

REF ID: A694785

EASEMENT

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This agreement, made and entered into between WILLIAM M. WOLFE and PETER D. KNOTT, as Trustees (Sellers), and HACIENDA HEIGHTS INVESTMENT GROUP, A NEBRASKA LIMITED PARTNERSHIP (Purchaser).

WITNESSETH:

WHEREAS, Purchaser is acquiring Lot 3, Heide Heights, a subdivision in Douglas County, Nebraska from Sellers and Sellers retain ownership of Lot 2 of said subdivision, and

WHEREAS, an existing driveway/parking area serving the said Lot 3 encroaches on and over a portion of said Lot 2,

NOW, THEREFORE, in consideration of one dollar and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, the parties agree as follows:

1. Sellers hereby grant Purchaser a perpetual easement over and on those portions of Lot 2, Heide Heights, a subdivision in Douglas County, Nebraska, now a part of the City of Omaha, as more particularly described on Exhibit "A" attached hereto, for the purpose of use as a driveway/parking area or any similar appurtenant use, including, without limitation, any necessary maintenance or reconstruction thereof.

2. The parties agree that the easement on that portion of Lot 2 described on Exhibit "A" as "Legal Description #2" shall be released if and when any subsequent owner of Lot 2 shall so request to the extent necessary to develop Lot 2 in accordance with any specific plan of development. Release of easement, removal of encroachment and repairs required as a result thereof to remaining improvement on Lot 3 shall be at the expense of Lot 2.

3. This easement is for the benefit of Lot 3, Heide Heights, a subdivision in Douglas County, Nebraska, a part of the City of Omaha, and appurtenant thereto or to any portion thereof and shall run with the land and shall be binding on and inure to the benefit of the parties hereto, their heirs, successors and assigns.

Dated this 1 day of August, 1983.

HACIENDA HEIGHTS COMPANY

By: Peter D. Knott  
General Partner

William M. Wolfe  
William M. Wolfe, Trustee  
Peter D. Knott  
Peter D. Knott, Trustee

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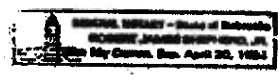
STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)

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On this 1st day of April, 1983 before me, the undersigned, a notary public duly commissioned and qualified for said county, personally came WILLIAM M. WOLFE and PETER D. KNOTT, as Trustees, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed as Trustees.

WITNESS my hand and seal the day and year last above written.

*[Signature]*  
Notary Public



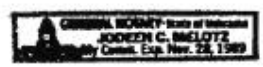
STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)

On this 9 day of July, 1986, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Peter D. Knott, to me personally known, who being by me duly sworn, did say that he is a General Partner of Hacienda Heights Company, and acknowledged the execution of said instrument to be the voluntary act and deed of said Hacienda Heights Company, by it and by him voluntarily executed.

WITNESS my hand and Notarial Seal the day and year first above written.

*[Signature: Jordan C. Meloy]*  
Notary Public

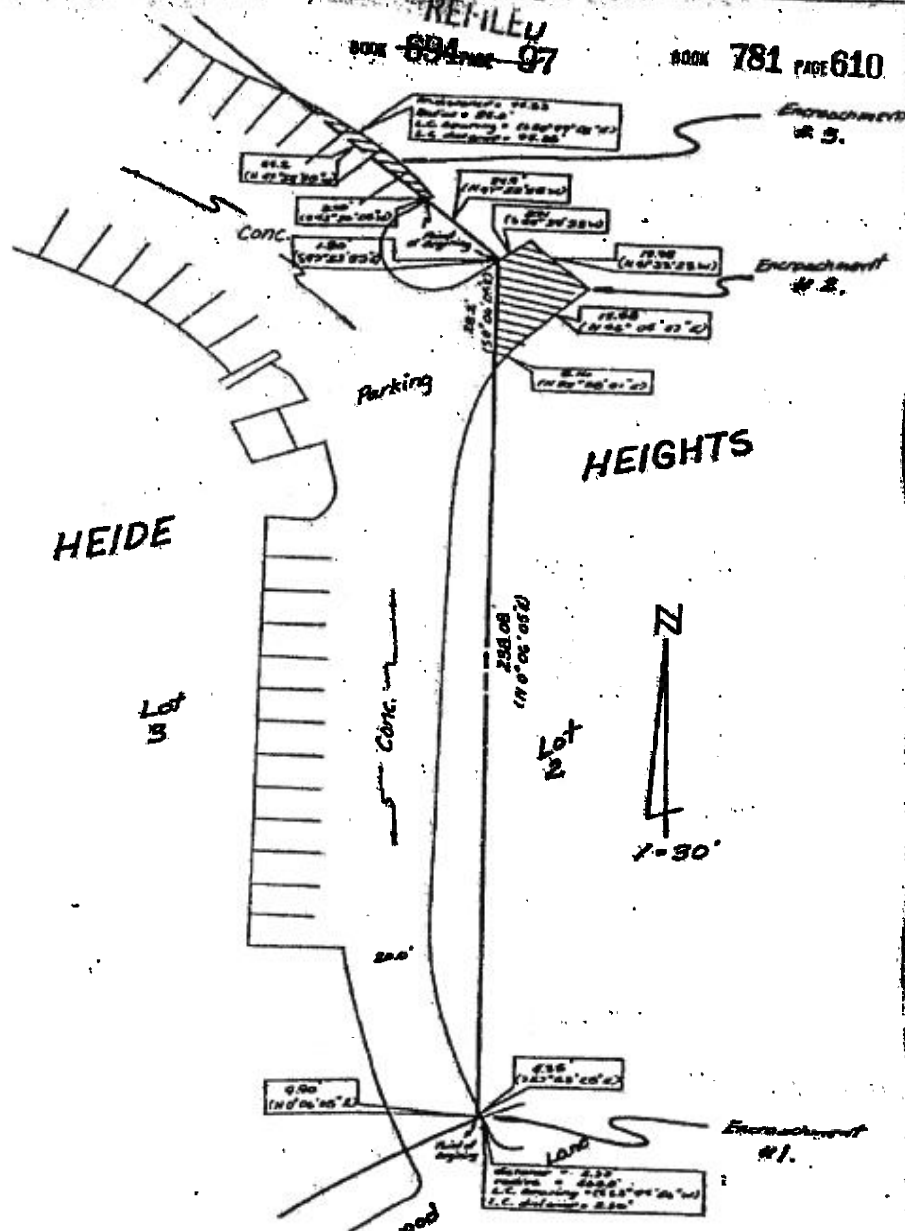
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Legal Description #2

Legal Description #3

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