



BK 1368 PG 342-344



MISC 2001 01835

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By

RICHARD M. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

2001 FEB -7 PM 4:02

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CONSENT AND RATIFICATION OF PROTECTIVE COVENANTS

VILLAGE LAND COMPANY, a Nebraska Corporation, does hereby consent to and ratify in their entirety all the terms, conditions, and provisions of that certain Indenture of Protective Covenants which was recorded on January 22, 2001, in Book 1366 at Page 396 of the Miscellaneous Records of Douglas County, Nebraska, affecting the 3 separate parcels of real estate described in Exhibit "A", which is attached hereto and is incorporated herein by this reference, Re-recorded on February 7, 2001, in Book 1368 at Page 334 of the Miscellaneous Records of Douglas County, Nebraska, together with any parcel or parcels subsequently created by any Subdivision of the said 3 parcels which may occur now or hereafter.

The said Village Land Company executes the foregoing Consent and Ratification on its own behalf, and with the intent to bind itself as well as its successors, legal representatives and assigns.

WITNESS MY HAND this 7th day of February, 2001.

VILLAGE LAND COMPANY, a Nebraska Corporation

BY:

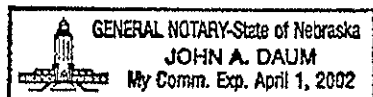
Michael L. Henery  
Michael L. Henery, President

STATE OF NEBRASKA )

) ss.

COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 7th day of February, 2001, by Michael L. Henery, who is the President of VILLAGE LAND COMPANY, a Nebraska Corporation, for and on behalf of the Corporation.



John A. Daum  
NOTARY PUBLIC

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REC 16-12-01 FB 01-60000  
BKP 34-16-12-010 COMP  
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## EXHIBIT A

### LEGAL DESCRIPTION PARCEL A

That part of the Northeast Quarter of Section 34, Township 16 North, Range 12 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows: Commencing at the northwest corner of the Northeast Quarter of Section 34; Thence North 87 degrees 17'04" East (bearing referenced to the Nebraska State Plane System, NAD 83) for 1400.73 feet along the north line of the Northeast Quarter of Section 34; Thence South 02 degrees 17'15" East for 171.92 feet parallel with and 66.00 feet east of the west line of the Northeast Quarter of the Northeast Quarter of Section 34 to the south right of way line of Ida Street and the True Point of Beginning; Thence South 02 degrees 17'15" East for 531.15 feet parallel with and 66.00 feet east of the west line of the Northeast Quarter of the Northeast Quarter of Section 34; Thence South 87 degrees 29'51" West for 361.53 feet; Thence South 02 degrees 17'15" East for 1208.98 feet to the north right of way line of Vernon Avenue; Thence along a curve to the right (having a radius of 1279.33 feet and a long chord bearing North 78 degrees 21'07" West for 412.71 feet) for an arc length of 414.52 feet along said north right of way line; Thence North 69 degrees 04'10" West for 165.32 feet along said north right of way line; Thence along a curve to the left (having a radius of 689.17 feet and a long chord bearing North 72 degrees 54'36" West for 92.32 feet) for an arc length of 92.39 feet along said north right of way line; Thence North 76 degrees 45'02" West for 214.27 feet along said north right of way line; Thence along a curve to the right (having a radius of 40.00 feet and a long chord bearing North 36 degrees 02'24" West for 52.17 feet) for an arc length of 56.83 feet to the east right of way line of the Northwest connector; Thence North 04 degrees 40'14" East for 339.93 feet along said east right of way line; Thence along a curve to the right (having a radius of 1262.34 feet and a long chord bearing North 44 degrees 52'57" East for 1629.95 feet) for an arc length of 1771.87 feet along the southeast right of way line of the Northwest Connector to the Point of Beginning.

### LEGAL DESCRIPTION PARCEL C

That part of the Southwest Quarter AND the Southeast Quarter of Section 27 AND part of the Northeast Quarter AND the Northwest Quarter of Section 34, all in Township 16 North, Range 12 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows: Commencing at the southeast corner of the Southwest Quarter of Section 27; Thence South 87 degrees 09'35" West (bearing referenced to the Nebraska State Plane System, NAD 83) for 127.79 feet along the south line of the Southeast Quarter of Section 27 to the north right of way line of Ida Street and the True Point of Beginning; Thence along a curve to the left (having a radius of 1017.26 feet and a long chord bearing North 85 degrees 43'18" West for 162.69 feet) for an arc length of 162.86 feet along said north right of way line; Thence North 01 degrees 00'28" West for 131.10 feet; Thence South 89 degrees 02'32" West for 188.18 feet to the east line of EVERGREEN PLACE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Thence North 37 degrees 47'50" West for 1108.80 feet along the east line of Lots 1 through 10 extended to the north right of way line of Pearl Street; Thence South 54 degrees 47'56" West for 7.40 feet along said north right of way line to the east corner of Lot 11, EVERGREEN PLACE; Thence North 02 degrees 41'18" West for 257.28 feet to the northeast corner of Lot 11, EVERGREEN PLACE and the north line of the Southeast Quarter of the Southwest Quarter of Section 27; Thence North 87 degrees 09'25" East for 1121.88 feet to the northeast corner of the Southeast Quarter of the Southwest Quarter of Section 27; Thence South 02 degrees 31'35" East for 514.14 feet along the east line of said Southeast Quarter of the Southwest Quarter of Section 27; Thence North 87 degrees 15'11" East for 1397.28 feet; Thence South 02 degrees 43'26" East for 806.16 feet parallel with and 66.00 feet east of the west line of the Southeast Quarter of the Southeast Quarter of Section 27 to the south line thereof; Thence South 02 degrees 17'15" East for 71.82 feet parallel with and 66.00 feet east of the west line of the Northeast Quarter of the Northeast Quarter of Section 34 to the north right of way line of the Northwest Connector; Thence along a curve to the left (having a radius of 1362.34 feet and a long chord bearing South 71 degrees 38'19" West for 642.88 feet) for an arc length of 649.00 feet along said north right of way line; Thence North 32 degrees 00'32" West for 10.00 feet along said north right of way line; Thence along a curve to the left (having a radius of 1372.34 feet and a long chord bearing South 52 degrees 28'44" West for 263.65 feet) for an arc length of 264.06 feet along said north right of way line; Thence North 89 degrees 12'50" West for 71.72 feet to the north right of way line of Ida Street; Thence North 46 degree 26'46" West for 123.10 feet along said north right of way line; Thence along a curve to the left (having a radius of 1017.26 feet and a long chord bearing North 60 degrees 03'41" West for 478.93 feet) for an arc length of 483.47 feet along said north right of way line to the west line of the Northeast Quarter of Section 34; Thence along a curve to the left (having a radius of 1017.26 feet and a long chord bearing North 77 degrees 24'22" West for 132.33 feet) for an arc length of 132.42 feet along said north right of way line to the north line of the Northwest Quarter of Section 34 and the Point of Beginning.

### LEGAL DESCRIPTION PARCEL B

That part of the Northeast Quarter AND Northwest Quarter of Section 34, Township 16 North, Range 12 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows: Commencing at the northwest corner of the Northeast Quarter of Section 34; Thence South 02 degrees 27'38" East (bearing referenced to the Nebraska State Plane System, NAD 83) for 105.21 feet along the west line of the Northeast Quarter of Section 34 to the south right of way line of Ida Street and the TRUE POINT OF BEGINNING; Thence along a curve to the

right (having a radius of 951.26 feet and a long chord bearing South 59 degrees 22'57" East for 425.92 feet) for an arc length of 429.56 feet along said south right of way line; Thence South 46 degrees 26'46" East for 145.22 feet along said south right of way line; Thence along a curve to the right (having a radius of 40.00 feet and a long chord bearing South 02 degrees 56'18" East for 55.08 feet) for an arc length of 60.75 feet to the west right of way line of the Northwest Connector; Thence along a curve to the left (having a radius of 1362.34 feet and a long chord bearing South 22 degrees 37'13" West for 839.68 feet) for an arc length of 853.57 feet along said west right of way line; Thence South 04 degrees 40'14" West for 316.73 feet along said west right of way line; Thence along a curve to the right (having a radius of 98.65 feet and a long chord bearing South 72 degrees 14'41" West for 50.30 feet) for an arc length of 50.86 feet to the north right of way line of Vernon Avenue; Thence North 59 degrees 17'29" West for 17.24 feet along said north right of way line to the west line of the Northeast Quarter of Section 34; Thence North 59 degrees 17'29" West for 78.10 feet along said north right of way line to the west right of way line of Irvington Road; Thence North 22 degrees 34'54" West for 230.58 feet along said west right of way line to the southwest corner of Lot 7, IRVINGTON 1<sup>ST</sup> ADDITION, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Thence North 89 degrees 43'13" East for 122.77 feet to the southeast corner of said Lot 7; Thence North 36 degrees 26'04" West for 48.29 feet to an angle point in the east line of said Lot 7; Thence North 22 degrees 58' 50" West for 335.25 feet to the southeast corner of Lot 1, IRVINGTON 1<sup>ST</sup> ADDITION; Thence North 31 degrees 05'49" West for 55.33 feet to an angle point in the east line of said Lot 1; Thence North 07 degrees 03'53" West for 64.84 feet to the northeast corner of said Lot 1; Thence South 84 degrees 34 '33" West for 115.00 feet to the northwest corner of said Lot 1; Thence North 22 degrees 44'38" West for 426.78 feet along the east right of way line of Irvington Road; Thence North 87 degrees 03'24" East for 296.84 feet along the east right of way line of Irvington Road; Thence North 02 degrees 57'20" West for 211.82 feet; thence South 87 degrees 02'35" West for 372.48 feet; Thence North 22 degrees 31'06" West for 171.65 feet along the east right of way line of Irvington Road; Thence along a curve to the right (having a radius of 40.00 feet and long chord bearing North 40 degrees 31'59" East for 52.40 feet) for an arc length of 57.13 feet along the south right of way line of Ida Street; Thence North 81 degrees 26'49" East for 64.27 feet along said south right of way line; Thence North 89 degrees 02'32" East for 195.18 feet along said south right of way line; Thence along a curve to the right (having a radius of 951.26 feet and a long chord bearing South 81 degrees 38'18" East for 308.09 feet) for an arc length of 309.45 feet along said south right of way line to the Point of Beginning.