

FILED SARPY CO. NE. INSTRUMENT NUMBER 98 008834 Counter aw  
 98 APR 10 AM 11:26 Verify [Signature]  
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 Fee \$ 10.50  
 REGISTER OF DEEDS  Cash  Chg

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 Return to: James D. Buser, GAINES, MULLEN, PANSING & HOGAN, 10050 Regency Circle, #200, Omaha, NE 68114

**LANDSCAPE AND MONUMENT EASEMENT**

KENDEL HOMES CORP, a Nebraska corporation, being the owner of the real estate described below and hereinafter referred to as the "Grantor," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Tara Highlands, Inc., a Nebraska corporation, and their successors, licensees and assigns, hereinafter collectively referred to as "Grantee," a permanent right-of-way easement for the construction, installation, operation, maintenance, repair, replacement, preservation and renewal of landscape areas and certain subdivision monuments identifying and displaying the name and/or logos of "Tara Highlands" over, upon, above, along, in and across the following described real estate in Sarpy County, Nebraska, to-wit:

See attached Exhibit "A" wherein the real estate is both legally and pictorially described.

Where such facilities are constructed, the Grantee shall have the right to construct, operate, repair, renew, maintain, replace and preserve such landscaping, monuments and related accessories within the strip of land indicated above.

This conveyance is made for the benefit of the residents of Tara Highlands and their successors and assigns.

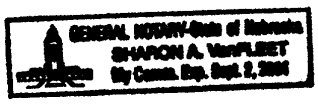
KENDEL HOMES CORP., a Nebraska corporation

By: Robert W. Mohr  
 Title: President

STATE OF NEBRASKA )  
 ) ss.  
 COUNTY OF Sarpy )

On this 31 day of Mar, 1998, before me, the undersigned a notary public duly commissioned and qualified for said county, personally came ROBERT W. MOHR, PRES. of KENDEL HOMES CORP., a Nebraska corporation, to me personally known to be the person whose name is affixed to the foregoing instrument in that capacity and who acknowledged the same to be his voluntary act and deed as President of the corporation on behalf of the corporation.

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

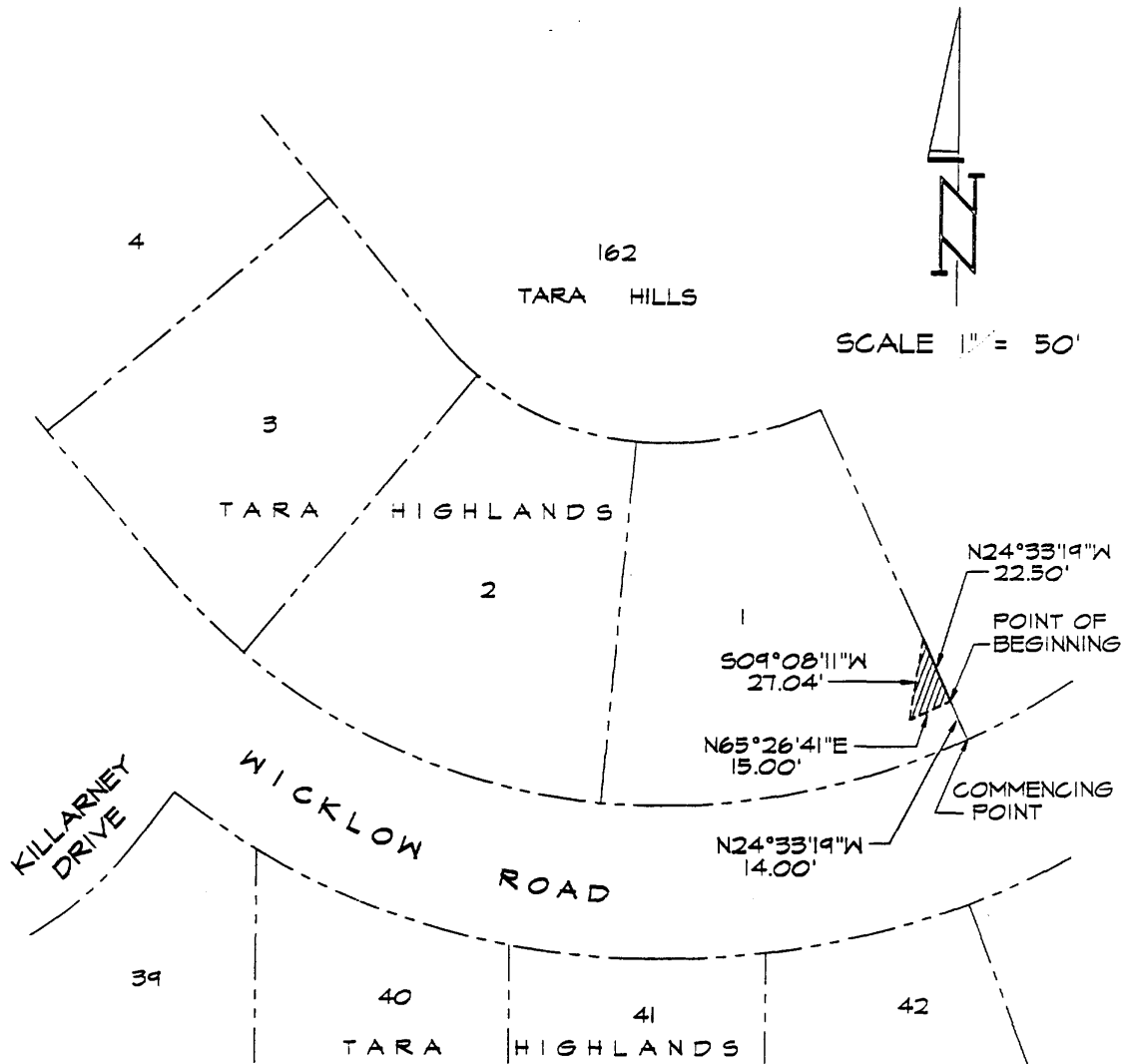


[Signature]  
 Notary Public

008834

EXHIBIT "A"

98-08834A



LEGAL DESCRIPTION

THAT PART OF LOT 1, TARA HIGHLANDS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 1; THENCE N24°33'19"W (ASSUMED BEARING) 14.00 FEET ON THE EASTERLY LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE CONTINUING N24°33'19"W 22.50 FEET ON THE EASTERLY LINE OF SAID LOT 1; THENCE S09°08'11"W 27.04 FEET; THENCE N65°26'41"E 15.00 FEET TO THE POINT OF BEGINNING.

EAST CONSTRUCTION

TD2 FILE NO. 147-127-158

DATE: JULY 19, 1996

THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860