

8-15-11

BOOK 566 PAGE 407

A G R E E M E N T

WHEREAS the undersigned wish to develop a sub-division named Fair Meadows, Phase I., in Douglas County, Nebraska, and

WHEREAS a portion of said sub-division is within the jurisdictional limits of the City of Elkhorn, and

WHEREAS the undersigned developers of Fair Meadows, Phase I, wish to connect to the existing sewer plant of the City of Elkhorn,

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is expressly agreed by and between the parties as follows:

1. The undersigned hereinafter referred to as Developers expressly agree that they shall not place any homes in that portion of the Fair Meadows, Phase I., sub-division within the jurisdiction of the City of Elkhorn, which homes shall contain less than twelve hundred square feet (1,200). All of said homes may be connected to the sewer of the City of Elkhorn, subject to the capacity of the sewer plant.

2. It is further expressly agreed by the Developers that they shall develop the portion of Fair Meadows, Phase I., sub-division located in Douglas County, Nebraska, beyond the jurisdictional limits of the City of Elkhorn, in accordance with a planned unit development plan which has been marked as Exhibit "A" and has been delivered to the City of Elkhorn, receipt of which is hereby acknowledged by said City. Said plan shows the location of various styles and types of homes which will be located in that portion of the sub-division beyond the jurisdiction of the City of Elkhorn. It is expressly agreed and understood that there shall be sixteen (16) homes constructed in the Potomac style, with a maximum number of sixteen (16) having a minimum square footage of 1093; twenty-two (22) in the Vernon style with a maximum number of twenty-two (22) having a minimum square footage of 1052; twenty-five in the Virginian style with a maximum number of twenty-five (25) having a minimum square footage of 1060; twenty-six in the Saratoga style with a maximum

number of twenty-six (26) having a minimum square footage of 1062; six (6) in the Balboa style with a maximum number of six (6) having a minimum square footage of 1107; and one (1) Shenandoah having a minimum square footage of 1200.

IT IS FURTHER EXPRESSLY AGREED and understood that the agreement applies to Phase I. only of this sub-division and the City in no way obligates itself at this time to any services to other Phases of the proposed sub-division development.

IT IS FURTHER AGREED that SID 279 shall be responsible and pay for sewer use fees to the City of Elkhorn on the regular out-of-city rate.

IN CONSIDERATION of the promise of the Developers to develop that portion of the sub-division in accordance with the plan, marked Exhibit "A", referred to above, the City of Elkhorn hereby agrees to allow said sub-division to connect to the city sewer the homes in the sub-division as designated on the plan, Exhibit "A". This plan shall not be altered or varied in any manner without the express written permission of the City of Elkhorn.

IT IS FURTHER AGREED that this Agreement shall be binding on the successors and assigns of the Developers and that a copy of this Agreement shall be recorded in the Office of the Register of Deeds, Douglas County, Nebraska.

Dated this 22 day of September, 1975.

CITY OF ELKHORN

BY [Signature]

MAYOR

N.B.C. CONSTRUCTION, CO. INC

BY [Signature]

SID 279

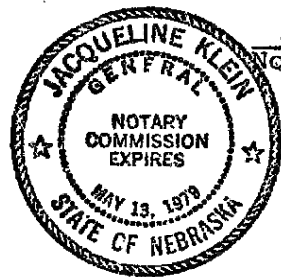
BY [Signature]

RONALD W. HUNTER

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

On this 22<sup>nd</sup> day of September, 1975, before me, the undersigned, a Notary Public, duly commissioned and qualified in said County, personally came Ronald W. Hunter to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.



*Jacqueline Klein*  
Notary Public

To The Office of  
**GEORGE E. EHRHART**  
 County Surveyor and Engineer  
 Douglas County

Field Notes:

Found existing corners at points A, B, C, D, E, F, G, H, & J. Set point N at intersection of lines D to E and B to H. Produced and chained line A to D 2652.87 feet setting point K on line one half the distance (1326.44) south of A. Produced and chained line B to N 2651.80' setting point L on line one half the distance (1325.90) south of B. Produced and chained line D to N 2651.31' setting point M on line one half the distance (1325.66) east of D. Chained line K to L 2643.45'; D to F 2651.12', F to G 1322.89' and G to M 2648.45 feet. At points K, L, M, and N set 5/8 inch x 30 inch rebar, wood hub, and lath. All lines produced with Wild Theodolite T16-158165 ED. All distances measured with 100 foot steel chain.

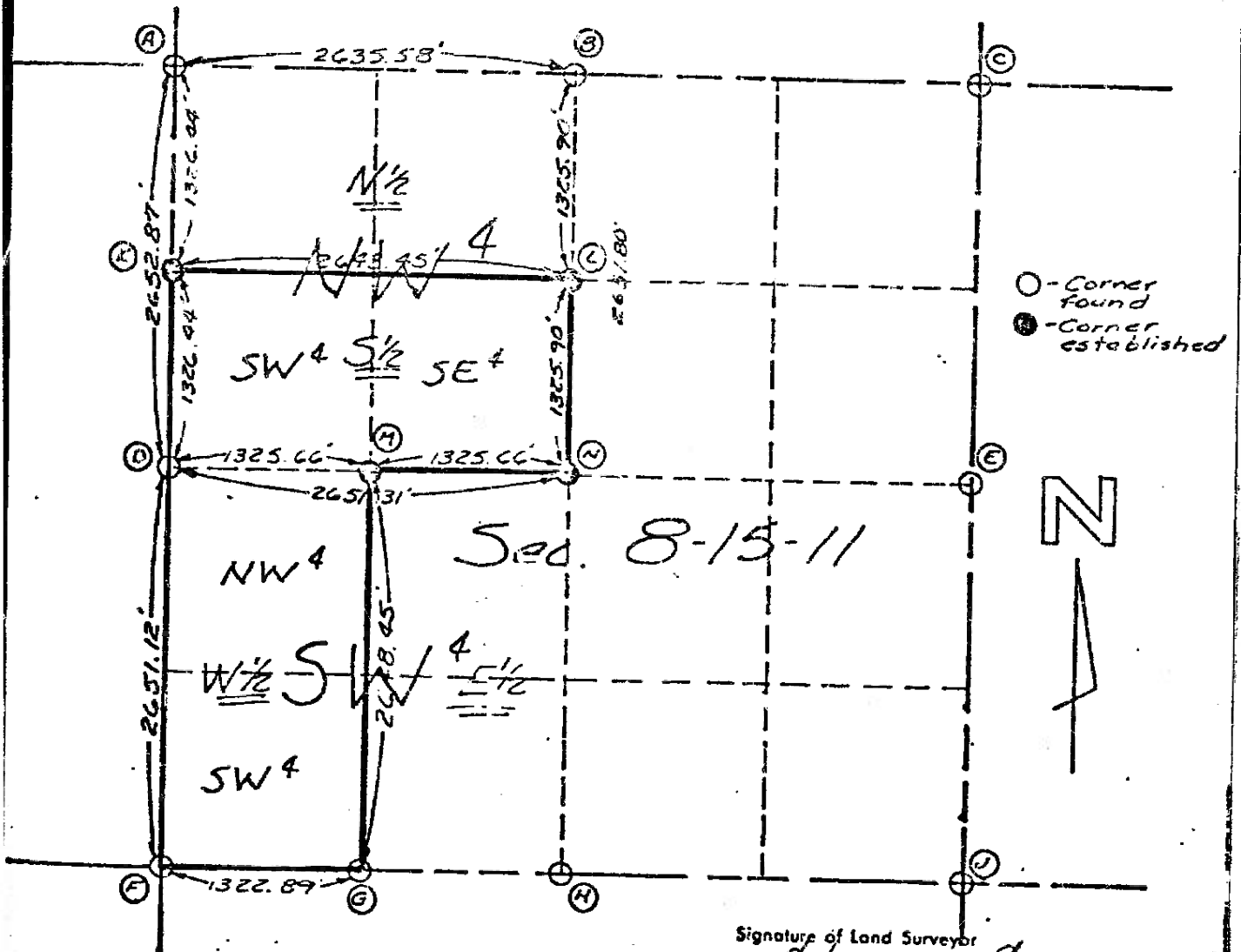
LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description

The South half of the Northwest Quarter and the West half of the Southwest Quarter, Section 8 Township 15 Range 11 East of the 6th P.M., Douglas County, Nebraska, containing 161.16 acres.

Plot to show showing tract surveyed with all pertinent points.



Signature of Land Surveyor

*Gerald Erickson*

DATE RECEIVED:

8

Date June 3, 1974 Reg. No. L 5 107

OFFICIAL ADDRESS

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
 DAY OF June 1974 AT 2:00 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS

BLDG. PERMIT NO