

PLAT BOOK COUNTY OF LINCOLN NEBRASKA

JUL 17 4 17 PM '97

\$30.50

INST. NO 97

028132

Pierson Fitchett
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AGREEMENT FOR GRADING AND DETENTION CELL CONSTRUCTION

This Agreement is entered into between The Lincoln Land and Mortgage Company (Lincoln Land) and Cheney Ridge Partnership (Cheney Ridge).

The parties agree:

1. Land Ownership: Lincoln Land is the owner of the real estate described on Exhibit "A" and has submitted for approval Preliminary Plat No. 97014, Edenton South Heights, which includes all of the real estate described on Exhibit "A" (Edenton South Heights). Cheney Ridge is the owner of the real estate described on Exhibit "B" and has submitted for approval Preliminary Plat No. 97013, Cheney Ridge, which includes all of the real estate described on Exhibit "B" (Cheney Ridge). The land included within the foregoing Preliminary Plats is contiguous.

2. Drainage Requirements: Pursuant to the design standards for subdivision regulations of the City of Lincoln, Nebraska, storm water detention is required for both subdivisions. Two storm water detention cells are proposed which will detain storm water runoff partially from land owned by Lincoln Land and partially from land owned by Cheney Ridge (the Shared Detention Cells). One of the Shared Detention Cells (Detention Cell "G") is located partially on land owned by Lincoln Land and partially on land owned by Cheney Ridge. The other Shared Detention Cell (Detention Cell "D/H") is located entirely within Cheney Ridge.

3. Cost Sharing: Exhibit "C" is a copy of an estimate by Olsson Associates of the cost of construction of Detention Cell "G" and Detention Cell "D/H", which sets forth the respective acreage within Edenton South Heights and Cheney Ridge which drain into each of the Shared Detention Cells. The parties agree that the cost of construction of each Shared Detention Cell should be divided between the parties based upon the percentage of land owned by the respective parties which drains into each of the Shared Detention Cells.

The cost shares for each detention cell are as follows:

Detention Cell "G"

Total estimated cost:	\$14,500.00
Lincoln Land (70%)	10,150.00
Cheney Ridge (30%)	4,350.00

/

Detention Cell "D/H"

Total estimated cost:	\$23,700.00
Lincoln Land (15%)	3,555.00
Cheney Ridge (85%)	20,145.00

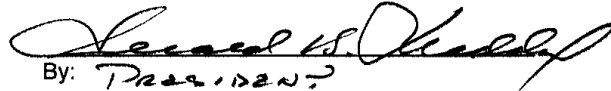
If the actual cost of construction of the detention cells varies from the estimates, the parties shall each pay their respective share of such actual cost based upon the percentages set forth in this paragraph.

4. Excess Dirt From Excavation & Grading: Lincoln Land will have approximately 38,000 cubic yards of excess dirt which must be removed from the Edenton South Heights property. Cheney Ridge needs a like amount of fill material for the Cheney Ridge property. Lincoln Land agrees to transfer and Cheney Ridge agrees to accept 38,000 cubic yards of fill dirt material during the process of grading both sites.

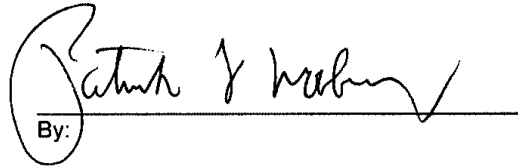
5. Maintenance of Shared Detention Cells: As further consideration for the transfer of excess material, Cheney Ridge agrees to accept a conveyance of the outlet within Edenton South Heights which includes Detention Cell "G". Cheney Ridge and its successors shall be responsible for the ongoing maintenance of the detention cells through the creation of a homeowners association within Cheney Ridge, and shall hold Lincoln Land and its successors harmless from any obligation for such maintenance.

Dated: July 11, 1997.

~~Land and Mortgage Company~~
THE LINCOLN LAND AND MORTGAGE COMPANY


By: President

Cheney Ridge Partnership


By: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

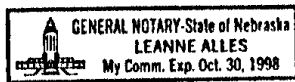
The foregoing instrument was acknowledged before me this 11th day of July, 1997, by Gerald A. Madley, President of Lincoln Land and Mortgage Company, a Nebraska corporation, on behalf of the corporation.



Matthew L. Lyman
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 17th day of July, 1997, by Patrick L. Mosher, partner on behalf of Cheney Ridge Partnership, a partnership.



Leanne Alles
Notary Public

(C:\WPLAMH\7-7-B.D)

EDENTON SOUTH HEIGHTS LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF LOT 57 I.T. LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH PM LANCASTER COUNTY NEBRASKA, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTHWEST CORNER OF SAID LOT 57 I.T., SAID POINT ALSO BEING THE NORTH 1/4 CORNER OF SAID SECTION 15, AND THE TRUE POINT OF BEGINNING, THENCE SOUTH 0 DEGREES 01 MINUTES 29 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 57 I.T. & THE WEST LINE OF SAID NE 1/4 A DISTANCE OF 1793.47 FEET TO A POINT, THENCE SOUTH 85 DEGREES 56 MINUTES 10 SECONDS EAST, A DISTANCE OF 386.36 FEET TO A POINT, THENCE SOUTH 59 DEGREES 20 MINUTES 06 SECONDS EAST, A DISTANCE OF 98.48 FEET TO A POINT, THENCE NORTH 33 DEGREES 42 MINUTES 08 SECONDS EAST, A DISTANCE OF 175.65 FEET TO A POINT, THENCE NORTH 63 DEGREES 36 MINUTES 50 SECONDS EAST, A DISTANCE OF 127.78 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 08 DEGREES 22 MINUTES 41 SECONDS, AN ARC DISTANCE OF 24.86 FEET, A RADIUS OF 170.00 FEET, AND A CHORD OF SOUTH 22 DEGREES 11 MINUTES 49 SECONDS EAST, A DISTANCE OF 24.84 FEET TO A POINT, THENCE NORTH 71 DEGREES 59 MINUTES 32 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 07 DEGREES 28 MINUTES 43 SECONDS, AN ARC DISTANCE OF 30.02 FEET, A RADIUS OF 230.00 FEET, AND A CHORD OF NORTH 21 DEGREES 44 MINUTES 50 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 50 DEGREES 34 MINUTES 35 SECONDS EAST, A DISTANCE OF 126.45 FEET TO A POINT, THENCE NORTH 38 DEGREES 25 MINUTES 58 SECONDS EAST, A DISTANCE OF 188.51 FEET TO A POINT, THENCE NORTH 26 DEGREES 11 MINUTES 10 SECONDS EAST, A DISTANCE OF 130.96 FEET TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 04 DEGREES 20 MINUTES 22 SECONDS, AN ARC DISTANCE OF 49.23 FEET, A RADIUS OF 650.00 FEET, AND A CHORD OF SOUTH 81 DEGREES 05 MINUTES 43 SECONDS EAST, A DISTANCE OF 49.22 FEET TO A POINT, THENCE NORTH 6 DEGREES 44 MINUTES 07 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 02 DEGREES 54 MINUTES 49 SECONDS, AN ARC DISTANCE OF 30.00 FEET, A RADIUS OF 590.00 FEET, AND A CHORD OF NORTH 81 DEGREES 48 MINUTES 29 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 9 DEGREES 38 MINUTES 56 SECONDS EAST, A DISTANCE OF 172.86 FEET TO A POINT, THENCE SOUTH 89 DEGREES 08 MINUTES 04 SECONDS WEST, A DISTANCE OF 153.41 FEET TO A POINT, THENCE NORTH 47 DEGREES 35 MINUTES 34 SECONDS WEST, A DISTANCE OF 228.03 FEET TO A POINT, THENCE NORTH 24 DEGREES 14 MINUTES 06 SECONDS WEST, A DISTANCE OF 154.82 FEET TO A POINT, THENCE NORTH 17 DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 167.96 FEET TO A POINT, THENCE NORTH 7 DEGREES 03 MINUTES 22 SECONDS WEST, A DISTANCE OF 156.31 FEET TO A POINT, THENCE NORTH 0 DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 204.79 FEET TO A POINT, THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 0 DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT, THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 0 DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 57 I.T., THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 57 I.T. A DISTANCE OF 610.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 31.31 ACRES MORE OR LESS.

RE

LEGEND

— — — — W — — — —	EXISTING WATER MAIN
————— W —————	PROPOSED WATER MAIN
— — — — S — — — —	EXISTING SANITARY SEWER
————— S —————	PROPOSED SANITARY SEWER
— ○ ————— S —	SANITARY SEWER MANHOLE

CHENEY RIDGE LEGAL DESCRIPTION

EXHIBIT B

TO 5 FEET.
AND FOR SIDEWALKS. ALL
SHALL BE 5' WIDE

84TH STREET IS
UNLESS OTHERWISE NOTED.
UNLESS OTHERWISE NOTED.
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AND REGULATIONS).
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E LAND SUBDIVISION
AND CALCULATIONS FOR
LINCOLN STANDARDS.
LOTS SHALL BE IN
D.
BE GIVEN TO ALL

A TRACT OF LAND COMPOSED OF LOT 67 I.T. LOCATED IN THE NORTHEAST
QUARTER (NE 1/4) OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE
6TH PM. LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE 1/4, THENCE N89°56'57"E,
ALONG THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 610.00' TO A POINT,
SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING
N89°56'57"E ALONG THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 652.86'
TO A POINT; THENCE S00°13'30"E A DISTANCE OF 462.97' TO THE SW CORNER
OF LOT 41 I.T.; THENCE N89°57'44"E A DISTANCE OF 295.85' TO A POINT;
THENCE S01°06'34"W A DISTANCE OF 935.62' TO A POINT; THENCE N89°56'51"E
A DISTANCE OF 1139.05' TO A POINT ON THE EAST LINE OF SAID NE 1/4;
THENCE S00°14'00"E ALONG THE EAST LINE OF SAID NE 1/4 A DISTANCE OF
527.88' TO A POINT; THENCE S89°56'33"W ALONG THE SOUTHERLY LINE OF
SAID LOT 67 I.T. A DISTANCE OF 2214.18' TO A POINT; THENCE N00°06'47"W,
A DISTANCE OF 55.08' TO A POINT; THENCE NORTH 33 DEGREES 42 MINUTES 06
SECONDS EAST, A DISTANCE OF 175.65 FEET TO A POINT, THENCE NORTH 63
DEGREES 36 MINUTES 50 SECONDS EAST, A DISTANCE OF 127.78 FEET TO A
POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA
ANGLE OF 08 DEGREES 22 MINUTES 41 SECONDS, AN ARC DISTANCE OF 24.86
FEET, A RADIUS OF 170.00 FEET, AND A CHORD OF SOUTH 22 DEGREES 11
MINUTES 49 SECONDS EAST, A DISTANCE OF 24.84 FEET TO A POINT, THENCE
NORTH 71 DEGREES 59 MINUTES 32 SECONDS EAST, A DISTANCE OF 60.00 FEET
TO A POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION
HAVING A DELTA ANGLE OF 07 DEGREES 28 MINUTES 43 SECONDS, AN ARC
DISTANCE OF 30.02 FEET, A RADIUS OF 230.00 FEET, AND A CHORD OF NORTH
21 DEGREES 44 MINUTES 50 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A
POINT, THENCE NORTH 50 DEGREES 34 MINUTES 35 SECONDS EAST, A DISTANCE
OF 126.45 FEET TO A POINT, THENCE NORTH 38 DEGREES 25 MINUTES 58
SECONDS EAST, A DISTANCE OF 188.51 FEET TO A POINT, THENCE NORTH 26
DEGREES 11 MINUTES 10 SECONDS EAST, A DISTANCE OF 130.96 FEET TO A
POINT, THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A
DELTA ANGLE OF 04 DEGREES 20 MINUTES 22 SECONDS, AN ARC DISTANCE OF
49.23 FEET, A RADIUS OF 650.00 FEET, AND A CHORD OF SOUTH 81 DEGREES
05 MINUTES 43 SECONDS EAST, A DISTANCE OF 49.22 FEET TO A POINT,
THENCE NORTH 6 DEGREES 44 MINUTES 07 SECONDS EAST, A DISTANCE
OF 60.00 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE
DIRECTION HAVING A DELTA ANGLE OF 02 DEGREES 54 MINUTES 49 SECONDS,
AN ARC DISTANCE OF 30.00 FEET, A RADIUS OF 590.00 FEET, AND A CHORD OF
NORTH 81 DEGREES 48 MINUTES 29 SECONDS WEST, A DISTANCE OF 30.00 FEET
TO A POINT, THENCE NORTH 9 DEGREES 38 MINUTES 56 SECONDS EAST, A DISTANCE
OF 172.86 FEET TO A POINT, THENCE SOUTH 89 DEGREES 08 MINUTES 04 SECONDS
WEST, A DISTANCE OF 153.41 FEET TO A POINT, THENCE NORTH 47 DEGREES 35
MINUTES 34 SECONDS WEST, A DISTANCE OF 228.03 FEET TO A POINT, THENCE
NORTH 24 DEGREES 14 MINUTES 06 SECONDS WEST, A DISTANCE OF 154.82 FEET
TO A POINT, THENCE NORTH 17 DEGREES 03 MINUTES 03 SECONDS WEST, A
DISTANCE OF 167.96 FEET TO A POINT, THENCE NORTH 7 DEGREES 03 MINUTES 22
SECONDS WEST, A DISTANCE OF 156.31 FEET TO A POINT, THENCE NORTH 0
DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 204.79 FEET TO A POINT,
THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS EAST, A DISTANCE OF 30.00
FEET TO A POINT, THENCE NORTH 0 DEGREES 03 MINUTES 03 SECONDS WEST, A
DISTANCE OF 60.00 FEET TO A POINT, THENCE SOUTH 89 DEGREES 56 MINUTES 57
SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT, THENCE NORTH 0
DEGREES 03 MINUTES 03 SECONDS WEST, A DISTANCE OF 200.00 FEET TO THE
POINT OF BEGINNING; SAID TRACT OF LAND CONTAINS 46.76 ACRES MORE OR LESS.

BOUNDARY CURVE DATA

CURVE	RADIUS	LENGTH	TANGENT	CHORD	DELTA
B1	170.00'	24.86'	12.45'	24.84'	08°22'41"
B2	230.00'	30.02'	15.03'	30.00'	07°28'43"
B3	650.00'	49.23'	24.63'	49.22'	04°20'22"
B4	590.00'	30.00'	15.00'	30.00'	02°54'49"

LEGEND

- W ----- EXISTING WATER MAIN
- W ----- PROPOSED WATER MAIN
- C ----- EXISTING SANITARY SEWER

F LOTS

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OLSSON ASSOCIATES
CONSULTING ENGINEERS

**CHENEY RIDGE/EDENTON SOUTH HEIGHTS
DETENTION COST OPINION**

	<u>Acres</u>	<u>%</u>	<u>\$</u>	<u>Acres</u>	<u>%</u>	<u>\$</u>
Lincoln Federal	8.35	70%	10,150	5.86	15%	3,555
Mooberry	3.50	30%	4,350	33.46	85%	20,145

<u>Detention Cell G</u>		<u>Detention Cell D/H</u>	
Grading	\$ 3,000	Grading	\$ 5,000
Outlet Structure	6,000	Outlet Structure	10,000
24" RCP-60 @ \$35/Ft.	2,100	48" RCP-50' @ \$75/Ft.	3,750
24" FES	500	48" FES	750
Rip Rap	500	Rip Rap	500
Seeding	500	Seeding	500
Engineering/Staking	<u>1,000</u>	Engineering/Staking	<u>1,500</u>
	x 1.1		x 1.1
TOTAL:	\$14,500	TOTAL:	\$23,700

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