



BK 0922 PG 289



MISC 1990 07731

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ADOPTION AND RATIFICATION OF AMENDMENT TO EASEMENT GRANT AND CROSS EASEMENT

This Adoption and Ratification of Amendment to Easement Grant and Cross Easement is made and executed this 3 day of May, 1990, by Miracle Hills II, Inc., a Nebraska corporation, herein referred to as "Miracle Hills II".

WHEREAS, Miracle Hills II is the owner of the real estate described on Exhibit "A" attached hereto hereinafter referred to as "Property"; and

WHEREAS, an Amendment to Easement Grant and Cross Easement was made by Silvercrest Developers, Inc., a Nebraska corporation, dated April 4, 1988, and filed on April 4, 1988, in Book 844 at Page 350 of the Miscellaneous Records of Douglas County, Nebraska, hereinafter referred to as "Easement Grant"; and

WHEREAS, the Easement Grant burdens and benefits the Property but was not joined in by Miracle Hills II; and

WHEREAS, Miracle Hills II desires the Easement Grant to benefit and burden the Property.

NOW, THEREFORE, Miracle Hills II hereby declares that the Property shall hereinafter be held, sold, occupied, conveyed and used subject to the terms conditions, agreements, and limitations of the Easement Grant, and that the owner of the Property shall bear 100% of the costs allocated under the Easement Grant to the owner or owners of "Lot 21" (as defined in the Easement Grant). Notwithstanding anything to the contrary contained herein or in the Easement Grant, when the Property is developed, the owner of the Property shall install the driveway, curbing, island, island sprinkler system servicing the island, and related improvements on that part of the "Lot 21 Access Easement" (as defined in the Easement Grant) situated on the Property, and bear 100% of the installation cost. This Adoption and Ratification of Amendment to Easement Grant and Cross Easement shall run with the land, be binding upon and inure to the benefit of all parties having or acquiring any right, title or interest in or to the Property.

MIRACLE HILLS II, INC., a Nebraska corporation

By [Signature]
Terry L. Clauff, Vice President



77 31 *Handwritten*

May 4 3 22 PM '90

GEORGE J. BUGLE, JR.
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

922 N _____ C/O _____ FEE 1530
PG 289-291 N _____ DEL MC
OF Misc COMP _____ F/B MC-25685

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

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On this 3 day of May, 1990, before me, a Notary Public in and for said county and state, personally came Terry L. Clauff, known to me to be the identical person whose signature is affixed above as Vice President of Miracle Hills II, Inc., a Nebraska corporation, and he acknowledged the execution thereof to be the voluntary act and deed of said corporation, and his own duly authorized and voluntary act and deed as such officer.

WITNESS my hand and notarial seal the day above written.



Notary Public



EXHIBIT "A"

LEGAL DESCRIPTION

Part of Lot 21, in MIRACLE HILLS PARK, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska, more particularly described as follows:

Beginning at a point on the Southerly right-of-way line of Miracle Hills Drive, said point also being the Northeast corner of said Lot 21, Miracle Hills Park; thence South $07^{\circ}10'39''$ West (assumed bearing), along the Easterly line of said Lot 21, Miracle Hills Park, a distance of 358.96 feet, to the Southwest corner of Lot 1, Miracle Hills Park Replat, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; thence South $89^{\circ}24'43''$ West, along the North line of Lot 7, Richland Park, and the North line of Richland Park West, both Subdivisions, as surveyed, platted and recorded, in Douglas County, Nebraska, a distance of 356.55 feet; thence North $14^{\circ}33'38''$ West, a distance of 276.82 feet; thence North $00^{\circ}00'12''$ West, a distance of 210.00 feet; thence North $25^{\circ}48'05''$ East, a distance of 82.44 feet; thence North $19^{\circ}59'48''$ East, a distance of 52.91 feet, to a point on said Southerly right-of-way line of Miracle Hills Drive; thence Southeasterly, along said Southerly right-of-way line of Miracle Hills Drive, on a curve to the right with a radius of 455.00 feet, a distance of 139.39 feet, said curve having a long chord which bears South $57^{\circ}26'47''$ East, a distance of 138.85 feet; thence South $48^{\circ}40'12''$ East, along said Southerly right-of-way line of Miracle Hills Drive, a distance of 100.00 feet; thence Southeasterly, along said Southerly right-of-way line of Miracle Hills Drive, on a curve to the left with a radius of 420.00 feet, a distance of 250.35 feet, said curve having a long chord which bears South $65^{\circ}44'46''$ East, a distance of 246.66 feet, to the Point of Beginning.