

(Space above line for recording information)

MEMORANDUM OF AGREEMENT FOR

~~Westbury Farm SID 577, Lots 1 - 279~~

WHEREAS, the City of Omaha, Nebraska (the "City") and Westbury Farm, LLC (the "Developer"), a Limited Liability Company, having an office for the transaction of business at 15950 West Dodge Rd., Omaha, Nebraska, did on or about the 19th day of September, 2017, make, execute and deliver, each to the other, a Subdivision Agreement (the "Agreement"), under which Developer agreed, in accordance with the terms of the Agreement, to develop and maintain certain real property located within the City and is or shall be more particularly described as follows:

~~Lots 1 through 279~~ inclusive and outlots A through I, inclusive, being a platting of that part of the northeast quarter of section 2, township 14 north, range 10 east of the 6th P.M., together with that part of the northwest quarter of section 1, township 14 north, range 10 east of the 6th P.M. all in Douglas County, Nebraska, as further described on Exhibit "A" attached hereto (hereinafter referred to as the "Development Property"); and

WHEREAS, the City and Developer desire to record a Memorandum of the Agreement referring to the Development Property and their respective interests therein.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The recording of this Memorandum of Agreement for Westbury Farm SID 577, Lots 1 - 279 shall serve as notice to the public that the Agreement contains 1) provisions regulating and restricting development and use of the Development Property, 2) the improvements to be installed, located and/or operated on such Development Property, and 3) ongoing and future rights and duties of the Developer (or their successors and assigns).

LAMP I

LAMP I

2. All of the provisions of the Agreement and any subsequent amendments thereto, if any, even though not set forth herein, are by the filing of this Memorandum of Agreement for Westbury Farm SID 577, Lots 1 - 279 made a part hereof by reference. Anyone making any inquiry or claim regarding any of said Development Property in any manner whatsoever shall be fully advised as to all of the terms and conditions of the Agreement, and any amendments thereto, as if the same were fully set forth herein.

3. A copy of the Agreement and any subsequent amendments thereto, if any, shall be maintained on file for public inspection during ordinary business hours in the office of the City Clerk, Omaha, Nebraska.

4. The topics, regulations, rights, and duties contained in the Agreement include, but are not limited to, the following:

- a. Lots 257 – 279, inclusive, shall not be allowed to connect to the sanitary sewer system of the City.

IN WITNESS WHEREOF, the City and Developer have executed this Memorandum of Agreement for Westbury Farm SID 577 on the 25th day of October, 2017.

Westbury Farm LLC, DEVELOPER

By [Signature]
Date 10/25/17

CITY OF OMAHA, NEBRASKA

[Signature] 11/21/17
Mayor Date

ATTEST:

Imprinted Seal

[Signature] 11/21/17
City Clerk Date

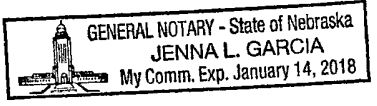
APPROVED AS TO FORM:

[Signature] 15NOV17
Assistant City Attorney Date

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 21st day of NOV., 2017, before me, a Notary Public in and for said County, personally came Elizabeth Butler, City Clerk of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as City Clerk and the voluntary act and deed of said Municipal Corporation. WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:

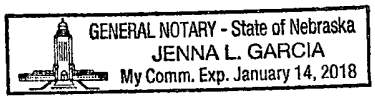


Jenna L. Garcia
NOTARY PUBLIC

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 21st day of NOV., 2017, before me, a Notary Public in and for said County, personally came Jean Stothert, Mayor of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation. WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



Jenna L. Garcia
NOTARY PUBLIC

STATE OF Nebraska)
) ss.
COUNTY OF Douglas)

On this 25th day of October, 2017, before me the undersigned, a Notary Public in and for said State, personally appeared John C. Allen, to me personally known, who, being by me duly sworn, did say that he/~~she~~ is the Manager of Westbury Farm LLC and that said instrument was signed on behalf of said entity; and that the said John C. Allen, as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said entity, by him/her voluntarily executed.

V. Elaine Chapin
Notary Public in and for the State of Nebraska

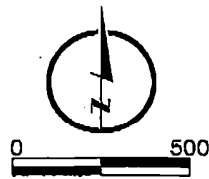


SID BOUNDARY

EXHIBIT A

LEGAL DESCRIPTION

SEE SHEET 2.



LEGEND

- SECTION LINE
- SECTION CORNER
- - - EASEMENT LINE
- BOUNDARY LINE

NE CORNER NE 1/4 SEC. 2, T14N, R10E
2" BRASS DISK IN ASPHALT

NW CORNER NE 1/4 SEC. 2, T14N, R10E
2" BRASS CAP IN CONC

SE 1/4 SECTION 35, T15N, R10E
"F" STREET

N87°31'01"E
2635.24'

N87°25'23"E
100.14'

S02°34'37"E
139.77'

66' COUNTY ROADWAY EASEMENT

R=765.00'
S08°51'23"W
CH=303.29'
L=305.31'

33' COUNTY ROADWAY RIGHT OF WAY

33' COUNTY ROADWAY EASEMENT

R=765.00'
S08°58'39"W
CH=300.11'
L=302.07'

NW 1/4 SECTION 02, T14N, R10E

33' COUNTY ROADWAY EASEMENT

N02°23'55"W
2378.31'

WESTBURY FARM
PT NE 1/4 SECTION 02, T14N, R10E
CONTAINS 154.898 ACRES

216TH STREET

N02°20'04"W
991.46'

R=1200.00'
S02°55'29"E
CH=24.72'
L=24.72'

NW 1/4 SECTION 01, T14N, R10E

S87°19'26"W
250.73'

N02°27'14"W
200.00'

POINT OF BEGINNING

R=1200.00'
S02°55'29"E
CH=24.72'
L=24.72'

SW CORNER NE 1/4 SEC. 2, T14N, R10E
2" BRASS DISK IN CONC

2381.46'
S87°23'46"W

SE CORNER NE 1/4 SEC. 2, T14N, R10E
2" BRASS DISK IN CONC

SE 1/4 SECTION 02, T14N, R10E

SHEET 1 OF 2



LAMP RYNEARSON & ASSOCIATES

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DRAWN BY	DESIGNED BY	REVIEWED BY	PROJECT - TASK NUMBER	DATE	BOOK AND PAGE	REVISIONS
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Rx Date/Time DEC-20-2017(WED) 15:25
DEC/20/2017/WED 03:35 PM.

FAX No.

P. 003

P. 003

SID BOUNDARY

LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., TOGETHER WITH THAT PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M. ALL IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

BEGINNING AT A 2" BRASS DISK IN CONCRETE AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE SOUTH 87°23'45" WEST (BEARINGS REFERENCED TO THE NEBRASKA STATE PLANE COORDINATE SYSTEM) FOR 2381.46 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH 02°27'14" WEST FOR 200.00 FEET;

THENCE SOUTH 87°19'26" WEST FOR 250.37 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH 02°23'55" WEST FOR 2378.31 FEET ON SAID WEST LINE TO THE SOUTH RIGHT OF WAY LINE OF F STREET;

THENCE NORTH 87°31'01" EAST FOR 2635.24 FEET ON SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH 87°26'23" EAST FOR 100.14 FEET CONTINUING ON SAID SOUTH RIGHT OF WAY LINE;

THENCE SOUTH 02°34'37" EAST FOR 139.77 FEET;

THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 785.00 FEET AND A LONG CHORD BEARING SOUTH 08°51'23" WEST FOR 303.29 FEET) FOR AN ARC LENGTH OF 305.31 FEET;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 785.00 FEET AND A LONG CHORD BEARING SOUTH 08°58'39" WEST FOR 300.11 FEET) FOR AN ARC LENGTH OF 302.07 FEET;

THENCE SOUTH 02°20'04" EAST FOR 991.46 FEET;

THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 1200.00 FEET AND A LONG CHORD BEARING SOUTH 02°55'29" EAST FOR 24.72 FEET) FOR AN ARC LENGTH OF 24.72 FEET;

THENCE SOUTH 03°30'54" EAST FOR 800.86 FEET;

THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 1200 FEET AND A LONG CHORD BEARING SOUTH 02°55'29" EAST FOR 24.72 FEET) FOR AN ARC LENGTH OF 24.72 FEET TO THE POINT OF BEGINNING.

CONTAINS 154.898 ACRES

SHEET 2 OF 2



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REVISIONS