

*Return  
Box 16  
Spina*



RECEIVED

MAY 21 2 31 PM '96

GEORGE J. BUCLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

05707H  
FEE 2550 R 1074-11 FB0160000  
DEL C/O COMP MB  
LEGAL PG47BSCAN MFV

[The Space Above is for Recording Data]

**TEMPORARY EASEMENT**

THIS INDENTURE AND GRANT OF EASEMENT made this 16 day of May, 1996, between the Timothy Zweiback, as Personal Representative of the Estate of Warren Zweiback and Lane Building Corporation, a Nebraska corporation, (hereinafter referred to as "Grantor"), in favor of Construction Sciences, Inc., a Nebraska corporation, its agents, employees, successors and assigns (hereinafter referred to as the "Grantee").

**RECITALS:**

WHEREAS, the Grantor to this Indenture and Grant of Easement is the owner of the following legally described real property in Douglas County, Nebraska, to-wit:

1. Lane Building Corporation, a Nebraska corporation, is the owner of the real property legally described in Exhibit A attached hereto.
2. Timothy Zweiback, as Personal Representative of the Estate of Warren Zweiback, is the owner of the real property legally described in Exhibit B attached hereto.
3. Construction Sciences, Inc., a Nebraska corporation, is the owner of the remediation site legally described in Exhibit C attached hereto.

WHEREAS, Construction Sciences, Inc., or its successors and assigns, will cause the Real Property to be excavated in substantial conformance with the Grading, Erosion Control, and Remediation Plan for Vintage Oaks (Project No. 94053) dated April 9, 1996 and approved by Grantors and Grantee ("Remediation Plan").

NOW, THEREFORE, in consideration of the sum of One (\$1.00) Dollar, and other valuable consideration, the parties hereto agree as follows:

1. Grantors do hereby grants to Grantee, for its benefit and that of its successors and assigns, the right, privilege and easement to use and occupy the Real Property, and appurtenances thereto, to clean up and remedy certain environmental conditions which exist on the Real Property in substantial conformance with the Remediation Plan.
2. The right, privilege, and easement granted by this instrument is temporary in nature and shall cease and terminate thirty (30) days after the completion or the remediation and upon the final inspection and certification by a licensed engineer or engineering firm stating that the Real Property is in compliance with all environmental laws and regulations.
3. The right, privilege, and easement granted by this instrument shall inure to the benefit of any contractor, agent, employee or other representative of Grantee.
4. Each Grantor hereby represents and warrants, for itself and its successors, assigns, heirs, and legal representatives, that it has the right, power and authority to grant the rights, privileges and easement conveyed by this instrument.

IN WITNESS WHEREOF, Grantors, for themselves and their successors and assigns, have caused this instrument to be executed on the day and year first above written.

GRANTORS:

LANE BUILDING CORPORATION, a Nebraska Corporation,

By: [Signature]  
Title: President

TIMOTHY ZWEIBACK, as Personal Representative of the Estate of Warren Zweiback,

By: [Signature]  
Title: Personal Rep.

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF DOUGLAS )

Before me, the undersigned, Notary Public in and for said County and State appeared JERRY L. STANDERD, VICE PRESIDENT of Lane Building Corporation, a Nebraska corporation, known to me to be the identical person who signed the above instrument and acknowledged the execution thereof to be his voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal this 17 day of May 1996.

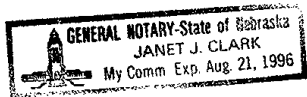


[Signature]  
Notary Public

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF DOUGLAS )

Before me, the undersigned, Notary Public in and for said County and State appeared Timothy Zweiback, as Personal Representative of the Estate of Warren Zweiback, known to me to be the identical person who signed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and his voluntary act and deed on behalf of said Estate.

WITNESS my hand and Notarial Seal this 16 day of May 1996.



[Signature]  
Notary Public

NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS

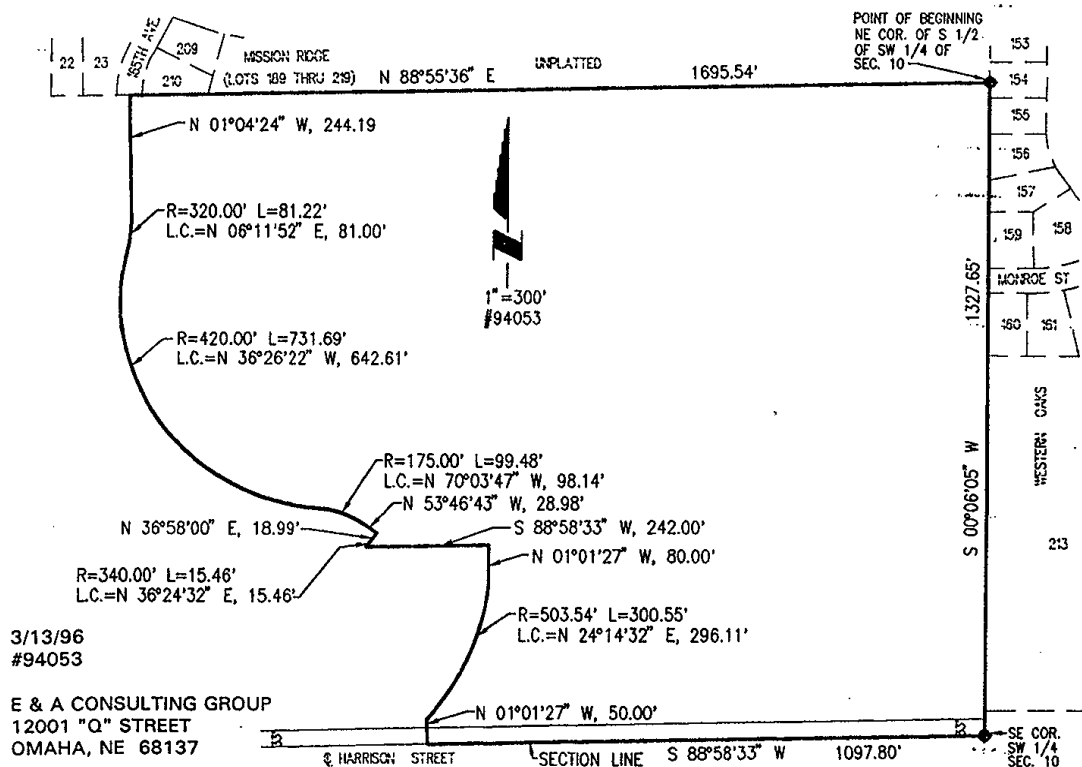
# EXHIBIT A

SE SW  
SW SW

A tract of land located in the South 1/2 of the SW 1/4 of Section 10, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the Northeast corner of said South 1/2 of the SW 1/4 of Section 10, said point also being on the West line of Western Oaks, a subdivision located in the West 1/2 of the SE 1/4 of said Section 10; thence S00°06'05"W (assumed bearing) along said West line of Western Oaks, said line also being the East line of said SW 1/4 of Section 10, a distance of 1327.65 feet to the Southeast corner of said SW 1/4 of Section 10; thence S88°58'33"W along the South line of said SW 1/4 of Section 10, a distance of 1097.80 feet; thence N01°01'27"W, a distance of 50.00 feet; thence Northeasterly on a curve to the left with a radius of 503.54 feet, a distance of 300.55 feet, said curve having a long chord which bears N24°14'32"E, a distance of 296.11 feet; thence N01°01'27"W, a distance of 80.00 feet; thence S88°58'33"W, a distance of 242.00 feet; thence Northeasterly on a curve to the right with a radius of 340.00 feet, a distance of 15.46 feet, said curve having a long chord which bears N36°24'32"E, a distance of 15.46 feet; thence N36°58'00"E, a distance of 18.99 feet; thence N53°46'43"W, a distance of 28.98 feet; thence Northwestery on a curve to the left with a radius of 175.00 feet, a distance of 99.48 feet, said curve having a long chord which bears N70°03'47"W, a distance of 98.14 feet; thence Northwestery on a curve to the right with a radius of 420.00 feet, a distance of 731.69 feet, said curve having a long chord which bears N36°26'22"W, a distance of 642.61 feet; thence Northerly on a curve to the left with a radius of 320.00 feet, a distance of 81.22 feet, said curve having a long chord which bears N06°11'52"E, a distance of 81.00 feet; thence N01°04'24"W, a distance of 244.19 feet to the point of intersection of the North line of said South 1/2 of the SW 1/4 of Section 10 and the centerline of 165th Avenue; thence N88°55'36"E along said North line of the South 1/2 of the SW 1/4 of Section 10, a distance of 1695.54 feet to the point of beginning.

Said tract of land contains an area of 43.900 acres, more or less.



3/13/96  
#94053

E & A CONSULTING GROUP  
12001 "Q" STREET  
OMAHA, NE 68137

EXHIBIT B

SE 1/4  
SW 1/4

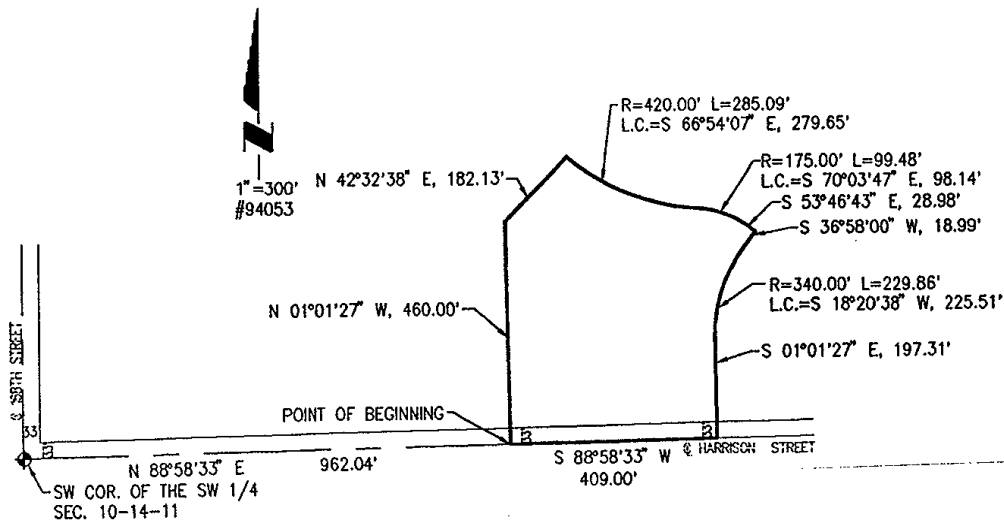
A tract of land located in the South 1/2 of the SW 1/4 of Section 10, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said SW 1/4 of Section 10; thence N88°58'33"E (assumed bearing) along the South line of said SW 1/4 of Section 10, a distance of 962.04 feet to the point of beginning; thence N01°01'27"W, a distance of 460.00 feet; thence N42°32'38"E, a distance of 182.13 feet; thence Southeasterly on a curve to the left with a radius of 420.00 feet, a distance of 285.09 feet, said curve having a long chord which bears S66°54'07"E, a distance of 279.65 feet; thence Southeasterly on a curve to the right with a radius of 175.00 feet, a distance of 99.48 feet, said curve having a long chord which bears S70°03'47"E, a distance of 98.14 feet; thence S53°46'43"E, a distance of 28.98 feet; thence S36°58'00"W, a distance of 18.99 feet; thence Southwesterly on a curve to the left with a radius of 340.00 feet, a distance of 229.86 feet, said curve having a long chord which bears S18°20'38"W, a distance of 225.51 feet; thence S01°01'27"E, a distance of 197.31 feet to a point on said South line of the SW 1/4 of Section 10; thence S88°58'33"W along said South line of the SW 1/4 of Section 10, a distance of 409.00 feet to the point of beginning.

Said tract of land contains an area of 5.054 acres, more or less.

3/12/96  
#94053

E & A CONSULTING GROUP  
12001 "Q" STREET  
OMAHA, NE 68137



A tract of land located in the South 1/2 of the SW 1/4 of Section 10, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of said SW 1/4 of Section 10; thence S88°58'33"W (assumed bearing) along the South line of said SW 1/4 of Section 10, a distance of 1097.80 feet to the Point of Beginning; thence continuing S88°58'33"W along said South line of the SW 1/4 of Section 10, a distance of 181.00 feet; thence N01°01'27"W, a distance of 197.31 feet; thence Northeasterly on a curve to the right with a radius of 340.00 feet, a distance of 214.40 feet, said curve having a long chord which bears N17°02'27"E, a distance of 210.87 feet; thence N88°58'33"E, a distance of 242.00 feet; thence S01°01'27"E, a distance of 80.00 feet; thence Southwesterly on a curve to the right with a radius of 503.54 feet, a distance of 300.55 feet, said curve having a long chord which bears S24°14'32"W, a distance of 296.11 feet; thence S01°01'27"E, a distance of 50.00 feet to the point of beginning.

*SE SW  
SW SE*

Said tract of land contains an area of 2.279 acres, more or less.

3/12/96  
#94053

E. & A CONSULTING GROUP  
12001 "Q" STREET  
OMAHA, NE 68137

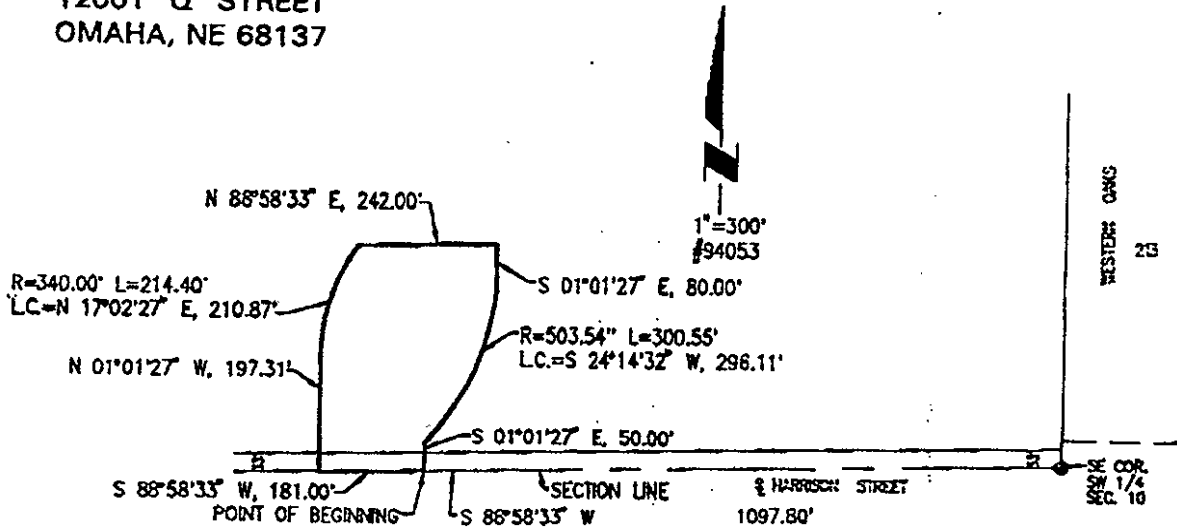


EXHIBIT C