

1247-660

PR 1384 3

TEMPORARY GRADING EASEMENT

That ROYAL HOMES, INC. herein called "GRANTOR", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of one dollar (\$1.00), duly receipt whereof is hereby acknowledged, and the Grantee, as hereinafter set out and expressed does hereby GRANT, REMISE, and RELINQUISH unto ZIMMERMAN-WILHOIT, LLC, a corporation, its successors and assigns the RIGHT, PRIVILEGE and EASEMENT to use and occupy temporarily, during the initial construction, reconstruction, maintenance, and operation, and appurtenances thereto belonging, over and through the described property indicated on the Exhibit entitled Temporary Grading Easement (referenced on the back side), and as follows:

RECEIVED
MAY 4 1998
ROSS ENGINEERING INC.

A Legal description of a Temporary Grading Easement, in Huntington Park, located in part of the West Half of the Northeast Quarter of Section 10, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska and more particularly described by metes and bounds as follows:

Referring to the Southeasterly Corner of Lot 2, Maple Creek Subdivision, a part of the East Half of the Northwest Quarter of Section 10, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska; Thence N 00° 15' 54" W, (an assumed bearing), and on the Easterly Line of Lot 2 of said Maple Creek Subdivision or the Westerly Line of Huntington Park, located in part of the West Half of the Northeast Quarter of Section 10, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska and also on the West Line of the Northeast Quarter of said Section 15, a distance of 50.74 feet to the POINT OF BEGINNING; Thence continuing on the last described, N 00° 15' 54" W, and on the Easterly Line of Lot 2 of said Maple Creek Subdivision or the West Line of the Northeast Quarter of said Section 15 on said Huntington Park, a distance of 800.01 feet; Thence S 89° 59' 56" E, a distance of 5.00 feet; Thence S 00° 15' 54" E, a distance of 800.01 feet; Thence N 89° 59' 53" W, a distance of 5.00 feet to the point of beginning and containing a calculated area of 4,000.00 square feet or 0.092 acres, more or less.

NW NE
SW NE

As further consideration of this grant, the Grantee herein agrees as follows:

1. That immediately following the initial construction hereinabove referred to, the Grantee will cause to be removed from the property hereinabove described, all debris, all surplus material and construction equipment and leave the premises in a neat and presentable condition.
2. That in the event that anything is damaged by the Grantee's agents during the initial construction, the Grantee will cause the said improvement on the property hereinabove described to be repaired and restored to a condition fully equal to that existing before construction operations were commenced.
3. That following completion of construction, the Grantee will cause the prompt restoration to smooth surface contours and neat condition and shall seed the area disturbed during the course of construction.
4. That the right, privilege and easement herein granted for temporary construction use of those portions of the said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction, final inspection and acceptance of the Grantor, hereinabove mentioned, and the performance by the Grantee of the conditions and covenants herein set out.

THIS INSTRUMENT, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 1 day of MAY, 1998.

Barry Broder
ROYAL HOMES, INC.

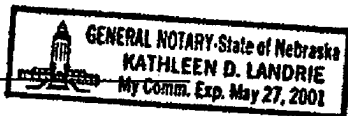
STATE OF Nebraska)
COUNTY OF Douglas)ss:

On May 1, 1998, before me, the undersigned a Notary Public duly commissioned for and qualified in said County, personally came Barry Broder, to me known to be the identical person (s), whose name (s) is (are) affixed to the foregoing instrument and acknowledged the execution thereof to be his, her, or their voluntary act and deed.

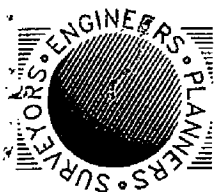
Witness my hand and notarial seal the day and year last above written.

Kathleen D Landrie
Notary Public

My Commission Expires:



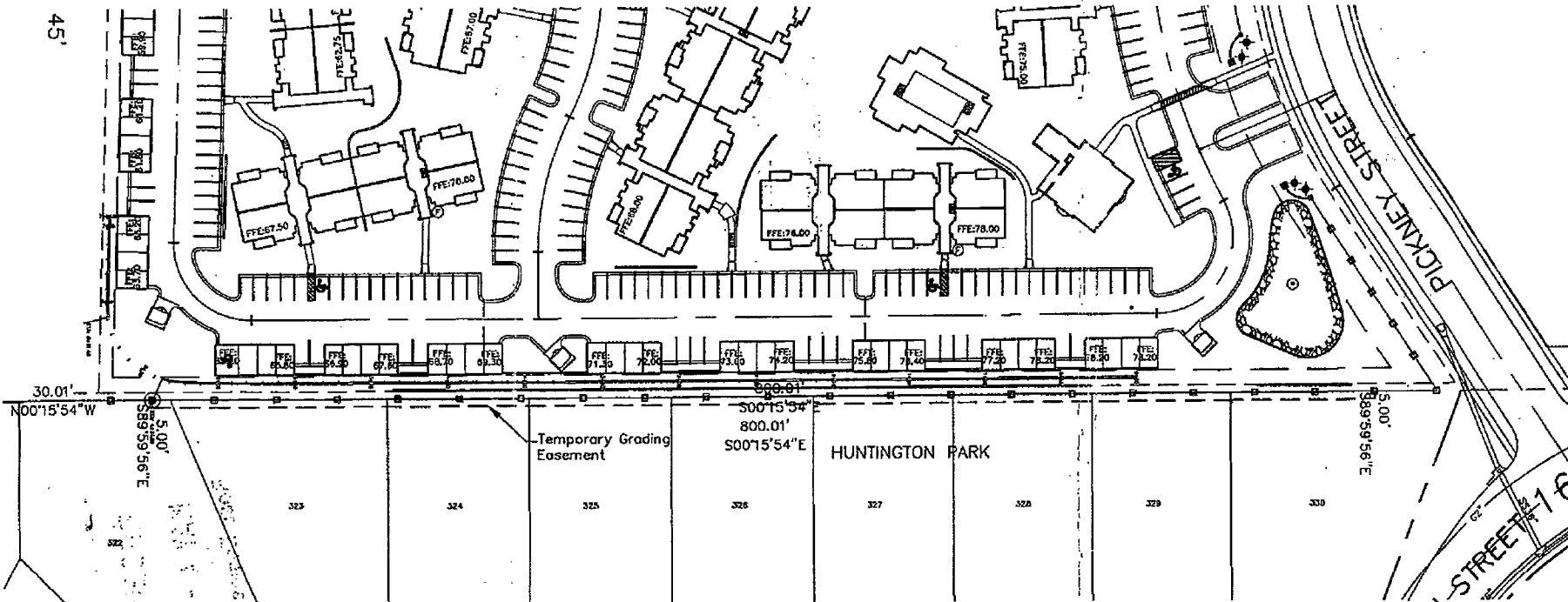
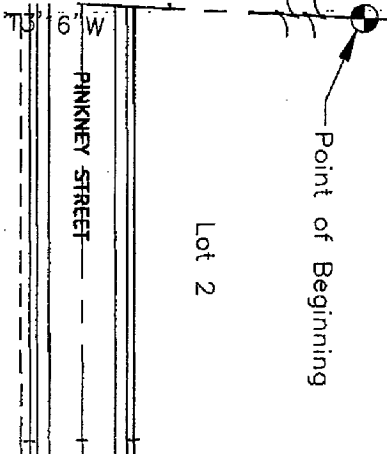
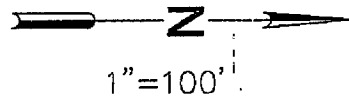
5-1398
5-12



Ross
Engineering,
Inc.

The Cotswold Phone 402-474-7677
645 M Street, Suite 201 FAX 402-474-7678
Lincoln, NE 68508 4/16/97
PRB

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**CAMBURY HILL APARTMENTS
GRADING
EASEMENT
EXHIBIT**

PRB

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645 M St.
Lincoln, NE 68508