

8044

SUBDIVISION AGREEMENT

THIS AGREEMENT is made and entered into by and between POE DEVELOPMENT CO., a Nebraska Corporation, MICHAEL G. POE, President, hereinafter called "Subdivider", whether one or more, and THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, a municipal corporation, hereinafter called "City."

WITNESSETH;

WHEREAS, Subdivider has made application to the City for permission to subdivide and for approval of the administrative final plat known as SOUTHERN OAKS 3RD ADDITION; and

WHEREAS, the approval of said final plat contains certain provisions requiring an agreement between Subdivider and City relating to said final plat and the development thereof.

NOW, THEREFORE, IN CONSIDERATION of the City granting permission to subdivide, it is agreed by and between the Subdivider and the City as follows:

- 1) To submit to the Director of Public Works an erosion control plan.
- 2) To pay all other improvement costs.
- 3) To submit to the lot buyers and homebuilders a copy of the soil analysis.
- 4) To continuously and regularly maintain the street trees and landscape screens.
- 5) To complete the private improvements shown on the community unit plan and amendments thereto.
- 6) To maintain the sidewalks in the pedestrian way easements the same as if the sidewalk was located in the street right-of-way in front of the lot.
- 7) To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider maybe relieved of and discharge this maintenance obligation upon creation in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record in the office of the Register of Deeds.

The agreements contained herein shall run with the land described above and shall be binding and obligatory upon the heirs, successors and assigns of the subdivider to all or any part of the real estate as described above.

DATED this 28 day of March, 1990.

POE DEVELOPMENT CO., a Nebraska Corporation

Michael G. Poe, President
Michael G. Poe, President

STATE OF NEBRASKA)
) ss
LANCASTER COUNTY)

Before me, a Notary Public qualified for said county, personally came POE DEVELOPMENT CO., a Nebraska Corporation, MICHAEL G. POE, President, known by me known to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said company.

WITNESS my hand and notarial seal on this 28 day of March, 1990

Joan E. Ross
Notary Public



My commission expires:

Dan Gallo
REGISTER OF DEEDS
90 MAR 28 PM 2:12

#650
FILED
NO
CCME
500A3
CHECKED
ENCL
EUB
CO

INST. NO. 90- 8044

6-25-17 472A 90LB

Polpd

Rich Houck
Planning

Ret \$300-96 POC