

99-18398

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
99-018398

99 JUN 10 AM 11:14

*Glenn J. Lawrence*  
REGISTER OF DEEDS

Counter a  
Verify ✓  
D.E. S  
Proof NR  
Fee \$ 22.00  
Ck  Cash  Chg

EASEMENTS AND RESTRICTIVE COVENANTS

The undersigned being the owners of the South half (S 1/2) of the Southwest Quarter of the Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M.; and the Lots 1 & 2, Olivo Estates Replat, hereby dedicates, grants, and conveys the following easements:

A. An easement for ingress and egress 25 feet in width as set forth in the attached Exhibit A, over the South half (S 1/2) of the Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M.; and Lot 1, Olivo Estates Replat, for the benefit of Lot 2. Said easement shall run with the land and be appurtenant to Lot 2, and shall be perpetual in duration.

B. The undersigned further dedicates, grants, and conveys a 10 foot wide easement for the installation and maintenance of a water line and general utilities to serve Lot 2, over and upon the South half (S 1/2) of the Southwest Quarter of Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M., as surveyed, platted and recorded in Sarpy County, Nebraska. Said easement shall be perpetual in nature, shall run with the land, and be appurtenant to and for the benefit of Lot 2. The exact location of said easement shall be identified and determined after the installation of said water line.

RESTRICTIVE COVENANTS

The undersigned being the owner of Lots 1 & 2, Olivo Estates Replat, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, hereby makes the following declaration of restrictive covenants.

1. Lots 1 & 2 shall be used for residential purposes only. There shall be no commercial or animal husbandry activities on said Lots, with the exception of family household pets. The West 257 feet of Lot 1 shall be kept in a wooded, in as near as possible, natural state, and shall not be logged, harvested, cultivated, or otherwise used for agricultural or commercial purposes.

an easement for ingress and egress 50 feet in width as set forth in attached Exhibit "A" through *de*

018398

09-18392K

2. The accumulation of trash, inoperable automobiles, or automobile parts, machinery, or equipment of every kind and nature on said Lots 1 & 2, Olivo Estates Replat, are hereby prohibited.

3. The East 257 feet of Lot 1 may not be subdivided without the consent of the owner of Lot 2.

The foregoing restrictions shall be for a period of fifty (50) years from the date hereof, and may be enforced by the owners of Lots 1 or 2, Olivo Estates Replat, their successors and assigns.

SIGNED this 24 day of MAY, 1999.

CITY WIDE ROCK AND EXCAVATING CO.  
a/k/a CITY WIDE ROCK AND  
EXCAVATING, INC., a/k/a CITY WIDE  
ROCK,

By [Signature]  
Its President

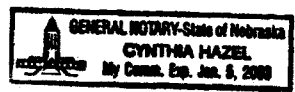
[Signature]  
Rickey D. Haley

[Signature]  
Michael S. Benton

STATE OF NEBRASKA)  
  ) ss  
COUNTY OF SARPY )

On this 24 day of MAY, 1999, before me, a notary public, duly commissioned and qualified in and for said County, personally came Joseph Olivo, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, as President of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a City Wide Rock, and he acknowledges the instrument to be his voluntary act and deed and the voluntary act and deed of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a city Wide Rock.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.



Cynthia Hazel  
Notary Public

99-18398B

STATE OF NEBRASKA)

) ss

COUNTY OF SARPY

On this 24<sup>th</sup> day of May, 1999, before me, a notary public, duly commissioned and qualified in and for said County, personally came Rickey D. Haley, a Single person, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, and he acknowledges the instrument to be his voluntary act and deed.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.



Byron P. Travis  
Notary Public

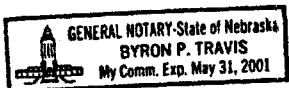
STATE OF NEBRASKA)

) ss

COUNTY OF SARPY

On this 24<sup>th</sup> day of May, 1999, before me, a notary public, duly commissioned and qualified in and for said County, personally came Michael S. Benton, a Single person, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, and he acknowledges the instrument to be his voluntary act and deed.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.



Byron P. Travis  
Notary Public

Exhibit A

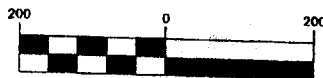
99-18398

**LEGAL DESCRIPTION INGRESS-EGRESS EASEMENT**

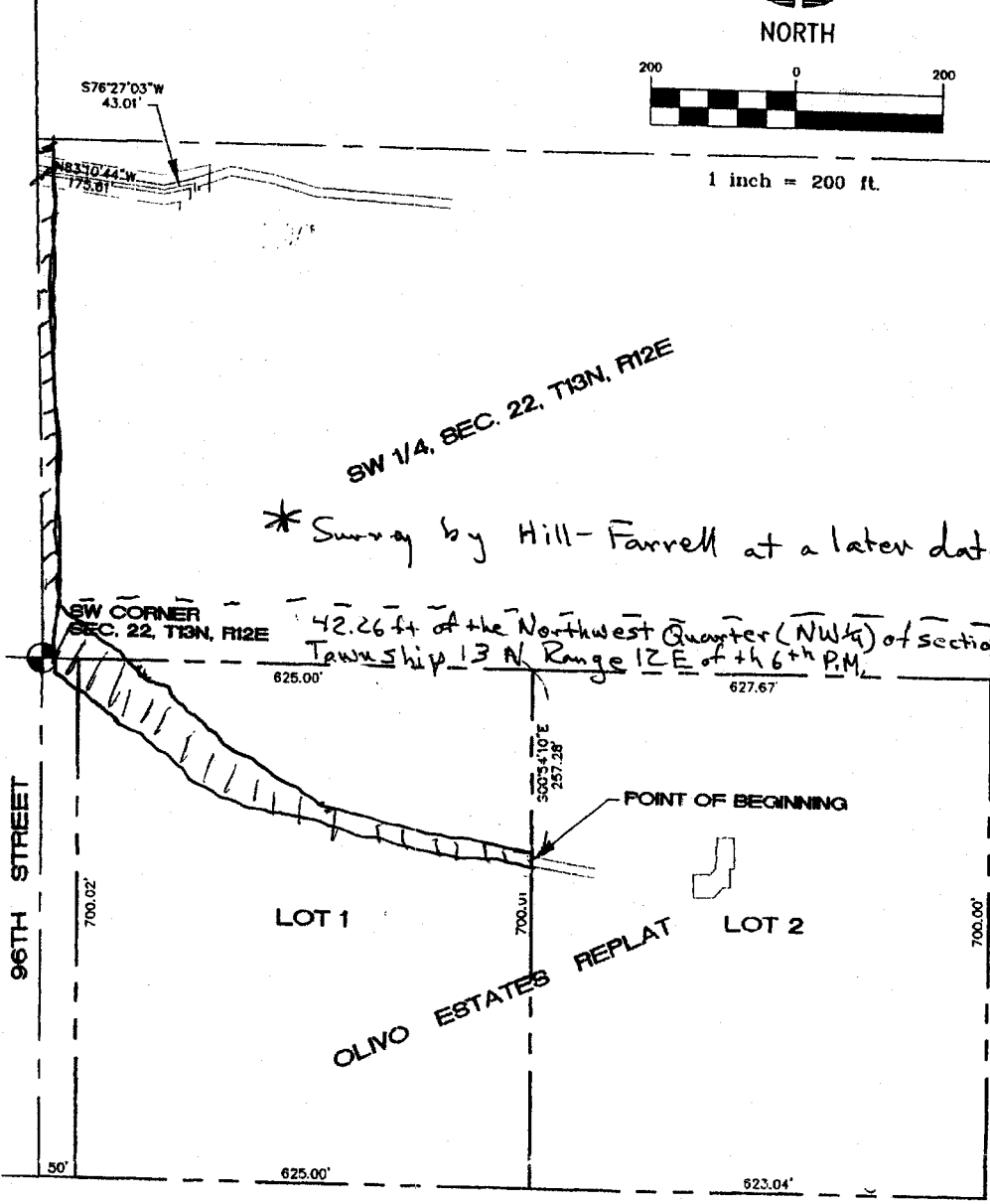
A 40.0 FOOT WIDE INGRESS AND EGRESS EASEMENT OVER A PORTION OF LOT 1, OLIVO ESTATES REPLAT, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6TH P.M., BARPY COUNTY, NEBRASKA, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, OLIVO ESTATES REPLAT; THENCE S00°54'10"E (ASSUMED BEARING) 257.28 FEET ALONG THE EAST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING; THENCE N81°33'35"W 27.96 FEET; THENCE N46°05'07"W 192.00 FEET; THENCE N38°42'51"W 151.61 FEET TO THE NORTH LINE OF SAID LOT 2 AND TO THE END OF SAID EASEMENT CENTERLINE.



NORTH



1 inch = 200 ft.



SW 1/4, SEC. 22, T13N, R12E

\* Survey by Hill-Farrell at a later date

SW CORNER SEC. 22, T13N, R12E

42.26 ft of the Northwest Quarter (NW 1/4) of section 27 Township 13 N, Range 12 E of the 6th P.M.

POINT OF BEGINNING

LOT 1

LOT 2

OLIVO ESTATES REPLAT

96TH STREET

May 03, 1999 1:58:14 PM  
Drawing: C:\DWG\99\CRK\99-073E.DWG

DESIGNED:

DRAWN: GJSJ

CHECKED: WAF

DATE: 5-03-99 PROJECT NO. 99-073

SHEET NO.



Hill-Farrell Associates, Inc.  
Engineers, Land Surveyors, and Architects

1 of 1

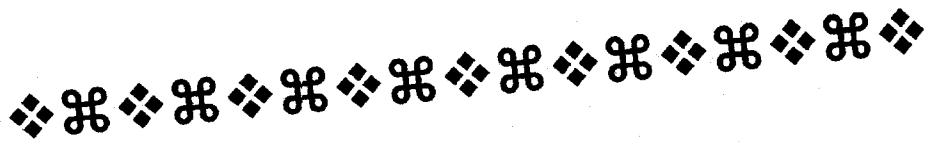
FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2000-09704

2000 APR 25 AM 10:03

*Lloyd J. Dowding*  
REGISTER OF DEEDS

Counter *M*  
Verify *M*  
D.E. *J*  
Prori *S*  
Fee \$ 21.00  
Ok  Cash  Chg

SEC



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS  
1210 GOLDEN GATE DRIVE, STE 1109  
PAPILLION, NE 68046-2895  
402-593-5773

2000-09704 A

### AMENDMENT TO EASEMENTS AND RESTRICTIVE COVENANTS

THIS AMENDMENT TO EASEMENTS AND RESTRICTIVE COVENANTS is made and entered into this the \_\_\_\_ day of April, 2000, by and among City Wide Rock and Excavating Co., Rickey D. Haley and Michael S. Benton, with respect to the easements and restrictive covenants filed June 10, 1999 as Instrument No. 99-018398, Records, Sarpy County, Nebraska.

IN CONSIDERATION of the mutual promises contained in the Easements and Restrictive Covenants and this Amendment, City Wide Rock and Excavating Co., Rickey D. Haley and Michael S. Benton agree as follows:

1. Paragraph 1 of Restrictive Covenants shall be amended to read as follows:

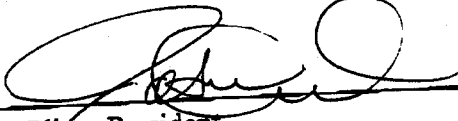
*Min. Estates Replat. DTA*  
Lots 1 & 2 shall be used for residential purposes only. There shall be no commercial or animal husbandry activities on said Lots, with the exception of family household pets. Commercial activities for purposes of this instrument shall be limited to those activities which are open to the public for retail purposes, commercial activities which create substantial traffic onto the above described properties and/or any commercial business which shall employ eight or more employees or the like. The West 257 feet of Lot 1 shall be kept in a wooded, in as near as possible, natural state, and shall not be logged, harvested, cultivated, or otherwise used for agricultural or commercial purposes.

2. This Amendment is intended by the parties to clarify, modify, alter and amend specific terms and provisions of the Easements and Restrictive Covenants filed June 10, 1999 as Instrument No. 99-108398, Records, Sarpy County, Nebraska. To the extent that the terms and provisions of this Amendment are in conflict or inconsistent with the terms and provisions of the above described instrument, the terms and provisions of this Amendment shall control. To the extent that the terms and provisions of this Amendment are not in conflict with the provisions of the above described instrument, the terms and provisions of the original instrument are ratified and remain effective in all respects.

3. The parties hereby ratify and confirm the terms and provisions of the above-described instrument in each and every other respect.

IN WITNESS WHEREOF, the parties have executed this Amendment on the day and year first written above.

CITY WIDE ROCK AND EXCAVATING, CO.  
a/k/a CITY WIDE ROCK AND EXCAVATING, INC.,  
a/k/a CITY WIDE ROCK,

By:   
Joseph Olivo, President

09704

000-1251

2000-09704 B

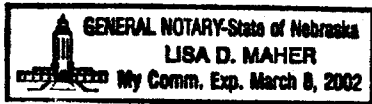
*Rickey D. Haley*  
 \_\_\_\_\_  
 Rickey D. Haley

*Michael S. Benton*  
 \_\_\_\_\_  
 Michael S. Benton

STATE OF NEBRASKA )  
 ) ss  
 COUNTY OF Sarpy

On this 20 day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Joseph Olivo, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, as President of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc. a/k/a City Wide Rock, and he acknowledges the instrument to be his voluntary act and deed and the voluntary act and deed of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a City Wide Rock.

WITNESS my hand and official seal at Springfield Nebraska, in said County on the date aforesaid.

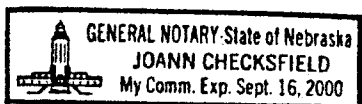


*Lisa D. Maher*  
 \_\_\_\_\_  
 Notary Public

STATE OF NEBRASKA )  
 ) ss  
 COUNTY OF Sarpy

On this 19 day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Rickey D. Haley, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, as President of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc. a/k/a City Wide Rock, and he acknowledges the instrument to be his voluntary act and deed and the voluntary act and deed of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a City Wide Rock.

WITNESS my hand and official seal at Papillion Nebraska, in said County on the date aforesaid.



*Joann Checksfield*  
 \_\_\_\_\_  
 Notary Public

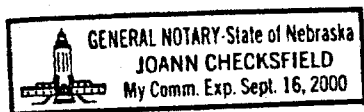
2000-09704C

STATE OF NEBRASKA )  
COUNTY OF Sarpy ) ss

On this 19 day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Michael S. Benton, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, as President of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc. a/k/a City Wide Rock, and he acknowledges the instrument to be his voluntary act and deed and the voluntary act and deed of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a City Wide Rock.

WITNESS my hand and official seal at Opitlion, Nebraska, in said County on the date aforesaid.

*Joann Checksfield*  
Notary Public





FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2000-09879

7000 AP 26 PH12: 39

*Glenn J. Bentley*  
REGISTER OF DEEDS

Counter mm  
Vendy mm  
D.C. mm  
Prod mm  
Fee \$ 17.00  
Ck  Cash  Chg

*Subdivision*  
EASEMENTS AND RESTRICTIVE COVENANTS

The undersigned being the owners of the South half (S 1/2) of the Southwest Quarter of the Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M.; and the Lots 1 & 2, Olivo Estates Replat, hereby dedicates, grants, and conveys the following easements:

A. An easement for ingress and egress 30 feet in width as set forth in the attached Exhibit A, over the South half (S 1/2) of the Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M. known as Tax Lot 29; and Lot 1, Olivo Estates Replat, for the benefit of Lot 2. Said easement shall run with the land and be appurtenant to Lot 2, and shall be perpetual in duration.

B. The undersigned further dedicates, grants, and conveys a 10 foot wide easement for the installation and maintenance of a water line and general utilities to serve Lot 2, over and upon the South half (S 1/2) of the Southwest Quarter of Southwest Quarter of Section 22, Township 13 N, Range 12, East of the 6<sup>th</sup> P.M.; the N 42.26 feet of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 27, Township 13 N, Range 12 E of the 6<sup>th</sup> P.M., as surveyed, platted and recorded in Sarpy County, Nebraska. Said easement shall be perpetual in nature, shall run with the land, and be appurtenant to and for the benefit of Lot 2. The exact location of said easement shall be identified and determined after the installation of said water line.

RESTRICTIVE COVENANTS

The undersigned being the owner of Lots 1 & 2, Olivo Estates Replat, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, hereby makes the following declaration of restrictive covenants.

1. Lots 1 & 2 shall be used for residential purposes only. There shall be no commercial or animal husbandry activities on said Lots, with the exception of family household pets. The West 257 feet of Lot 1 shall be kept in a wooded, in as near as possible, natural state, and shall not be logged, harvested, cultivated, or otherwise used for agricultural or commercial purposes.

2. The accumulation of trash, inoperable automobiles, or automobile parts, machinery, or equipment of every kind and nature on said Lots 1 & 2, Olivo Estates Replat, are hereby prohibited.

3. The East 257 feet of Lot 1 may not be subdivided without the consent of the owner of Lot 2.

The foregoing restrictions shall be for a period of fifty (50) years from the date hereof, and may be enforced by the owners of Lots 1 or 2, Olivo Estates Replat, their successors and assigns.

SIGNED this 11<sup>th</sup> day of April, 2000.

CITY WIDE ROCK AND EXCAVATING CO.  
a/k/a CITY WIDE ROCK AND  
EXCAVATING, INC., a/k/a CITY WIDE  
ROCK,

By *Rickey B. Haley*  
Its President

*Rickey B. Haley*  
Rickey B. Haley

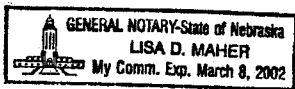
*Michael S. Benton*  
Michael S. Benton

2000-09879A

STATE OF NEBRASKA)  
  )ss  
COUNTY OF SARPY )

On this 12 day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Joseph Olivo, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, as President of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a City Wide Rock, and he acknowledges the instrument to be his voluntary act and deed and the voluntary act and deed of said City Wide Rock and Excavating Co., a/k/a City Wide Rock and Excavating, Inc., a/k/a city Wide Rock.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.

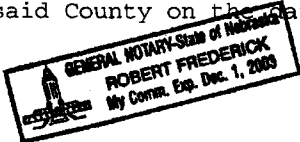


*Lisa D. Maher*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA)  
  )ss  
COUNTY OF SARPY )

On this 11<sup>th</sup> day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Rickey D. Haley, a Single person, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, and he acknowledges the instrument to be his voluntary act and deed.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.

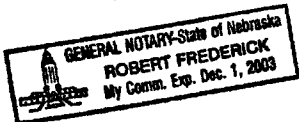


*Robert Frederick*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA)  
  )ss  
COUNTY OF SARPY )

On this 11<sup>th</sup> day of April, 2000, before me, a notary public, duly commissioned and qualified in and for said County, personally came Michael S. Benton, a Single person, who is personally known to me to be the identical person whose name is affixed to the above Easement and Restrictive Covenants, and he acknowledges the instrument to be his voluntary act and deed.

WITNESS my hand and official seal at Bellevue, Nebraska, in said County on the date aforesaid.



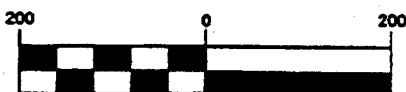
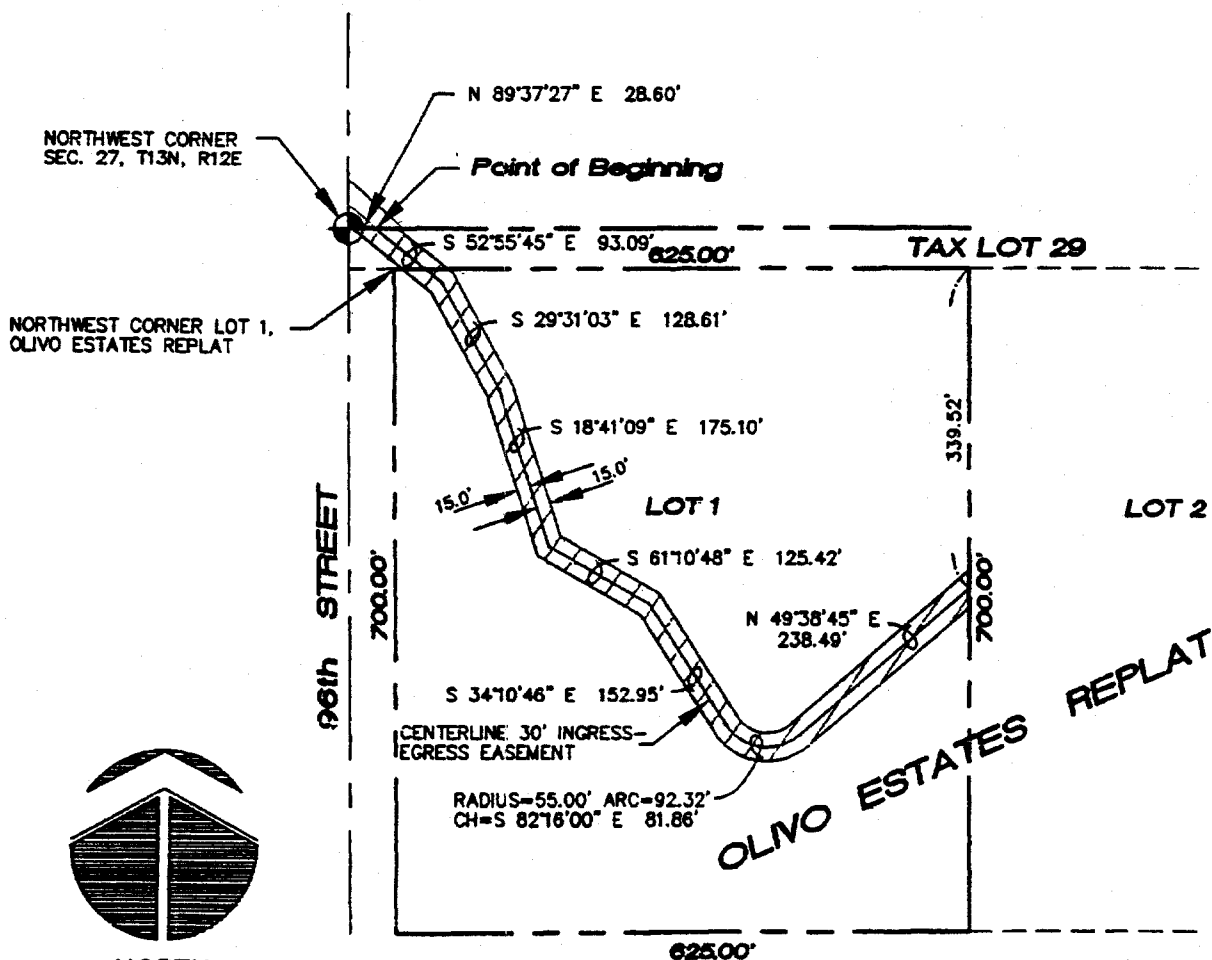
*Robert Frederick*  
\_\_\_\_\_  
Notary Public

2000-09879B

# INGRESS-EGRESS EASEMENT

## LEGAL DESCRIPTION

A 30.00 FOOT WIDE INGRESS-EGRESS EASEMENT LOCATED ACROSS TAX LOT 29, AND LOT 1, OLIVO ESTATES REPLAT, ALL LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST ONE-QUARTER OF SECTION 27; THENCE N89°37'27"E (ASSUMED BEARING) 28.60 FEET ALONG THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S52°55'45"E 93.09 FEET; THENCE S29°31'03"E 128.61 FEET; THENCE S18°41'09"E 175.10 FEET; THENCE S61°10'48"E 125.42 FEET; THENCE S34°10'46"E 152.95 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 92.32 FEET WITH A LONG CHORD BEARING S82°16'00"E FOR 81.86 FEET; THENCE N49°38'45"E 238.49 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1 AND TO THE END OF SAID EASEMENT.



1 inch = 200 ft.

March 30, 2000 3:19:06 p.m.  
Drawing: S:\DWG\2000WORK\00-051.DWG

DESIGNED

DRAWN GSJ

CHECKED

DATE 3-30-00 PROJECT NO. 00-051

SHEET NO.



## Hill-Farrell Associates, Inc.

Architects, Engineers, Land Surveyors

1000 Lincoln Blvd., Bellevue, NE 68005-1000, 402-291-0100

1 OF 1