



MISC 2003197866



OCT 09 2003 13:39 P 3

RIGHT OF RECORD  
REGISTER OF DEEDS  
COUNTY OF DOUGLAS  
STATE OF NEBRASKA

RECEIVED

**LANDSCAPE EASEMENT**

WHITEHAWK DEVELOPMENT, LLC, a Nebraska limited liability company, and SOUTHFORK HOMES, INC., a Nebraska corporation, being the owners of the real estate described below, and hereinafter collectively referred to as the "Grantor," for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to SANITARY AND IMPROVEMENT DISTRICT NO. 476 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision, and the WHITEHAWK HOMEOWNERS ASSOCIATION, a Nebraska not-for-profit corporation, their respective successors, licensees and assigns, hereinafter collectively referred to as "Grantee," a permanent and non-exclusive easement for the construction, installation, operation, maintenance, repair, replacement, preservation and renewal of landscaping features (including, but not limited to, trees, shrubs, bushes, flowers and grass areas, underground sprinkler systems and associated appurtenances) (collectively "Landscaping"), over, upon, along, in and across the following described real estate in Douglas County, Nebraska, to-wit (the "Easement Area"):

The easterly rear fifteen feet (15') abutting 192<sup>nd</sup> Street of Lots 1 through 12, inclusive; Lots 14 through 16, inclusive; Lots 75 through 77, inclusive; Lots 85 through 88, inclusive; and Lots 91 through 93, inclusive; and the southerly rear fifteen feet (15') abutting "F" Street of Lots 16, 17 and 19 through 26, inclusive, all in Whitehawk, a subdivision, surveyed, platted and recorded in Douglas County, Nebraska, as more particularly shown on Exhibit "A" attached hereto and incorporated herein by this reference.

Grantor does hereby grant and confirm unto Grantee, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing (including grading), inspecting and maintaining or operating signs, Landscaping and associated appurtenances at the will of the Grantee.

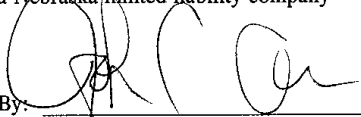
Where such Landscaping is located, the Grantee shall have the right to construct, repair, renew, maintain, replace and preserve the Landscaping within the Easement Area.

No buildings, fences or other structures shall be placed in, on, over or across the Easement Area by Grantor, its successors and assigns, without the express approval of the Grantee, except for improvements such as minor repair and maintenance of the Landscaping, without Grantee's approval. Any of the Landscaping placed on the Easement Area shall be maintained by Grantee, its successors or assigns.


The owners of the real estate described within the Easement Area shall not remove, alter or relocate the Landscaping within the Easement Area without the consent of Grantee, except for repair or replacement of like Landscaping.

This conveyance is made as of the 17th day of SEPTEMBER, 2003.

WHITEHAWK DEVELOPMENT, LLC,  
a Nebraska limited liability company

By:   
John C. Allen, Manager

SOUTHFORK HOMES, INC., a Nebraska corporation

By:   
Ronald H. Uhing, President

misc  
3  
28/31

FEE	29.00	FB	OC-4394
BKP		C/O	COMP
DEL		SCAN	FV

After recording, please return to:  
John Q. Bachman  
GAINES PANSING & HOGAN LLP  
10050 Regency Circle, Suite 200  
Omaha, NE 68114

STATE OF NEBRASKA        )  
  ) ss.:  
COUNTY OF DOUGLAS     )

The foregoing instrument was acknowledged before me this 17 day of September, 2003, by JOHN C. ALLEN, Manager of WHITEHAWK DEVELOPMENT, LLC, a Nebraska limited liability company, on behalf of the limited liability company.

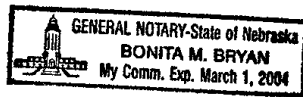


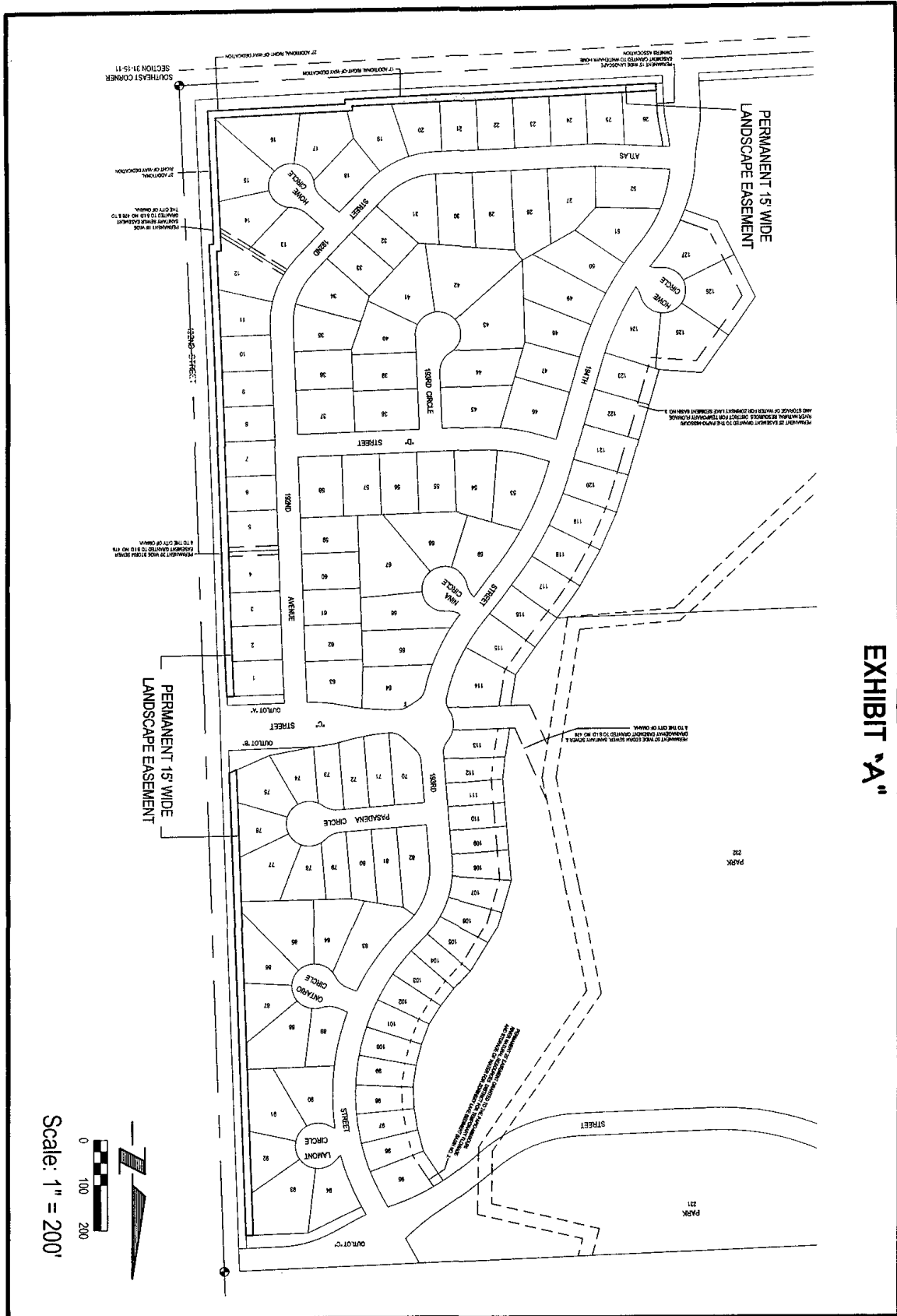
Joyce A. Sramek  
Notary Public

STATE OF NEBRASKA        )  
  ) ss.:  
COUNTY OF DOUGLAS     )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of Sept., 2003, by RONALD H. UHING, President of SOUTHFORK HOMES, INC., a Nebraska corporation, on behalf of the corporation.

Bonita M. Bryan  
Notary Public





**EXHIBIT "A"**

Proj No:	2001102
Date:	09/03/03
Drawn By:	E. O.
Scale:	1" = 200'
Sheet No.	1 of 1

Revisions	
No	Date

PERMANENT  
LANDSCAPE  
EASEMENT

EXHIBIT  
WITHEHAWK  
DOUGLAS COUNTY, NEBRASKA



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 O STREET  
OMAHA, NE 68137  
PHONE (402) 895-4700  
FAX (402) 895-3599  
7130 SOUTH 29TH STREET, SUITE D  
LINCOLN, NE 68516-5841  
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FAX (402) 420-7218