

AGREEMENT

This Agreement is entered into this 4 day of July 1993 between SKS, INC., a Nebraska corporation ("Developer"), SANITARY AND IMPROVEMENT DISTRICT NO. 367 OF DOUGLAS COUNTY, NEBRASKA ("District"), and the CITY OF OMAHA ("City").

1. Developer will grant to the City and the District, their successors and assigns, storm water drainage and detention easements covering parts of the golf course land being developed by Developer in connection with The Ridges subdivision. The legal description of the land subject to such easements is parts of Lots 268, 270, 271 and 272, The Ridges subdivision.

2. Developer, for itself and its successors and assigns, agrees to maintain said easement areas to accept the storm water drainage over and through them, so that at all times they remain open and capable of accommodating the flow (including some detention) of storm waters they are designed to receive.

3. Developer agrees that in no case shall any claim be made against the City and the District, their successors and assigns, for any damages done to the golf course by reason of said storm water drainage, including but not limited to siltation.

4. This Agreement may be enforced in law or equity by action for specific performance, and will be binding on Developer's successors and assigns. This Agreement runs with the land known as Lots 268, 270, 271 and 272 of The Ridges.

ATTEST:

Mary H. Halley
City Clerk

CITY OF OMAHA

By P. Moran 2/4/93
Mayor Date

ATTEST:
Seymour Katz
Clerk

SANITARY AND IMPROVEMENT DISTRICT
NO. 367 OF DOUGLAS COUNTY, NEBRASKA

By John Callahan
Chairman

ATTEST:
Steve Paul
Secretary

SKS, INC.
A Nebraska Corporation

By Robert Paul
President

Joseph Haman
ASST. CITY CLERK

EXHIBIT "I"
SHEET 1 OF 2

NOTICE: THIS INSTRUMENT HAS BEEN RECORDED BUT ERROR HAS BEEN FOUND INASMUCH AS: NOTARIAL SEAL OR CORPORATE SEALS CANNOT BE AFFIXED OVER PRINTED MATTER: NOTARIAL SEALS ARE TOO LIGHT OR BLURRED AND WILL NOT COPY. COMMISSION EXPIRES MUST BE TYPED OUT. REGISTER OF DEEDS

