

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement made and entered into this ____ day of _____, 199__, by and between SANITARY AND IMPROVEMENT DISTRICT NO. 383 OF DOUGLAS COUNTY, NEBRASKA (hereinafter referred to as "SID 383") and SANITARY AND IMPROVEMENT DISTRICT NO. 402 OF DOUGLAS COUNTY, NEBRASKA (hereinafter referred to as "SID 402").

WHEREAS, SID 383 and SID 402 are duly existing bodies corporate and politic in accordance with and under the laws of the State of Nebraska as more particularly set forth in Article 7 of Chapter 31 of the Revised Statutes of Nebraska, 1943, and any applicable amendments thereto, and the Districts have been formed in accordance with said statutes and Decrees of the District Court of Douglas County, Nebraska; and

WHEREAS, SID 383 consists of a subdivision known as "Pacific Springs (Lots 180 through 273, inclusive)" in Douglas County, Nebraska, and SID 402 consists of a development known as "Pacific Springs Villas," a retirement center in Douglas County, Nebraska; and

WHEREAS, SID 383 has constructed or will construct portions of an outfall sanitary sewer system extending from SID 383 to the City of Omaha interceptor sewer and the Harney Street entrance serving both areas, which outfall sanitary sewer and Harney Street entrance is located in part on property within SID 402 and on other property adjacent to SID 402 pursuant to an easement and dedication granted by the owner of the property located within SID 402; and

WHEREAS, all of said sanitary sewer system and Harney Street entrance is now or will be required for use by SID 402; and

WHEREAS, the parties desire to transfer ownership of said outfall sanitary sewer system constructed by SID 383 to SID 402, and to provide for perpetual connection rights from one District's system to the other.

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties hereto, it is agreed by and between them as follows:

1. SID 383, in exchange for payment as hereinafter set forth, agrees to convey, transfer, and assign all of its right, title and interest in and to that portion of the outfall sanitary sewer system constructed by it, which portion of said system is located on property more particularly described on Exhibit "A" attached hereto and incorporated herein (the "sewer"). Both Districts further grant connection rights as set forth herein.

2. SID 383 hereby warrants that there are no unpaid sums due to contractors or liens relating to the project and that title to the sewer will be conveyed

free and clear of all liens, easements and encumbrances, including taxes and assessments.

3. The total purchase price for the sanitary sewer to be paid by SID 402 to SID 383 shall be the sum of Twenty-Two Thousand One Hundred Seventy and no/100 Dollars (\$22,170.00) which sum represents the actual cost of construction, engineering, testing, legal, financing, interest, publication and miscellaneous costs for that part of the sewer system constructed by SID 383, as more particularly set forth on Exhibit "B" attached hereto and incorporated herein by this reference. Payment shall be made by SID 402 by issuance of warrants payable to SID 383 concurrent with the execution of this Agreement or at such time as any building within the SID 402 boundary connects on to the line. Payment shall be made by SID 402 by issuance of warrants payable to SID 383; one-half of such amount shall be paid concurrent with the execution of this Agreement, with the second and final half to be paid six (6) months thereafter without further notice from SID 383.

4. The total cost for the portion of the Harney Street entrance located within the boundaries of SID 402 to be paid to SID 383 shall be the sum of Forty-Six Thousand Nine Hundred Twenty-Eight and 83/100 Dollars (\$46,928.83), consisting of Harney Street paving, sidewalks, mow strip, inlets, engineering, testing, legal, financing, interest, publication and miscellaneous costs for such portion constructed by SID 383, as more particularly set forth on Exhibit "B" attached hereto and incorporated herein by this reference. Payment shall be made by SID 402 by issuance of warrants payable to SID 383 concurrent with the execution of this Agreement. Special assessments or general obligation shall be in accordance with City standards as provided within the respective Subdivision Agreements of each sanitary and improvement district.

5. Horgan Development Company, or its successors, will provide ingress/egress easements for access to Parcel 3 identified on Exhibit "C" attached hereto and incorporated herein by this reference. Further, Pacific Springs Village and its successors will provide storm sewer easements to SID 383 as indicated in the areas shown on Exhibit "D" attached hereto and incorporated herein by this reference.

6. SID 383 shall provide to SID 402 on or before closing a copy of its engineer's Certificate of Acceptance of the project indicating to SID 402's satisfaction that same has been completed in substantial compliance with the plans and specifications therefor, along with its engineer's Statement of All Costs of the project.

7. As further consideration for this transaction, SID 402 grants to SID 383, upon execution of this Agreement, the perpetual license and right to connect SID 383's sanitary sewer system to the outfall sanitary sewer system being purchased hereunder and to transmit sanitary sewage through said outfall sanitary sewer.

8. Each District shall be solely responsible for the maintenance and repair of its own sanitary sewer system, including its outfall sanitary sewers, and all appurtenances thereto. Both Districts further agree that only sanitary sewage shall be emptied into their sanitary sewer system and that no surface water or water from air conditioning units shall enter the system.

9. This Agreement shall bind the successors and assigns of the parties hereto.

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

SANITARY AND IMPROVEMENT DISTRICT
NO. 383 OF DOUGLAS COUNTY, NEBRASKA

ATTEST:

Donna M. Nissen
Clerk

By x

Robert W. Hill
Chairman

SANITARY AND IMPROVEMENT DISTRICT
NO. 402 OF DOUGLAS COUNTY, NEBRASKA

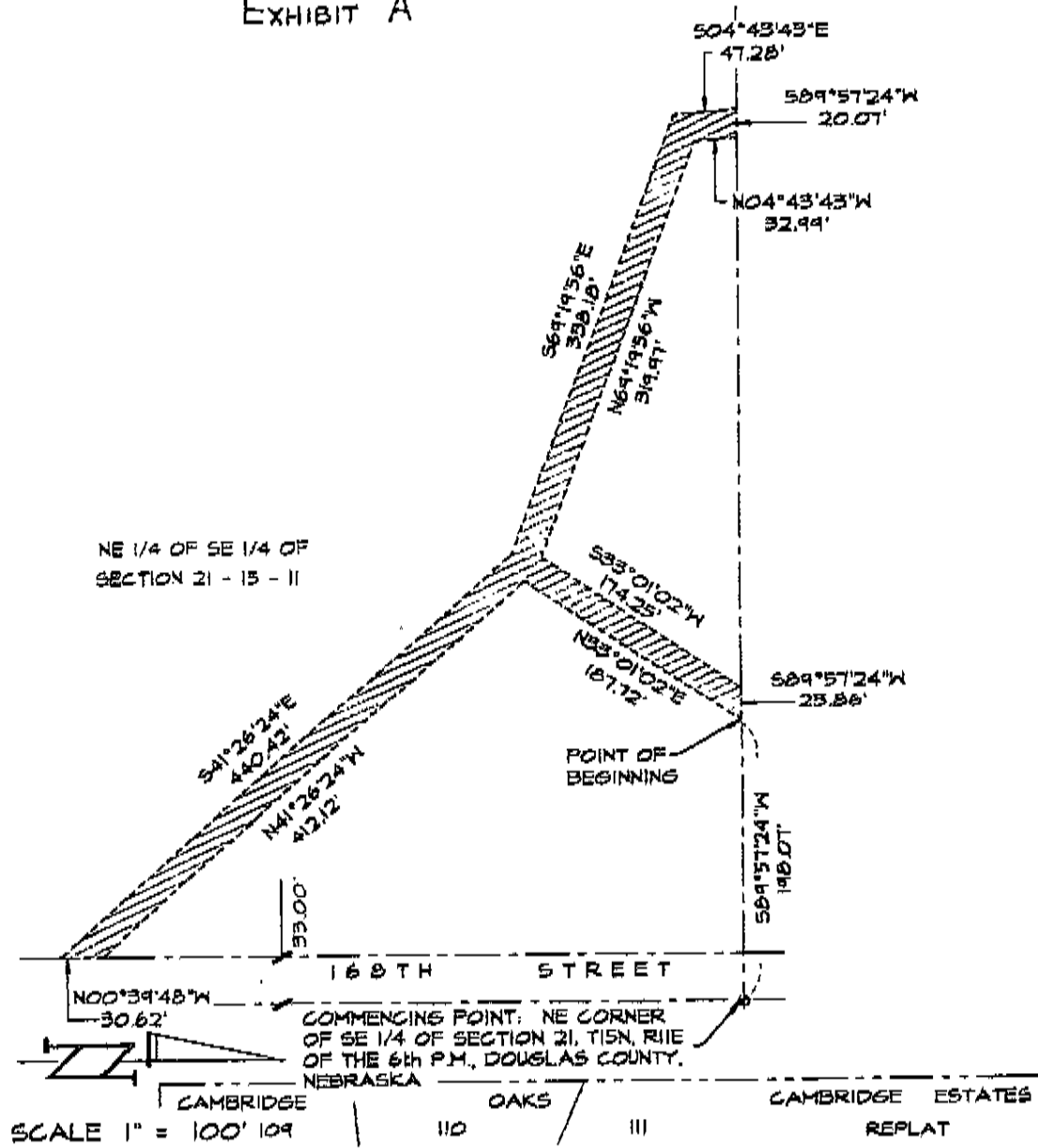
ATTEST:

Jasula Byrne
Clerk

By

Robert W. Hill
Chairman

EXHIBIT "A"



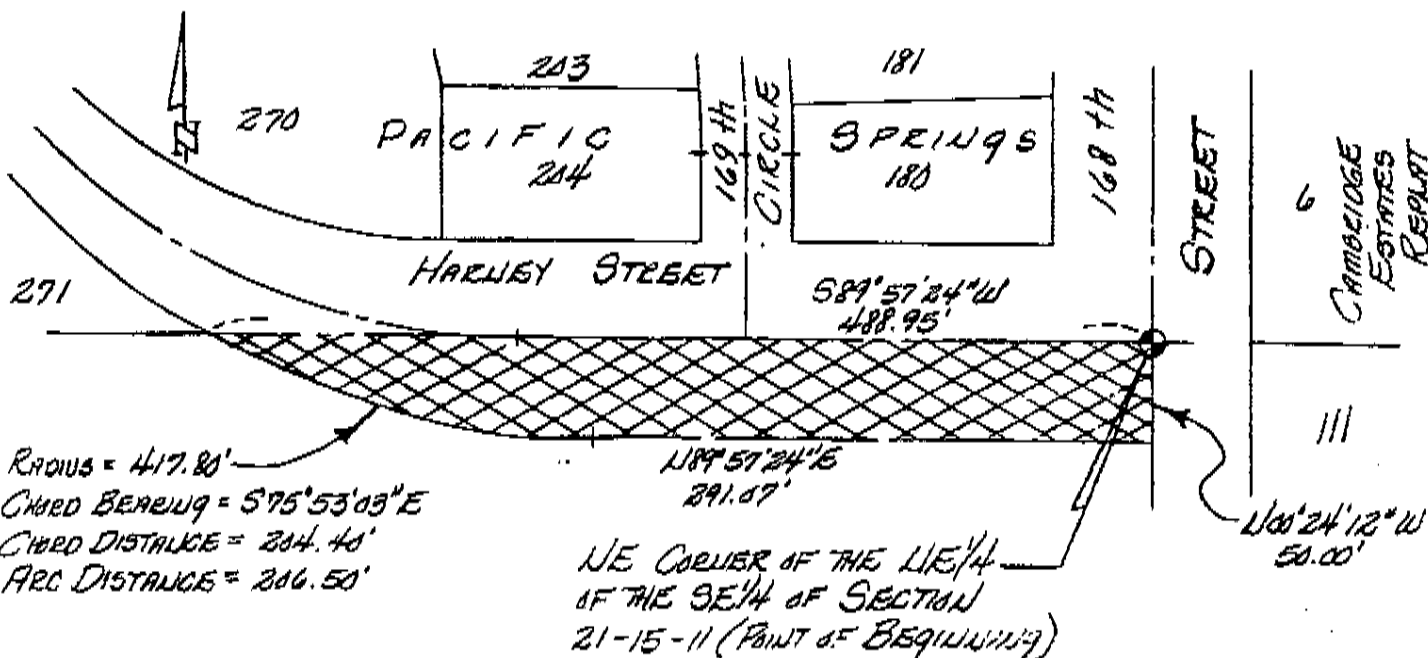
LEGAL DESCRIPTION

THAT PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 21, T15N, R11E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SE 1/4; THENCE S89°57'24"W (ASSUMED BEARING) 190.07 FEET ON THE NORTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING S89°57'24"W 23.86 FEET; THENCE S33°01'02"W 174.25 FEET; THENCE N69°19'56"W 319.97 FEET; THENCE N04°43'43"W 32.99 FEET TO THE NORTH LINE OF SAID NE 1/4; THENCE S89°57'24"W 20.07 FEET ON THE NORTH LINE OF SAID NE 1/4; THENCE S04°43'43"E 47.28 FEET; THENCE S69°19'56"E 350.18 FEET; THENCE S41°26'24"E 440.42 FEET; THENCE N00°39'48"W 30.62 FEET ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NE 1/4; THENCE N41°26'24"W 412.12 FEET; THENCE N33°01'02"E 187.12 FEET TO THE POINT OF BEGINNING.

EXHIBIT A 2

172-131

PLAT AND DEDICATION FOR STREET WIDENING



DEDICATION: KNOW ALL PERSONS BY THESE PRESENTS: That we the undersigned PACIFIC SPRINGS VILLAGE, sole owners of the IRREGULAR strip of land described below and embraced within the above plat and shown as additional right of way for HARNEY STREET hereby dedicate to the public for public use the said IRREGULAR strip for street purposes to be hereafter known as HARNEY STREET

LEGAL DESCRIPTION: (attach additional sheets if needed)

THAT PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 21, T15N, R11E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID NE 1/4; THENCE S89°57'24"W (ASSUMED BEARING) 488.95 FEET ON THE NORTH LINE OF SAID NE 1/4; THENCE SOUTHEASTERLY ON A 417.80 FOOT RADIUS NONTANGENT CURVE TO THE LEFT (CHORD BEARING S75°53'03"E, CHORD DISTANCE 204.40 FEET, AN ARC DISTANCE OF 206.50 FEET; THENCE N89°57'24"E 291.07 FEET ON A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 TO THE EAST LINE THEREOF; THENCE N00°24'12"W 50.00 FEET ON THE EAST LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING.

PACIFIC SPRINGS VILLAGE

BY: _____
 Owner's Signature
 BYRON G. WILL, PRESIDENT
 (Print or Type Name of Owner)

Acknowledgment by Individual
 State of Nebraska)
) S.S.
 County of Douglas)

On this _____ day of _____, 19____, before me a Notary Public, duly qualified and commissioned in and for said County and State, personally appeared _____, who (is) personally known to me to be the identical person whose name is affixed to the foregoing instrument and he acknowledged the signing of the same to be his voluntary act and deed.



THOMPSON, DREESSEN & DORNER, INC.

Consulting Engineers & Land Surveyors

March 29, 1996

Chairman and Board of Trustees
Sanitary and Improvement District No. 383
of Douglas County, Nebraska
c/o Mr. Dennis P. Hogan III, Attorney
10050 Regency Circle
Omaha, NE 68114

RE: Sanitary Sewer Section I
TD² File No. 1043-101.1

ROBERT E. DREESSEN, P.E.
WILLIAM F. DORNER, L.S.
NELSON J. HYMANS, P.E.
JAMES D. WARNER, L.S.
CHARLES E. RIGGS, P.E.
ERNEST W. KOENIG, L.S.
KA "KIP" P. SQUIRE III, P.E.
JOHN M. KOTTMANN, P.E.
ARTHUR D. BECCARD, P.E.
JOSEPH G. KOSINOVSKY, P.E.
DOUGLAS S. DREESSEN, P.E.
BRADLEY K. BLAKEMAN, P.E.
DEAN A. JAEGER, P.E.
RICHARD M. BROYLES, L.S.
DAVID H. NEEF, L.S.
ROBERT E. NOVOTNY, P.E.
RONALD M. KOENIG, L.S.
MARIE D. BELONGIA, P.E.
A. WAHED HASSANI, P.D.
CHRIS E. DORNER, L.S.
LORAS A. KLOSTERMANN, P.E.

Gentlemen:

The following is the Engineer's Estimate of Costs and quantities for construction of Sanitary Sewer in S.I.D. 402.

ITEM	DESCRIPTION	APPROX. QUANTITY	UNIT PRICE	AMOUNT
1.	Bore and Jack 16" I.D. Welded Steel Casing Pipe 3/16" Min. Wall Thickness, in place	0 L.F.	\$120.00/L.F.	\$ 0.00
2.	8" I.D. Sanitary Sewer Pipe, in place	832 L.F.	\$ 11.00/L.F.	\$ 9,152.00
3.	6" I.D. Sanitary Sewer Pipe, in place	0 L.F.	\$ 10.50/L.F.	\$ 0.00
4.	6" Slants, in place	0 EA.	\$ 25.00/EA.	\$ 0.00
5.	8" x 6" Wyes, in place	0 EA.	\$ 45.00/EA.	\$ 0.00
6.	54" I.D. Standard Manhole, in place	39 V.F.	\$ 95.00/V.F.	\$ 3,705.00
7.	Manhole Ring & Cover, in place	4 EA.	\$225.00/EA.	\$ 900.00
8.	Crushed Rock Bedding, in place	198 TONS	\$ 10.50/TON	\$ 2,079.00
9.	Crushed Rock Unstable Trench, if necessary	0 TONS	\$ 11.00/TON	\$ 0.00
10.	R.O.W. Seeding, in place	0 AC.	\$800.00/AC	\$ 0.00
11.	Additional Mobilization	0 EA.	\$500.00/EA.	\$ 0.00
ESTIMATED TOTAL REIMBURSABLE CONSTRUCTION COSTS				\$15,836.00
ESTIMATED REIMBURSABLE ENGINEERING, LEGAL & MISCELLANEOUS COSTS				\$ 6,334.00
ESTIMATED TOTAL REIMBURSABLE PROJECT COSTS				\$22,170.00

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.

Douglas S. Dreessen, P.E.
Douglas S. Dreessen, P.E.

EXHIBIT "B"
1 of 3

10/28/96 16:28

402 397 4853

GAINES MULLEN

→→→ WALSH, FULL&DOYLE 009/012



THOMPSON, DREESSEN & DORNER, INC.

Consulting Engineers & Land Surveyors

ROBERT E. DREESSEN, P.E.
 WILLIAM P. DORNER, L.S.
 NELSON J. MYMANS, P.E.
 JAMES D. WARNER, L.S.
 CHARLES E. RIGGS, P.E.
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 RONALD M. KOENIG, L.S.
 MARIE D. BELONGIA, P.E.
 A. WAHED HASSANI, PHD.
 CHRIS E. DORNER, L.S.
 LORAS A. KLOSTERMANN, P.E.

August 26, 1996

Chairman & Board of Trustees
 Sanitary and Improvement District No. 383
 of Douglas County, Nebraska
 c/o Mr. Dennis P. Hogan III, Attorney
 10050 Regency Circle
 Omaha, NE 68114

RE: Paving and Storm Sewer Section I
 TD² File No. 1043-102.21

Board Members:

The following is the Contract Cost and Quantities for construction of the Harney Street entrance to S.I.D. 402.

ITEM	DESCRIPTION	APPROX. QUANTITY	UNIT PRICE	AMOUNT
1.	7" Uniform Thickness P.C.C. Pavement w/Integral Curb & Gutter, in place	1438.4 S.Y.	\$ 18.37/S.Y.	\$26,423.41
2.	Common Earth Excavation	575 C.Y.	\$ 0.90/C.Y.	\$ 517.50
3.	Construct Concrete Header, in place	0 L.F.	\$ 4.00/L.F.	\$ 0.00
4.	Adjust Sanitary Manhole to Grade	0 EA.	\$ 75.00/EA.	\$ 0.00
5.	Type I, Curb Inlet, in place	0 EA.	\$1,200.00/EA.	\$ 0.00
6.	Type III, Curb Inlet, in place	1 EA.	\$1,344.88/EA.	\$ 1,344.88
7.	Street Signs, in place	0 EA.	\$ 200.00/EA.	\$ 0.00
8.	P.C.C. Median Mow Strip, in place	267 L.F.	\$ 6.19/L.F.	\$ 1,652.73
9.	4" Uniform Thickness P.C.C. Sidewalk, in place	1,756 S.F.	\$ 2.04/S.F.	\$ 3,582.24
10.	R.O.W. Seeding, in place	0 AC.	\$ 800.00/AC.	\$ 0.00
11.	36" I.D. RCP DO.01, 1350, in place	0 L.F.	\$ 45.00/L.F.	\$ 0.00
12.	30" I.D. RCP, Class III, in place	0 L.F.	\$ 35.00/L.F.	\$ 0.00
13.	24" I.D. RCP, Class III, in place	0 L.F.	\$ 25.00/L.F.	\$ 0.00
14.	21" I.D. RCP, Class III, in place	0 L.F.	\$ 22.00/L.F.	\$ 0.00
15.	18" I.D. RCP, Class III, in place	0 L.F.	\$ 20.00/L.F.	\$ 0.00
16.	15" I.D. RCP, Class III, in place	0 L.F.	\$ 17.00/L.F.	\$ 0.00
17.	36" I.D. RCP Flared End Section w/Bar Grate, in place	0 EA.	\$ 750.00/EA.	\$ 0.00
18.	30" I.D. RCP Flared End Section w/Bar Grate, in place	0 EA.	\$ 600.00/EA.	\$ 0.00
19.	24" I.D. RCP Flared End Section w/Bar Grate, in place	0 EA.	\$ 550.00/EA.	\$ 0.00
20.	18" I.D. RCP Flared End Section w/Bar Grate, in place	0 EA.	\$ 360.00/EA.	\$ 0.00
21.	24" I.D. Concrete Plug, in place	0 EA.	\$ 100.00/EA.	\$ 0.00
22.	Remove 24" Plug	0 EA.	\$ 50.00/EA.	\$ 0.00
23.	84" I.D. Flat Top Storm Manhole w/Ring and Cover, in place	0 EA.	\$2,000.00/EA.	\$ 0.00
24.	72" I.D. Flat Top Storm Manhole w/Ring and Cover, in place	0 EA.	\$1,700.00/EA.	\$ 0.00

EXHIBIT B
 2 OF 3

10/28/96 16:29 402 397 4853

GAINES MULLEN

→→→ WALSH, FULL & DOYLE

010/012

Chairman & Board of Trustees
August 26, 1996
Page 2

ITEM	DESCRIPTION	APPROX. QUANTITY	UNIT PRICE	AMOUNT
25.	60" I.D. Flat Top Storm Manhole w/Ring and Cover, in place	0 EA.	\$1,100.00/EA.	\$ 0.00
26.	54" I.D. Flat Top Storm Manhole w/Ring and Cover, in place	0 EA.	\$1,000.00/EA.	\$ 0.00
27.	Storm Sewer Tap, in place	0 EA.	\$ 200.00/EA.	\$ 0.00
28.	Type I Area Inlet, in place	0 EA.	\$1,500.00/EA.	\$ 0.00
29.	Crushed Rock, Unstable Trench, in place	0 TONS	\$ 10.00/TON	\$ 0.00
30.	Remove Basin Discharge Pipe	0 EA.	\$ 500.00/EA.	\$ 0.00
31.	Remove Basin Riser	0 EA.	\$ 200.00/EA.	\$ 0.00
32.	Golf Course Seeding, in place	0 AC.	\$1,254.00/AC.	\$ 0.00
33.	Remove Header	0 L.F.	\$ 4.00/L.F.	\$ 0.00
34.	Type "C" Rip Rap, in place	0 TONS	\$ 20.00/TON	\$ 0.00
35.	Geotextile Fabric, in place	0 S.Y.	\$ 1.00/S.Y.	\$ 0.00
36.	Remove Traffic Barrier	0 EA.	\$ 200.00/EA.	\$ 0.00
37.	12" I.D. RCP, Class III, in place	0 L.F.	\$ 14.00/L.F.	\$ 0.00
38.	8" D.I.P. Class 52, in place	0 L.F.	\$ 20.00/L.F.	\$ 0.00
39.	8" Gate Valve w/Box	0 EA.	\$ 600.00/EA.	\$ 0.00
40.	18" Dowels, in place	0 EA.	\$ 5.00/EA.	\$ 0.00
41.	1-1/2" Crushed Rock, Crusher Run, in place	0 TONS	\$ 10.00/TON	\$ 0.00
42.	Sediment Basin Cleanout Hourly Rates			
	CAT 225 Backhoe or Equivalent	0 HRS.	\$ 80.00/HR.	\$ 0.00
	CAT 621 Scaper or Equivalent	0 HRS.	\$ 110.00/HR.	\$ 0.00
	CAT 977 Loader or Equivalent	0 HRS.	\$ 80.00/HR.	\$ 0.00
	CAT 815 Roller or Equivalent	0 HRS.	\$ 80.00/HR.	\$ 0.00
	Tandem Dump Truck	0 HRS.	\$ 50.00/HR.	\$ 0.00
ESTIMATED CONSTRUCTION COST				\$33,520.76
ESTIMATED ENGINEERING, LEGAL & MISCELLANEOUS COSTS				\$13,408.07
ESTIMATED TOTAL PROJECT COST				\$46,928.83

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.

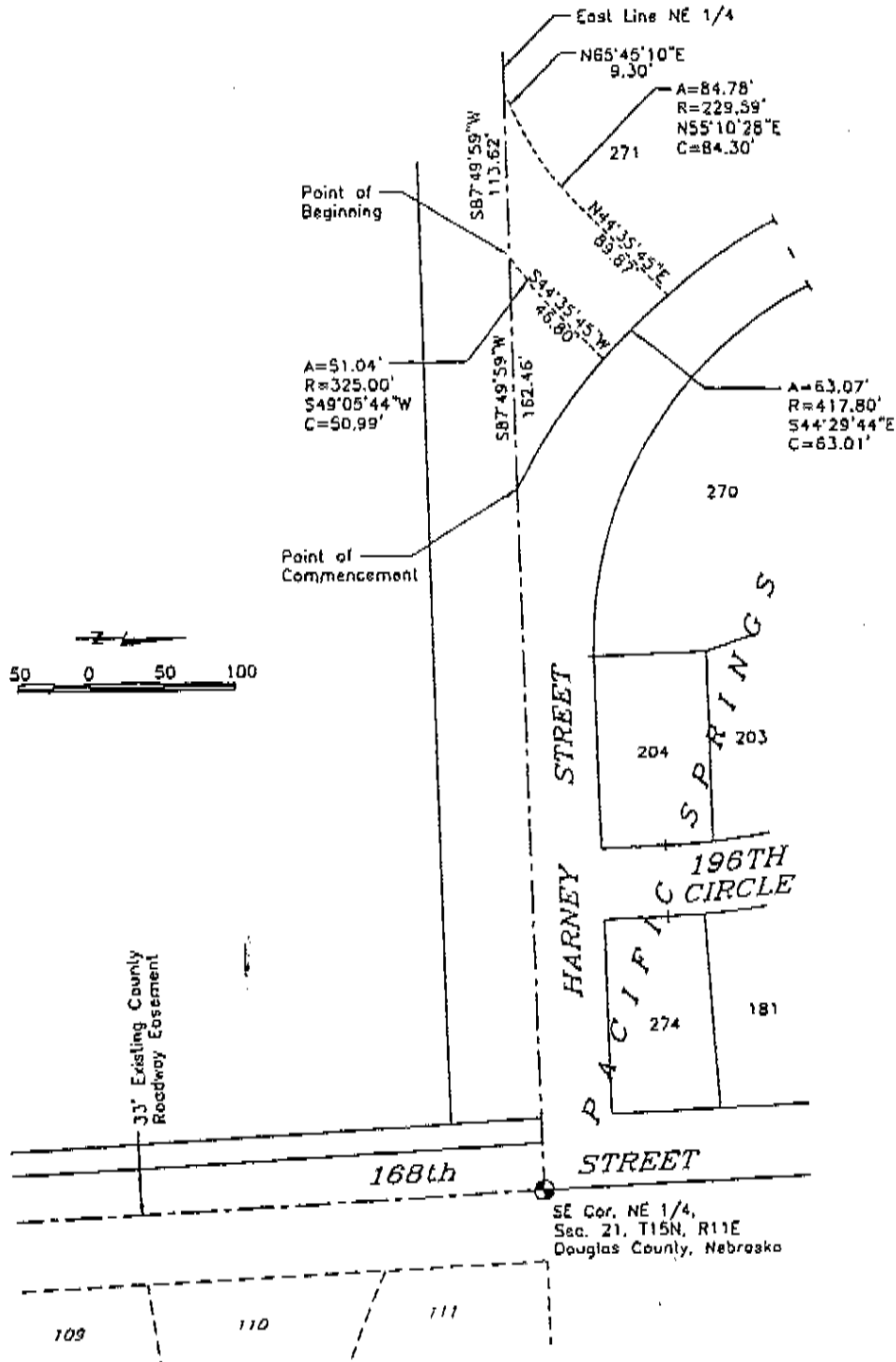
Douglas S. Dreessen, P.E.
Douglas S. Dreessen, P.E.

DSD/mc

EXHIBIT B
3 OF 3

NOV 21 '96 17:40 LAMP, RYNEARSON & ASSOCIATES, INC.

EXHIBIT 1



BB026\QWC\8826E101

Book

Page

Date 11-21-96

Dwn.By PWB

Job Number 88026-6177



lamp, ryneason & associates, inc.
engineers surveyors planners

14747 california street

omaha, nebraska 68164-1079

402-488-2488
FAX 402-488-2750

NOV 21 '96 17:41 LAMP, RYNEARSON & ASSOCIATES, INC.

EXHIBIT 2**LEGAL DESCRIPTION**

A permanent easement for ingress and egress and for utilities over that part of Lot 271, PACIFIC SPRINGS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the southeast corner of said Lot 271;
 Thence South 87°49'59" West (assumed bearings) for 162.46 feet along the south line of said Lot 271 to the TRUE POINT OF BEGINNING;
 Thence continuing South 87°49'59" West for 113.62 feet;
 Thence North 65°45'10" East for 9.30 feet;
 Thence along a curve to the left (having a radius of 229.59 feet and a long chord bearing North 55°10'28" East for 84.30 feet) for an arc length of 84.78 feet;
 Thence North 44°35'45" East for 89.87 feet to the southwest right of way line of Harney Street;
 Thence along a curve to the left (having a radius of 417.80 feet and a long chord bearing South 44°29'44" East for 83.01 feet) for an arc length of 83.07 feet along the said southwest right of way line of Harney Street;
 Thence South 44°35'45" West for 46.80 feet;
 Thence along a curve to the right (having a radius of 325.00 feet and a long chord bearing South 49°05'44" West for 50.99 feet) for an arc length of 51.04 feet to the Point of Beginning.
 Contains 8298 square feet.

Book _____

Page _____

Date 11-21-96

Job Number 88026-6155



lamp, rynearson & associates inc.
 engineers surveyors planners

14747 california street

omaha, nebraska

88184 1979

402 498 2488

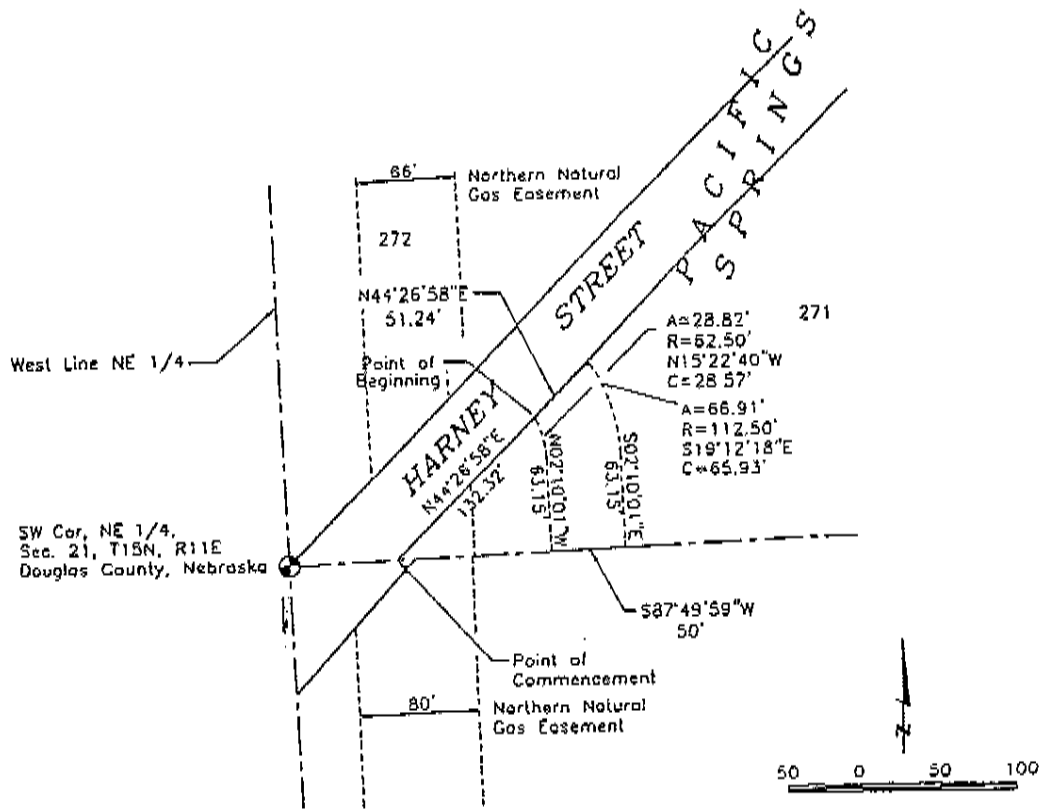
FAX 402 498 2730

NOV 21 '96 17:41 LRP: RYNEARSON & ASSOCIATES

EXHIBIT 3

LEGAL DESCRIPTION

A permanent easement for ingress and egress and for utilities over that part of Lot 271, PACIFIC SPRINGS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:
 Commencing at the southwest corner of said Lot 271;
 Thence North 44°26'58" East (assumed bearings) for 132.32 feet along the south right of way line of Harney Street to the TRUE POINT OF BEGINNING;
 Thence continuing North 44°26'58" East for 51.24 feet;
 Thence along a curve to the right (having a radius of 112.50 feet and a long chord bearing South 19°12'18" East for 65.93 feet) for an arc length of 66.91 feet;
 Thence South 02°10'01" East for 63.15 feet to the south line of said Lot 271;
 Thence South 87°49'59" West for 50.00 feet along the said south line of Lot 271;
 Thence North 02°10'01" West for 63.15 feet;
 Thence along a curve to the left (having a radius of 62.50 feet and a long chord bearing North 15°22'40" West for 28.57 feet) for an arc length of 28.82 feet to the Point of Beginning.
 Contains 5553 square feet.



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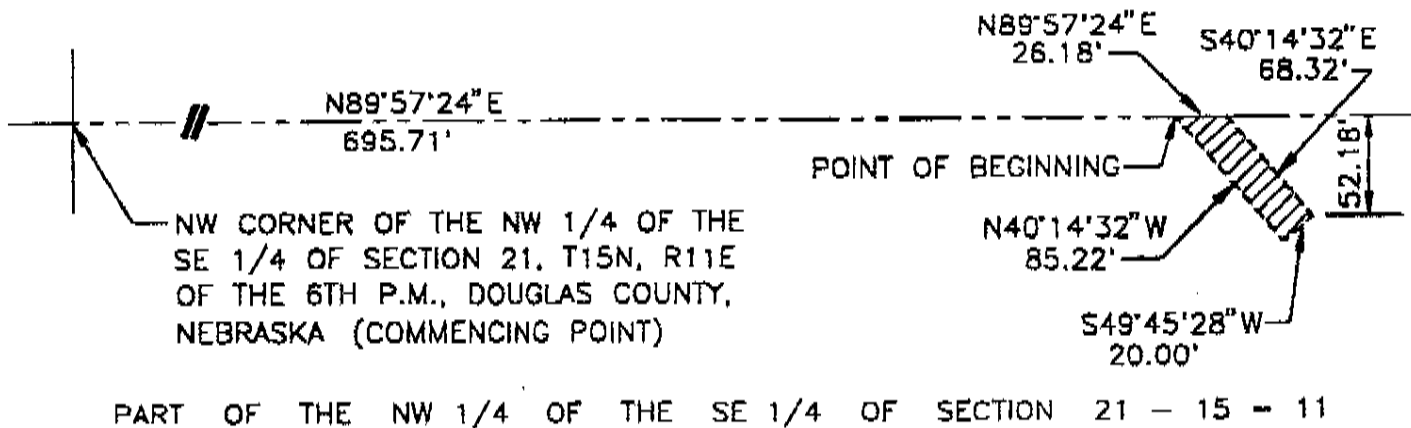
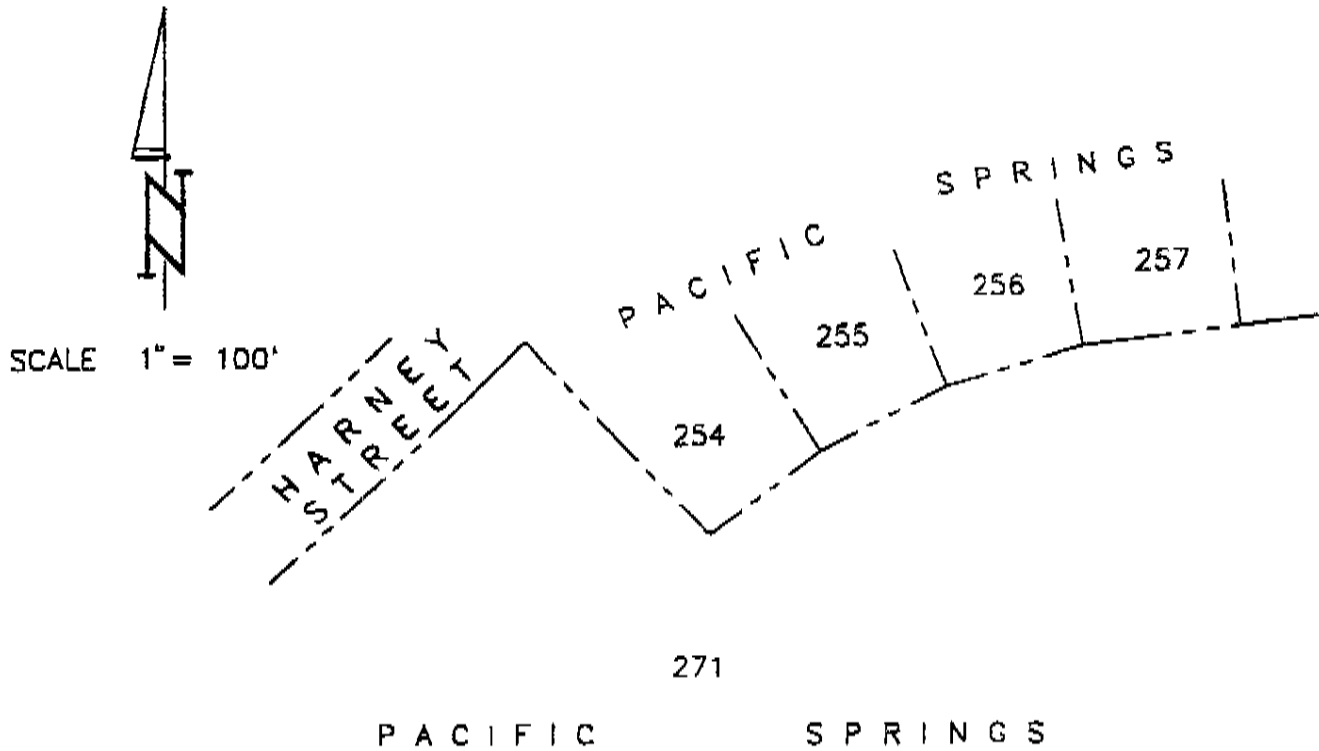
lamp, rynearson & associates, inc.
 engineers surveyors planners

14747 california street

omaha, nebraska 68154-1978

402-498-2488
FAX 402-498-2730

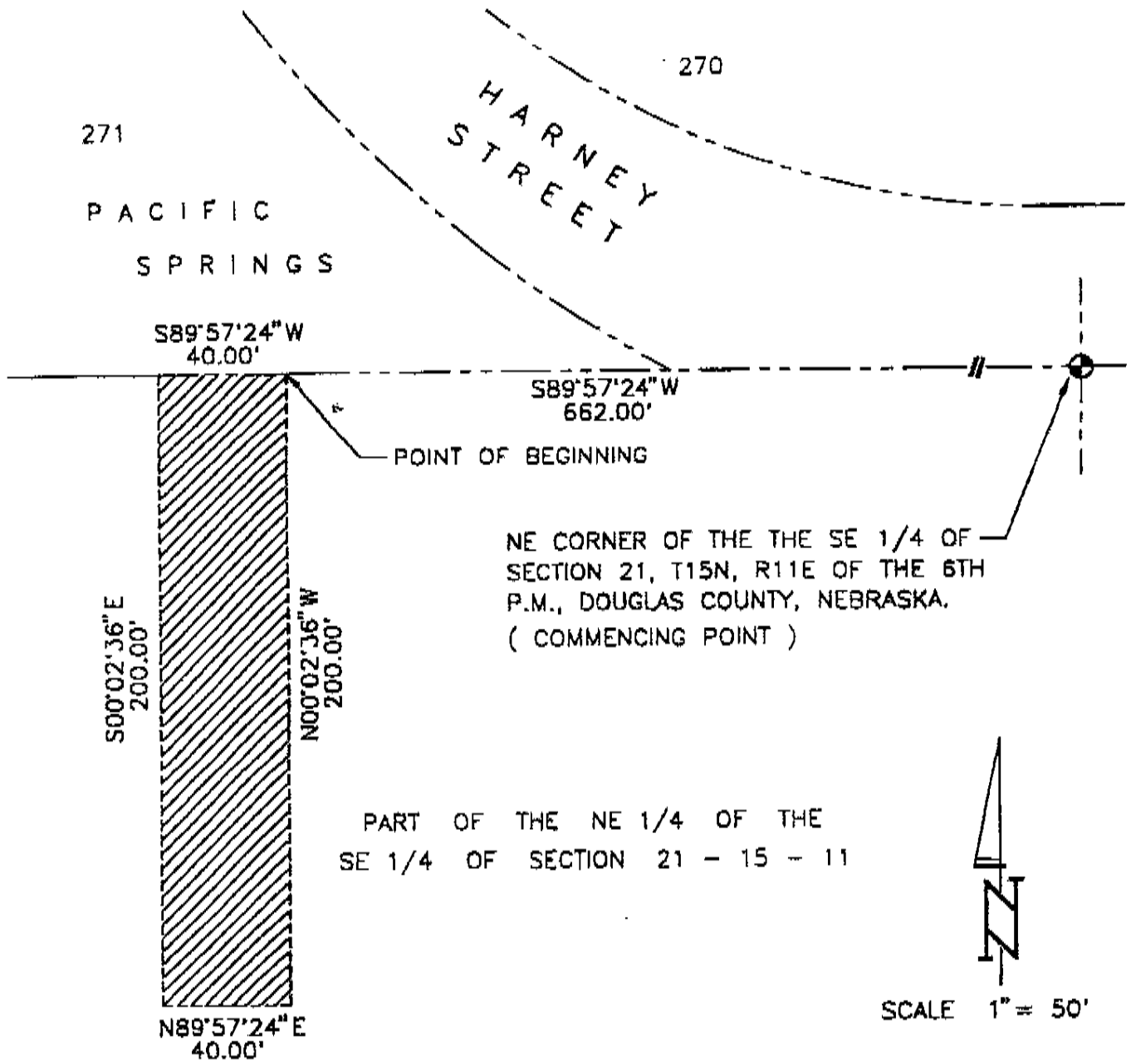
EXHIBIT D1



LEGAL DESCRIPTION

THAT PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21, T15N, R11E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID NW 1/4; THENCE N89°57'24"E (ASSUMED BEARING) 695.71 FEET ON THE NORTH LINE OF SAID NW 1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING N89°57'24"E 26.18 FEET; THENCE S40°14'32"E 68.32 FEET TO A POINT 52.18 FEET SOUTH OF THE NORTH LINE OF SAID NW 1/4; THENCE S49°45'28"W 20.00 FEET; THENCE N40°14'32"W 85.22 FEET TO THE POINT OF BEGINNING.

EXHIBIT D2



LEGAL DESCRIPTION

THAT PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 21, T15N, R11E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SE 1/4; THENCE S89°57'24"W (ASSUMED BEARING) 662.00 FEET ON THE NORTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING S89°57'24"W 40.00 FEET; THENCE S00°02'36"E 200.00 FEET; THENCE N89°57'24"E 40.00 FEET; THENCE N00°02'36"W 200.00 FEET TO THE POINT OF BEGINNING.