



MISC 2004054534



APR 29 2004 15:04 P 3

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
4/29/2004 15:04:25.61



CONSENT AND ACKNOWLEDGMENT OF FORMATION
OF SANITARY AND IMPROVEMENT DISTRICT

COMES NOW, TIER ONE BANK, Trustee and Beneficiary under a Deed of Trust filed against the real property legally described on the attached Exhibit "A" and hereby consents to the formation of Sanitary and Improvement District No. 503 of Douglas County, Nebraska (The Residences at West Dodge Station), agrees to be bound by all of the terms and conditions of the Articles of Association of the District, and further agrees that its interest in and to the property shall be subject to and subordination to any real estate taxes or special assessments levied by the District.

Dated this 26th day of April, 2004.

TIER ONE BANK

By: Michelle McCLine
Title

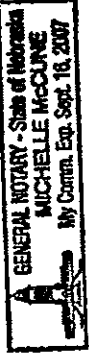
STATE OF NEBRASKA)

) ss:

COUNTY OF DOUGLAS)

Before me, the undersigned Notary Public in and for said County and State, appeared Rocwelle Eigsti to me known to be the Vice President of Tier One Bank, and the identical person who executed the above instrument and acknowledged his execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal this 26 day of April, 2004.



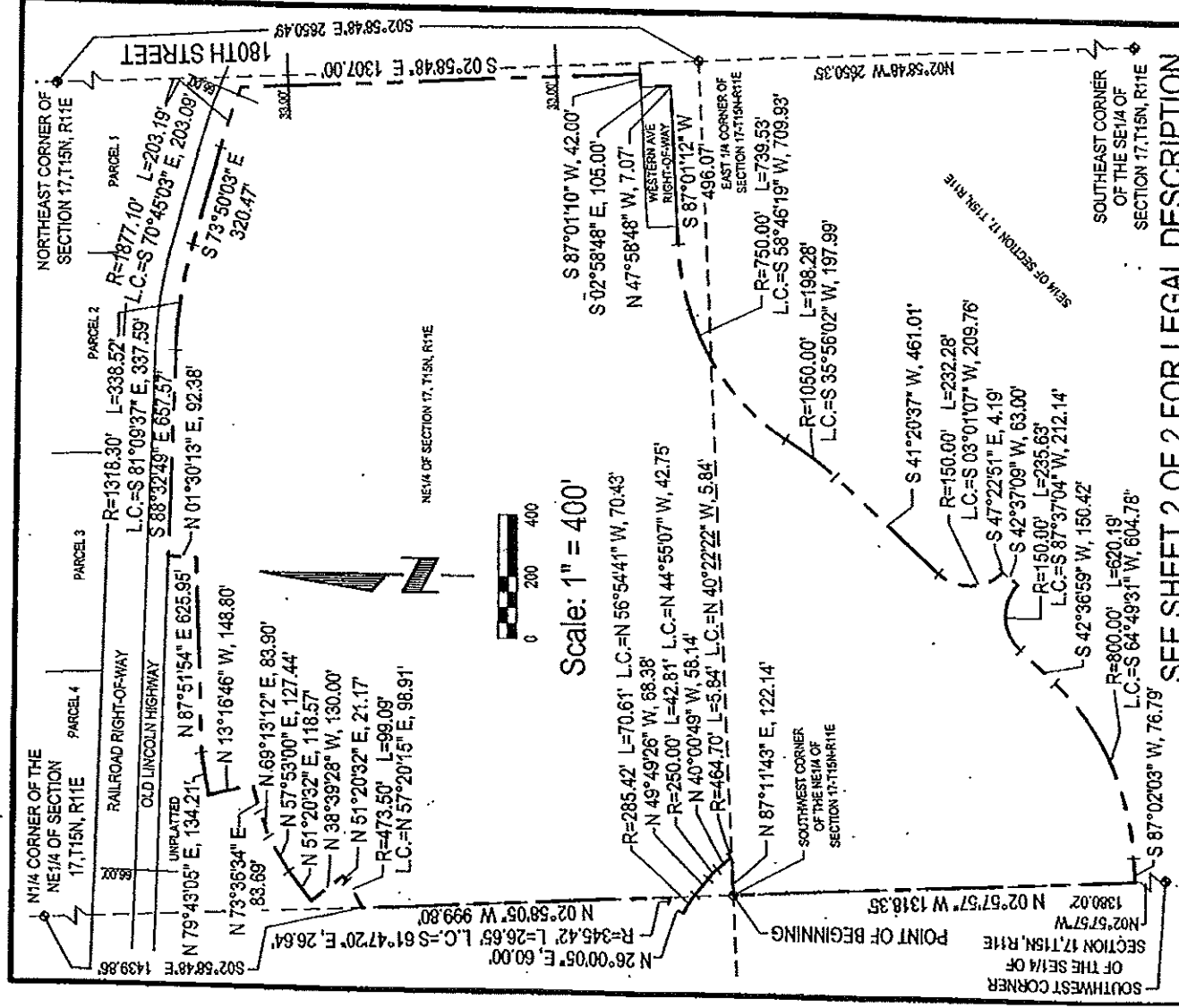
Michelle McCLine
Notary Public

aw

misc

FEE 15.50 FB 01-60000
3/1 BKP 17-15-11 C/O COMP
DEL SCAN PV

Return to:
FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
SAHA, NEBRASKA 68144-4482 *OKL*



Scale: 1" = 400'

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 1200 G STREET CANADA, NE ARLING, PHOENIX, AZ 85016

Drawn by: DAS Chkd by: *[Signature]* Date: 4-8-04 Ckld by: Date:

Job No.: 2003144.01 Date: 03/15/2004 SHEET 1 OF 2

DISTRICT BOUNDARY
 DOUGLAS COUNTY
 S. & I. D. NO. 503

Projects: 12003144\p0115\p\503\503-D BOUNDARY-500.dwg, SHEET 1 OF 2, 4/8/2004 11:54:11 AM, Doneds

Exhibit "A"

LEGAL DESCRIPTION:
DISTRICT BOUNDARY, DOUGLAS COUNTY S. & I. D. NO. 503

PART OF THE EAST 1/2 OF SECTION 17; AND ALSO PART OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 17; AND ALSO THE INCLUDED STREET RIGHT-OF-WAY OF WESTERN AVENUE, ALL LOCATED IN TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NE 1/4 OF SAID SECTION 17; THENCE N87°11'45"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID NE 1/4 OF SECTION 17, A DISTANCE OF 122.14 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 464.70 FEET, A DISTANCE OF 5.84 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N40°22'22"W, A DISTANCE OF 5.84 FEET; THENCE N40°00'49"W, A DISTANCE OF 58.14 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 250.00 FEET, A DISTANCE OF 42.81 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N44°55'07"W, A DISTANCE OF 42.75 FEET; THENCE N49°48'26"W, A DISTANCE OF 68.38 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 285.42 FEET, A DISTANCE OF 70.61 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N66°54'41"W, A DISTANCE OF 70.43 FEET; THENCE N26°00'05"E, A DISTANCE OF 60.00 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 345.42 FEET, A DISTANCE OF 26.65 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S61°47'20"E, A DISTANCE OF 26.64 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF SECTION 17; THENCE N02°58'05"W, ALONG SAID WEST LINE OF THE NE 1/4 OF SECTION 17, A DISTANCE OF 998.80 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 473.50 FEET, A DISTANCE OF 99.09 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N57°20'15"E, A DISTANCE OF 98.91 FEET; THENCE N51°20'32"E, A DISTANCE OF 21.17 FEET; THENCE N38°39'28"W, A DISTANCE OF 130.00 FEET; THENCE N51°20'32"E, A DISTANCE OF 118.57 FEET; THENCE N57°53'00"E, A DISTANCE OF 127.44 FEET; THENCE N69°13'12"E, A DISTANCE OF 83.90 FEET; THENCE N73°36'34"E, A DISTANCE OF 83.69 FEET; THENCE N13°16'46"W, A DISTANCE OF 148.80 FEET; THENCE N79°43'05"E, A DISTANCE OF 134.21 FEET; THENCE N87°51'54"E, A DISTANCE OF 625.95 FEET; THENCE N01°30'13"E, A DISTANCE OF 92.38 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD LINCOLN HIGHWAY; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF OLD LINCOLN HIGHWAY ON THE FOLLOWING DESCRIBED COURSES; THENCE S89°32'49"E, A DISTANCE OF 657.57 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 1318.30 FEET, A DISTANCE OF 338.52 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S81°09'37"E, A DISTANCE OF 337.59 FEET; THENCE S79°50'03"E, A DISTANCE OF 320.47 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 1677.10 FEET, A DISTANCE OF 203.19 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S70°45'03"E, A DISTANCE OF 203.09 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE OF OLD LINCOLN HIGHWAY AND THE WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET; THENCE S02°58'48"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET, A DISTANCE OF 1307.00 FEET; THENCE S87°01'10"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WESTERN AVENUE; THENCE S02°58'48"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET, A DISTANCE OF 105.00 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WESTERN AVENUE; THENCE N47°58'48"W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WESTERN AVENUE, A DISTANCE OF 7.07 FEET; THENCE S87°01'12"W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WESTERN AVENUE AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 496.07 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 750.00 FEET, A DISTANCE OF 739.53 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S58°46'19"W, A DISTANCE OF 709.99 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A DISTANCE OF 198.28 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S35°56'02"W, A DISTANCE OF 197.99 FEET; THENCE S41°20'37"W, A DISTANCE OF 461.01 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, A DISTANCE OF 232.28 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S03°01'07"W, A DISTANCE OF 209.76 FEET; THENCE S47°22'51"E, A DISTANCE OF 4.19 FEET; THENCE S42°37'09"W, A DISTANCE OF 63.00 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, A DISTANCE OF 235.63 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S87°37'04"W, A DISTANCE OF 212.14 FEET; THENCE S42°36'59"W, A DISTANCE OF 150.42 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 800.00 FEET, A DISTANCE OF 620.19 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S64°49'31"W, A DISTANCE OF 604.78 FEET; THENCE S87°02'03"W, A DISTANCE OF 76.79 FEET TO A POINT ON THE WEST LINE OF THE SE 1/4 OF SAID SECTION 17; THENCE N02°57'57"W ALONG SAID WEST LINE OF THE SE 1/4 OF SECTION 17, A DISTANCE OF 1318.35 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 5,672,617 SQUARE FEET OR 130.225 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING

E&A CONSULTING GROUP, INC.
ENGINEERS • PLANNERS • SURVEYORS
1501 D STREET, OMAHA, NE 68102

DISTRICT BOUNDARY
DOUGLAS COUNTY

S. & I. D. NO. 503

Drawn by: DAS Chkd by: *DAE* Date: 4-3-04 Chkd by: Date:

Job No.: 2003144.01 Date: 03/15/2004

SHEET 2 OF 2

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