

*Carolyn M. Stodola*  
REGISTER OF DEEDS

FILED

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Carolyn Stodola  
WASHINGTON COUNTY  
REGISTER OF DEEDS  
BLAIR, NE

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**FIFTH AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR THE ESTATES AT HIDDEN ACRES**

This Fifth Amendment to Declaration of Covenants, Easements and Restrictions (the "Fifth Amendment") is made as of the 15th day of May, 2020, by Hidden Acres Farms, L.L.C., a Nebraska limited liability company (hereinafter referred to as "Declarant"). All capitalized terms not otherwise defined herein shall have the same meaning ascribed to such terms in the Declaration (as defined below).

WHEREAS, a Declaration of Covenants, Easements and Restrictions was filed for record by Declarant on March 20, 2014, as Instrument No. 2014-00728 in the office of the Register of Deeds of Washington County, Nebraska (the "Original Declaration");

WHEREAS, a First Amendment to Declaration of Covenants, Easements and Restrictions was filed for record by Declarant on March 27, 2014, as Instrument No. 2014-00815 in the office of the Register of Deeds of Washington County, Nebraska (the "First Amendment"), for the purpose of correcting the name of the Declarant;

WHEREAS, a Second Amendment to Declaration of Covenants, Easements and Restrictions was filed for record by Declarant on December 7, 2015, as Instrument No. 2015-04340 in the office of the Register of Deeds of Washington County, Nebraska (the "Second Amendment"), for the purpose of amending Article II of the Declaration (as hereinafter defined);

WHEREAS, a Third Amendment to Declaration of Covenants, Easements and Restrictions was filed for record by Declarant on October 28, 2016 as Instrument No. 2016-03761 in the office of the Register of Deeds of Washington County, Nebraska (the "Third Amendment"), for the purpose of amending Article II of the Declaration;

WHEREAS, a Fourth Amendment to Declaration of Covenants, Easements and Restrictions was filed for record by Declarant on January 5, 2018 as Instrument No. 2018-00073 in the office of the Register of Deeds of Washington County, Nebraska (the "Fourth Amendment"), for the purpose of adding additional real property to the definition of "Lots" and

“Association Lots” subject to the Declaration (this Fifth Amendment, together with the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment, shall be collectively referred to as the “Declaration”);

WHEREAS, the Declaration currently encumbers the real property described as follows:

Tax Lots 140 through 146, inclusive, and Tax Lots 152 and 57, known as The Estates at Hidden Acres, Section 14, T17N, R12E of the 6<sup>th</sup> P.M., as surveyed and recorded in Washington County, Nebraska (unless the context otherwise requires Tax Lots 140 through 146, inclusive, and Tax Lots 152 and 57 shall be referred to individually as a “Lot” and collectively as the “Lots”); a portion of the Initial Lots have been replatted to form Lots 1, 2, 6, 7, 8 and 9 of Hidden Acres Estates, a subdivision in Washington County, Nebraska (the “Platted Lots”); “Lots” as defined in the Declaration of Covenants, Easements and Restrictions for Ole Hickory Farm dated as of July 22, 2016, recorded on September 1, 2016, as Instrument No. 2016-02979 (the “Ole Hickory Farm Lots,”); Tax Lot 152, Section 14, T17N, R12E of the 6<sup>th</sup> P.M. and Tax Lot 57, Section 23, T17N, R12E of the 6<sup>th</sup> P.M., as surveyed and recorded in Washington County, Nebraska, and collectively with the “Lots” and the “Platted Lots” shall be referred to as the “Association Lots”) (Tax Lots 152 and 57 are also known as Tract 8 on Exhibit A attached hereto);

WHEREAS, the Declarant owns at least one (1) Lot;

WHEREAS, pursuant to Article II of the Declaration, as amended by the Fourth Amendment, the “Common Facilities” may include, among other things, dedicated and nondedicated roads, paths and ways, and such Common Facilities may be situated on property owned or leased by the Association (as defined in the Declaration) or on dedicated property;

WHEREAS, pursuant to Article III, Sections 2 and 3 of the Original Declaration, as long as Declarant owns one (1) Lot, Declarant shall have right at any time subsequent to the filing of the Original Declaration to add, annex and subject additional contiguous land in Washington County, Nebraska to the terms and conditions of the Declaration, and to otherwise amend the Declaration in Declarant’s sole and absolute discretion; and

WHEREAS, the Declarant desires to amend the Declaration to (a) add additional real property subject to the Declaration, (b) define certain portions of Big Sky Lane as Common Facilities under the Declaration, (c) exclude certain provisions of the Declaration as to certain real property, and (d) otherwise amend the Declaration on the terms and conditions set forth herein.

NOW, THEREFORE, pursuant to Article III, Sections 2 and 3 of the Declaration, the Declarant hereby modifies and amends the Declaration as follows:

1. New Contiguous Lots. As of the date hereof, the real property legally described on Exhibit A attached hereto and incorporated herein by reference shall be added to the definition of “Lots” and “Association Lots” as defined in the Declaration. Said real property is contiguous to the Lots and Association Lots subject to the Declaration as of the date hereof.

2. Driveway Parcel. Subsequent to the recording of this Fifth Amendment, it is intended that the real property legally described on **Exhibit B** attached hereto and made a part hereof (the "Driveway Parcel"), which comprises part of Tract 8 on **Exhibit A**, will be used as a driveway for providing access to and from Tax Lot 166, Section 14, T17N, R12E, of the 6<sup>th</sup> P.M., Washington County, Nebraska ("TL 166") and Big Sky Lane. The Driveway Parcel is contiguous to the Lots and Association Lots subject to the Declaration as of the date hereof. Notwithstanding the provisions of Section 1 above, as of the date hereof, the Driveway Parcel shall no longer fall within the definition of "Lot" or "Association Lot", the owner(s) thereof shall not be an Association Member, and such real property and its owner(s) shall not otherwise be subject to the terms of the Declaration, except for the following limited purposes:

a. The Driveway Parcel being assessed for a share of the costs and expenses of repairing and maintaining Big Sky Lane on the same uniform basis as other Association members;

b. Voting for the Owner of the Driveway Parcel, on the same uniform basis as other members of the Association, but only as to matters relating to Big Sky Lane or costs and expenses relating thereto; and

c. The following use restrictions shall apply to the Driveway Parcel:

i. The construction of any buildings and other related Improvements on the Driveway Parcel is prohibited; provided, however, that Improvements related to roads and/or driveways, a gate restricting access to TL 166, and related landscaping and fencing along the Driveway Parcel boundary are permitted, provided the owner of the Driveway Parcel shall obtain Declarant's prior written approval before constructing or placing any such Improvements abutting or facing Big Sky Lane; and

ii. The use of the Driveway Parcel other than (A) as a road or driveway for access between TL 166 and Big Sky Lane, (B) the harvesting of hay thereon, and (C) other uses which comply with the restrictions in subsection (c)(i) above and do not otherwise interfere with the construction, use and maintenance of Big Sky Lane are prohibited without the Declarant's prior written consent, not to be unreasonably withheld, conditioned or delayed.

3. Common Facilities. Article II, Section 1(a) of the Declaration is hereby amended by adding the following to the end of said Section 1(a):

"Without limiting the foregoing, the term "Common Facilities" shall specifically include portions of Big Sky Lane depicted and legally described as the "Main Road" and "South Road" on **Exhibit C** attached hereto and made a part hereof. All Lots and Association Lots subject to the Declaration, and the Driveway Parcel, and the current and future owners thereof and their respective invitees, agents, successors and assigns, shall have the permanent and non-exclusive easement right to use and enjoy

such Main Road and South Road described on Exhibit C, as Common Facilities, for the purposes of access to and ingress and egress by vehicular and pedestrian traffic over and across the Main Road and South Road. Neither the Association nor any future owner of the Driveway Parcel or of any Lot or Association Lot subject to the Declaration shall do or permit any act or acts that will unreasonably prevent or hinder access to and ingress or egress of such owners over and across the Main Road or South Road.”

The remainder of Article II of the Declaration, as amended by the Fourth Amendment, shall remain in full force and effect.

4. Ratification and Reaffirmation. Declarant hereby ratifies and reaffirms that the Declaration and all of its provisions shall be and are covenants to run with the Association Lots, and, to the extent set forth in Section 2 above, the Driveway Parcel, and shall be binding upon all parties having or acquiring any right, title or interest in any Lot, the Association Lots or the Driveway Parcel or any part thereof, from time to time, and shall inure to the benefit of each owner thereof.

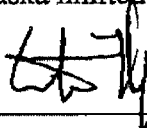
5. Full Force and Effect. Any reference to the “Declaration” in the Declaration shall include this Fifth Amendment. As amended hereby, the Declaration shall remain in full force and effect.

[PAGE INTENTIONALLY LEFT BLANK; SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the Declarant has executed and delivered this Fifth Amendment as of the date first above written.

**DECLARANT:**

Hidden Acres Farms, L.L.C.,  
a Nebraska limited liability company

By: 

Name: Curt Hofer

Title: Manager

STATE OF NEBRASKA    )  
                                  )ss.  
COUNTY OF DOUGLAS    )

Before me, a Notary Public qualified for said County and State, personally came Curt Hofer, Manager of Hidden Acres Farms, L.L.C., a Nebraska limited liability company, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed on behalf of said limited liability company.

WITNESS my hand and Notary Seal on this 12 day of May, 2020.

  
Notary Public



**EXHIBIT A**

**New Contiguous Lots**

**Tract 1**

(Now known as a part of Tax Lot 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 1**

THAT PART OF TAX LOT 43 IN SECTION 23, T17N, R12E OF THE 6th P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST EASTERLY CORNER OF TAX LOT 20 IN SAID SECTION 23;

THENCE S44°20'29"W (ASSUMED BEARING) 268.46 FEET ON THE SOUTHEAST LINES OF SAID TAX LOT 20 AND TAX LOT 16 IN SAID SECTION 23 TO THE MOST SOUTHERLY CORNER OF SAID TAX LOT 16; THENCE ON THE NORTH AND WEST LINES OF SAID TAX LOT 43 ON THE FOLLOWING DESCRIBED 13 COURSES;

THENCE SOUTHEASTERLY ON A NON-TANGENT 62.50 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S00°49'16"E, CHORD DISTANCE 88.39 FEET AN ARC DISTANCE OF 98.18 FEET;

THENCE N45°49'16"W 62.50 FEET ON A NON-TANGENT LINE;

THENCE N44°02'51"E 32.50 FEET; THENCE N45°49'12"W 631.02 FEET;

THENCE S52°15'05"W 899.33 FEET;

THENCE SOUTHWESTERLY ON A 225.64 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S57°27'37"W, CHORD DISTANCE 40.97 FEET AN ARC DISTANCE OF 41.03 FEET;

THENCE S85°57'17"E 6.22 FEET ON A NON-TANGENT LINE;

THENCE S56°19'22"E 40.65 FEET; THENCE N00°02'25"E 8.33 FEET;

THENCE NORTHEASTERLY ON A NON-TANGENT 258.64 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N54°15'35"E, CHORD DISTANCE 18.13 FEET AN ARC DISTANCE OF 18.13 FEET;

THENCE N52°15'05"E 485.00 FEET; THENCE S68°06'56"E 682.49 FEET;

THENCE S39°30'32"E 535.00 FEET; THENCE N44°20'29"E 370.00 FEET;

THENCE N00°25'51"E 198.00 FEET;

THENCE N45°47'37"W 370.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.01 ACRES MORE OR LESS.

**Tract 2**

(Now known as a part of Tax Lots 48, 49 and 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 2**

PART OF TAX LOTS 43, 48 AND 49 IN SECTION 23, T17N, R12E OF THE 6th P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TAX LOT 37 IN SAID SECTION 23;

THENCE N00°17'30"W (ASSUMED BEARING) 133.00 FEET ON THE EAST LINE OF SAID TAX LOT 37;

THENCE N39°30'32"W 197.29 FEET ON THE NORTHEAST LINE OF SAID TAX LOT 37;

THENCE N44°20'29"E 370.00 FEET; THENCE N00°25'51"E 198.00 FEET;

THENCE S45°47'37"E 235.00 FEET; THENCE S04°15'00"W 370.00 FEET;

THENCE S21°13'31"E 260.00 FEET; THENCE S41°22'06"E 120.00 FEET;

THENCE S36°43'42"W 1132.11 FEET; THENCE N12°34'40"E 1050.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.48 ACRES MORE OR LESS.

**Tract 3**

(Now known as a part of Tax Lots 48 and 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 3**

PART OF TAX LOTS 43 AND 48 IN SECTION 23, T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF TAX LOT 47 IN SAID SECTION 23:

THENCE N89°25'55"E (ASSUMED BEARING) 691.50 FEET ON THE SOUTH LINE OF SAID TAX LOT 48 TO THE POINT OF BEGINNING;

THENCE CONTINUING N89°25'55"E 425.00 FEET ON THE SOUTH LINES OF SAID TAX LOTS 43 AND 48;

THENCE N27°31'27"E 1106.55 FEET; THENCE N41°22'06"W 292.00 FEET;

THENCE S36°43'42"W 1132.11 FEET; THENCE S12°34'40"W 304.60 FEET TO THE POINT OF BEGINNING.  
CONTAINING 10.92 ACRES MORE OR LESS.

**Tract 4**

(Now known as a part of Tax Lot 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 4**

THAT PART OF TAX LOT 43 IN SECTION 23, T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF TAX LOT 47 IN SAID SECTION 23:

THENCE N89°25'55"E (ASSUMED BEARING) 1116.50 FEET ON THE SOUTH LINES OF SAID TAX LOT 43 AND TAX LOT 48 IN SAID SECTION 23 TO THE POINT OF BEGINNING;

THENCE N27°31'27"E 1106.55 FEET; THENCE S52°27'42"E 300.00 FEET;

THENCE S02°56'52"E 791.73 FEET TO A POINT ON THE SOUTH LINE OF SAID TAX LOT 43, SAID POINT BEING 76.73 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE S89°25'55"W 790.00 FEET ON THE SOUTH LINE OF SAID TAX LOT 43 TO THE POINT OF BEGINNING.

CONTAINING 10.93 ACRES MORE OR LESS.

**Tract 5**

(Now known as a part of Tax Lot 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 5**

THAT PART OF TAX LOT 43 IN SECTION 23, T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID TAX LOT 43; THENCE N00°17'33"W (ASSUMED BEARING) 2060.88 FEET ON THE EAST LINE OF SAID TAX LOT 43 TO A POINT 580.00 FEET FROM THE NORTHEAST CORNER THEREOF;

THENCE S19°55'59"W 561.24 FEET; THENCE S40°41'14"W 250.00 FEET;

THENCE N63°09'34"W 400.00 FEET; THENCE S21°13'31"E 260.00 FEET;

THENCE S41°22'06"E 412.00 FEET; THENCE S52°27'42"E 300.00 FEET;

THENCE S02°56'52"E 791.73 FEET TO THE SOUTH LINE OF SAID TAX LOT 43;

THENCE N89°25'55"E 76.73 FEET ON THE SOUTH LINE OF SAID TAX LOT 43 TO THE POINT OF BEGINNING.

CONTAINING 10.01 ACRES MORE OR LESS.

**Tract 6**

(Now known as a part of Tax Lot 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 6**

THAT PART OF TAX LOT 43 IN SECTION 23, T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID TAX LOT 43; THENCE S00°17'33"E (ASSUMED BEARING) 580.00 FEET ON THE EAST LINE OF SAID TAX LOT 43; THENCE S19°55'59"W 561.24 FEET; THENCE S40°41'14"W 250.00 FEET; THENCE N63°09'34"W 400.00 FEET; THENCE N04°15'00"E 370.00 FEET; THENCE N45°47'37"W 35.00 FEET; THENCE N44°18'30"E 1010.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.05 ACRES MORE OR LESS.

**Tract 7**

(Now known as a part of Tax Lot 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska).

**TRACT 7**

THAT PART OF TAX LOT 43 IN SECTION 23, T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID TAX LOT 43; THENCE S89°19'45"W (ASSUMED BEARING) 654.61 FEET ON THE NORTH LINE OF SAID TAX LOT 43; THENCE S70°50'10"W 613.85 FEET TO NORTHEAST LINE OF TAX LOT 20 IN SAID SECTION 23; THENCE S45°47'37"E 737.21 FEET ON THE NORTHEAST LINE OF SAID TAX LOT 20 AND ITS SOUTHEASTERLY EXTENSION; THENCE N44°18'30"E 1010.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.01 ACRES MORE OR LESS.

**Tract 8**

(Now known as Tax Lot 57 in Section 23, and Tax Lot 152 in Section 14, all in Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska)

**TRACT 8**

PART OF TAX LOT 43 IN SECTION 23, TOGETHER WITH PART OF TAX LOT 88 IN SECTION 14, ALL IN T17N, R12E OF THE 6<sup>th</sup> P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID TAX LOT 88; THENCE N00°23'22"W (ASSUMED BEARING) 792.11 FEET ON THE EAST LINE OF SAID TAX LOT 88; THENCE S48°46'45"W 1116.33 FEET TO NORTHEAST LINE OF TAX LOT 86 IN SAID SECTION 14; THENCE S45°47'37"E 370.00 FEET ON THE NORTHEAST LINES OF SAID TAX LOT 86 AND TAX LOTS 18, 19 AND 20 IN SAID SECTION 23; THENCE N70°50'10"E 613.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.01 ACRES MORE OR LESS.



**EXHIBIT B**

**Driveway Parcel**

**PART OF TAX LOT 57, SECTION 23-17-12**

PART OF TAX LOT 57, LYING IN SECTION 23, TOWNSHIP 17 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., ALL IN WASHINGTON COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER NORTHEAST QUARTER (NW1/4 NE1/4) OF SAID SECTION 23; THENCE S89°36'26"W FOR 200.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER SAID SECTION 23 (ALSO BEING THE NORTH LINE OF SAID TAX LOT 57) TO THE POINT OF BEGINNING; THENCE S66°58'42"W FOR 236.62 FEET; THENCE N86°49'38"W FOR 285.83 FEET; THENCE N45°30'57"W FOR 103.84 FEET ALONG THE WEST LINE OF SAID TAX LOT 57 (ALSO BEING THE EAST LINE OF TAX LOTS 18 & 19 IN SAID SECTION 23); THENCE N89°36'36"E FOR 577.26 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 23 (ALSO BEING THE NORTH LINE OF SAID TAX LOT 57) TO THE POINT OF BEGINNING. CONTAINING 0.827 ACRES MORE OR LESS.

**PART OF TAX LOT 152, SECTION 14-17-12**

PART OF TAX LOT 152, LYING IN SECTION 14, TOWNSHIP 17 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., ALL IN WASHINGTON COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER SOUTHEAST QUARTER (SW1/4 SE1/4) OF SAID SECTION 14; THENCE S89°36'26"W FOR 777.26 FEET ALONG THE SOUTH LINE OF SAID SW1/4 SE1/4 OF SECTION 14 (ALSO BEING THE SOUTH LINE OF SAID TAX LOT 152); THENCE N85°41'52"E FOR 362.27 FEET; THENCE N56°11'35"E FOR 499.92 FEET; THENCE S00°06'53E FOR 300.00 FEET ALONG THE EAST LINE OF SAID SW1/4 SE1/4 OF SECTION 14 (ALSO BEING THE EAST LINE OF SAID TAX LOT 152) TO THE POINT OF BEGINNING. CONTAINING 1.653 ACRES MORE OR LESS.

**EXHIBIT C**

**Common Facilities – South Road and Main Road**

**Main Road**

Now known as part of Tax Lots 140, 143 and 147 in Section 14, Township 17 North, Range 12 East of the 6th P.M., Washington County, Nebraska.

**LEGAL DESCRIPTION – MAIN ROAD** 

A 66.00 FOOT WIDE STRIP OF LAND LYING WITHIN TAX LOTS 29 AND 88 IN SECTION 14, T17N, R12E OF THE 6th P.M., WASHINGTON COUNTY, NEBRASKA, THE CENTERLINE OF SAID 66.00 FOOT WIDE STRIP BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID TAX LOT 29;  
THENCE S00°29'38"E (ASSUMED BEARING) 91.59 FEET ON THE WEST LINE OF SAID TAX LOT 29;  
THENCE S82°52'32"E 58.18 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD P43 AND THE POINT OF BEGINNING;  
THENCE CONTINUING S82°52'32"E 148.32 FEET;  
THENCE SOUTHEASTERLY ON A 300.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S65°49'56"E, CHORD DISTANCE 175.86 FEET AN ARC DISTANCE OF 178.48 FEET;  
THENCE S48°47'20"E 721.82 FEET;  
THENCE SOUTHEASTERLY ON A 300.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S65°44'36"E, CHORD DISTANCE 174.97 FEET AN ARC DISTANCE OF 177.55 FEET;  
THENCE SOUTHEASTERLY ON A 300.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S64°14'45"E, CHORD DISTANCE 189.91 FEET AN ARC DISTANCE OF 193.23 FEET;  
THENCE S45°47'37"E 266.77 FEET TO THE NORTHEASTERLY EXTENSION OF THE NORTHWEST LINES OF TAX LOTS 81 AND 87 IN SAID SECTION 14 AND THE POINT OF TERMINATION, WITH THE OUTER LIMITS OF SAID 66.00 FOOT WIDE STRIP OF LAND BEING EXTENDED TO MEET THE NORTHEASTERLY EXTENSION OF THE NORTHWEST LINES OF SAID TAX LOTS 81 AND 87 AND THE EAST RIGHT OF WAY LINE OF COUNTY ROAD P43.

**South Road**

Now known as a part of Tax Lots 140 and 152 in Section 14, Township 17 North, Range 12 East of the 6th P.M., Washington County, Nebraska and part of Tax Lots 57 and 58 in Section 23, Township 17 North, Range 12 East of the 6<sup>th</sup> P.M., Washington County, Nebraska.

**LEGAL DESCRIPTION – SOUTH ROAD** 

A 66.00 FOOT WIDE STRIP OF LAND TOGETHER WITH A 55.00 FOOT RADIUS CIRCLE OF LAND LYING PARTIALLY WITHIN TAX LOT 88 IN SECTION 14, AND PARTIALLY WITHIN TAX LOT 43 IN SECTION 23, ALL IN T17N, R12E OF THE 6th P.M., WASHINGTON COUNTY, NEBRASKA, THE CENTERLINE OF SAID 66.00 FOOT WIDE STRIP OF LAND AND 55.00 FOOT RADIUS CIRCLE OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF TAX LOT 87 IN SAID SECTION 14;  
THENCE N44°10'48"E (ASSUMED BEARING) 33.00 FEET ON THE NORTHEASTERLY EXTENSION OF THE NORTHWEST LINE OF SAID TAX LOT 87 TO THE POINT OF BEGINNING;  
THENCE S45°47'37"E 1315.59 FEET ON A LINE 33.00 FEET NORTHEAST OF AND PARALLEL WITH THE NORTHEAST LINES OF SAID TAX LOT 87 AND TAX LOT 86 IN SAID SECTION 14 AND TAX LOTS 18, 19, AND 20 IN SAID SECTION 23 AND THE SOUTHEASTERLY EXTENSION THEREOF;  
THENCE SOUTHEASTERLY ON A 300.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S20°46'18"E, CHORD DISTANCE 253.78 FEET AN ARC DISTANCE OF 282.03 FEET;  
THENCE S04°15'00"W 314.63 FEET;  
THENCE S21°13'31"E 183.28 FEET;  
THENCE S41°22'06"E 412.00 FEET TO THE RADIUS POINT OF SAID 55.00 FOOT RADIUS CIRCLE AND THE POINT OF TERMINATION.