at page.....

Reg. of Deeds

By Deputy

Proof *W*
D.E. *J*
V. *J*
F. *J*
G. *J*
Fee \$ 5.50

94-24049
NOV 9 10:46

RETURN TO EAGLE RIDGE DEVELOPMENT
8250 GROVER
OMAHA NB. 68124

24049

94-05743A

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on December 31, 1993 by Joseph P. Rogers, Co-Personal Representative of the Estate of Franklin P. Rogers, Deceased.

Walt Slobotski

Notary Public



STATE OF NEBRASKA, County of Sarpy, Filed for record and entered in Numerical Index on _____, 1993 at ____ o'clock ____m., and recorded in Deed Record _____, Page _____.

County or Deputy County Clerk
Register or Deputy Register of Deeds

GM
GAINES, MULLEN, PANSING &
HOGAN
10050 REGENCY CIRCLE, SUITE 200
OMAHA, NEBRASKA 68114

FILED MAR 10 10 2: 18
INSTRUMENT NUMBER
94 05534

94 MAR 10 PM 2: 18

Carol A. Starvin
REGISTER OF DEEDS

94-05534

verified	<input checked="" type="checkbox"/>
Filed	<input type="checkbox"/>
Checked	<input type="checkbox"/>
Fee \$	15.50

SANITARY AND IMPROVEMENT DISTRICT STATEMENT
SARPY COUNTY, NEBRASKA

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

JOSEPH P. ROGERS, being first duly sworn, states that he is the Clerk of Sanitary and Improvement District No. 143 of Sarpy County, Nebraska, and makes the following statement regarding same:

1. District Number: 143
2. Outer Boundaries: See Exhibit A annexed.
3. The purpose for which the District is organized are, in general, to acquire, build, improve, install, maintain, remove, renew, repair, replace, or otherwise conduct or operate electrical service lines and conduits, a system of sanitary and storm sewers, a water system, a civil defense warning system, a system of sidewalks, public highways, roads, and streets, public waterways, docks or wharfs, and related appurtenances, dikes and levees for flood protection, and public parks, playgrounds, and other recreational facilities, to contract with any one or more corporations, municipalities, or persons for electricity for illumination of public highways, roads, and streets, for gas, for police protection and security services, for water for fire protection and resale to or use by residents within the District, and for disposal of or use of facilities for disposal or refuse, sewage, or other wastes, and to perform any one or more other functions now or hereafter permitted under the provisions of Section 31-727 through 762, R.R.S. of Nebraska, 1943, as amended, or any other applicable provisions of law; and, for the effectuation of its purposes, the powers of the District include without limitation all powers now or hereafter granted under said provisions and all other powers now or hereafter granted to public corporations under the law of Nebraska appropriate, convenient, or necessary to said purposes.
4. The District has the power to levy an unlimited property tax to pay its debt and its expenses of operation and maintenance.
5. The District is required by statute to levy special assessments on property in the District to the full extent of special benefits arising by reason of improvements installed by it

05534

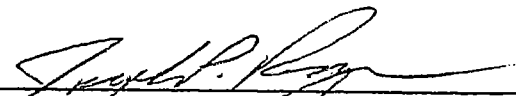
94-05534A

and may further be required to levy such special assessments in accordance with the terms of a Subdivision Agreement with the City of Omaha.

6. In all years when a budget is required by law, the District's annual budget is filed with the County Clerk, which budget shows anticipated revenue and expenses, tax rate (mill levy), and indebtedness of the District.

7. The actual current tax rate (mill levy) of the District may be obtained from the County Clerk.

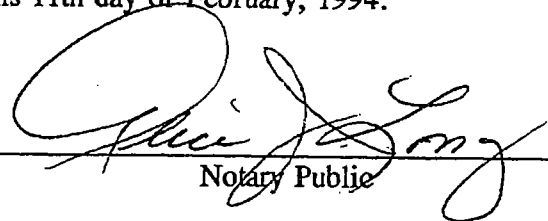
8. A copy of the District's annual financial audit is on file with the Clerk of the District and the State Auditor of Public Accounts.



JOSEPH P. ROGERS, Clerk
Sanitary and Improvement District
No. 143 of Sarpy County, Nebraska

SUBSCRIBED and sworn to before me this 11th day of February, 1994.



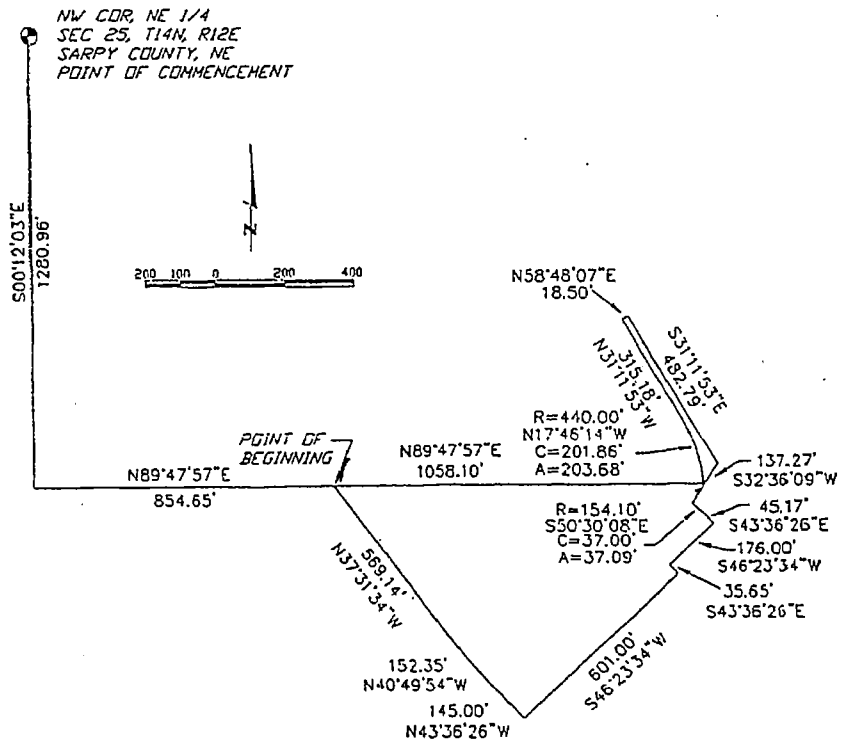


Notary Public

S I D BOUNDARY

LEGAL DESCRIPTION

That part of Taxlots 11A, 11B and 12 in the East Half of Section 25, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:
 Commencing at the northwest corner of the Northeast Quarter of said Section 25;
 Thence South 00°12'03" East (bearings referenced to the Final Plat of EAGLE RIDGE, a subdivision, as surveyed, platted and recorded in Sarpy Douglas County, Nebraska) for 1280.96 feet along the west line of the said Northeast Quarter of Section 25;
 Thence North 89°47'57" East for 854.65 feet to the TRUE POINT OF BEGINNING;
 Thence North 89°47'57" East for 1058.10 feet;
 Thence along a curve to the left (having a radius of 440.00 feet and a long chord bearing North 17°46'14" West for 201.86 feet) for an arc length of 203.86 feet;
 Thence North 31°11'53" West for 315.18 feet;
 Thence North 58°48'07" East for 18.50 feet;
 Thence South 31°11'53" East for 482.79 feet;
 Thence South 32°36'09" West for 137.27 feet;
 Thence along a curve to the right (having a radius of 154.10 feet and a long chord bearing South 50°30'08" East for 37.00 feet) for an arc length of 37.09 feet;
 Thence South 43°36'26" East for 45.17 feet;
 Thence South 46°23'34" West for 176.00 feet;
 Thence South 43°36'26" East for 35.65 feet;
 Thence South 46°23'34" West for 601.00 feet;
 Thence North 43°36'26" West for 145.00 feet;
 Thence North 40°49'54" West for 152.34 feet;
 Thence North 37°31'34" West for 569.14 feet to the Point of Beginning.
 Contains 9.61 acres.



Book _____ Page _____ Date Jan 31, 1994 Job Number 87020-4897

lamp, rynearson & associates, inc.
 engineers surveyors planners
 14747 california street omaha, nebraska 68154-1979 402-486-2498
 FAX # 402-486-2730