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**FIRST AMENDMENT  
TO PRAIRIE QUEEN  
SUBDIVISION AGREEMENT**

This First Amendment to the Prairie Queen Subdivision Agreement (hereinafter “First Amendment”), which is made this \_\_\_\_\_ day of \_\_\_\_\_, 2018 (“Effective Date”) by and between **PRAIRIE QUEEN, LLC**, a Nebraska limited liability company, (hereinafter referred to as “DEVELOPER”), and the **CITY OF PAVILLION, NEBRASKA**, a municipal corporation, (hereinafter referred to as “CITY”) (collectively the “Parties”), amends and modifies the original subdivision agreement adopted by CITY via Resolution No. R18-0088 on January 2, 2018 (the “Subdivision Agreement”).

**RECITALS**

DEVELOPER and CITY entered into the Subdivision Agreement with respect to the phased development to be known as Prairie Queen (“Prairie Queen”), the first phase of which shall be platted as Lots 1 through 9, inclusive, Prairie Queen; and

DEVELOPER and CITY desire to modify the Subdivision Agreement to adopt a revised Final Plat exhibit (Exhibit B-1).

**NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:**

1. Incorporation of Recitals. The recitals set forth above are, by this reference, incorporated into and deemed part of the Subdivision Agreement as modified and amended by this First Amendment.
2. Capitalized Terms. All capitalized terms not otherwise defined herein shall have the respective meanings ascribed to them as set forth in the original Subdivision Agreement.
3. Area of Application. This First Amendment applies to Prairie Queen. As of the Effective Date of this First Amendment, only the first phase of Prairie Queen, legally described as Lots 1-9, inclusive, Prairie Queen, has been platted.

4. Amendment. The Subdivision Agreement terms are hereby amended as follows:
  - A. All references to Exhibit B are hereby rescinded and replaced with references to Exhibit B-1.
  
5. Exhibit Modification. The Subdivision Agreement exhibits are hereby modified as follows:
  - A. Exhibit B is hereby rescinded in its entirety and replaced with Exhibit B-1, which is attached hereto and which is hereby incorporated into the Subdivision Agreement by this reference.
  
6. No Other Amendment. Except as specifically modified and amended by this First Amendment, the original Subdivision Agreement shall remain in full force and effect.
  
7. Binding Effect. This First Amendment to the Subdivision Agreement shall be binding upon the Parties, their respective successors, and assigns.

*(Signatures on following pages.)*

ATTEST:

CITY OF PAPILLION, a Nebraska  
Municipal Corporation

\_\_\_\_\_  
Nicole L. Brown, City Clerk

By \_\_\_\_\_  
David P. Black, Mayor

(SEAL)

PRAIRIE QUEEN, LLC,  
a Nebraska limited liability company.

By: URBAN WATERS I, LLC, as Manager of Prairie Queen, LLC

By \_\_\_\_\_  
Gerald S. Reimer, Manager of Urban Waters I, LLC

STATE OF NEBRASKA        )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Before me, a notary public, in and for said county and state, personally came Gerald S. Reimer, Manager of Urban Waters I, LLC, as Manager of Prairie Queen, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be such person's voluntary act and deed on behalf of said limited liability company.

Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

**SUBDIVISION AGREEMENT AMENDMENT  
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INTRODUCTION STATEMENT

RECITALS

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EXHIBITS:

B-1	Final Plat
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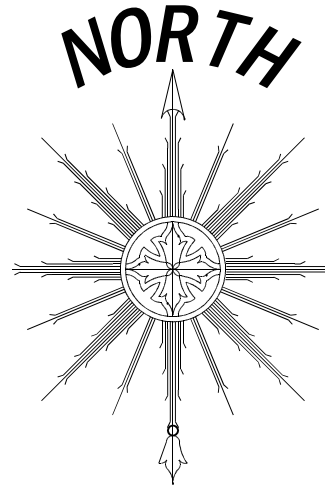
FINAL PLAT

PRAIRIE QUEEN

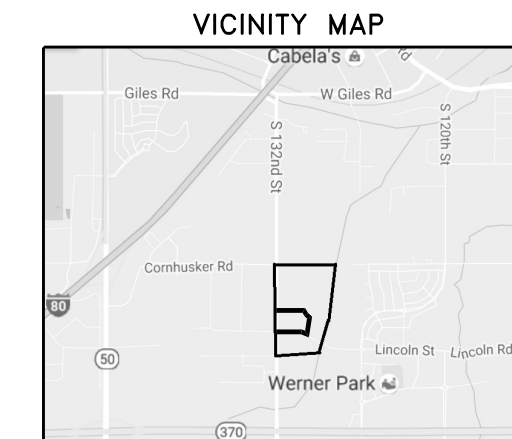
LOTS 1 THROUGH 9, INCLUSIVE

LOCATED IN THE NORTHWEST 1/4 OF SEC 30, T14N, R12E, OF THE 6TH P.M. SARPY COUNTY, NEBRASKA

EXHIBIT B-1



SCALE- 1" = 100'



CITY ENGINEER'S CERTIFICATE

This plat of PRAIRIE QUEEN, Lots 1 through 9 inclusive was approved and accepted by the City Engineer of Papillion, Nebraska on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Jeffery L. Thompson, PE, CPESC, CFM

APPROVAL OF PAPIILLON PLANNING COMMISSION

This plat of PRAIRIE QUEEN, Lots 1 through 9 inclusive was approved and accepted by the Papillion Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Rebecca Hoch, Chairwoman

APPROVAL OF CITY COUNCIL OF PAPIILLON

This plat of PRAIRIE QUEEN, Lots 1 through 9 inclusive was approved and accepted by the City Council of Papillion, Nebraska on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Nicole L. Brown, City Clerk - David P. Black, Mayor

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I find no regular nor special taxes due or delinquent against the property described in the Land Surveyor's Legal Description and embraced in this plat, as shown by the records of this office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Sarpy County Treasurer

REVIEW BY SARPY COUNTY PUBLIC WORKS

This plat of PRAIRIE QUEEN, Lots 1 through 9 inclusive was reviewed by the Sarpy County Surveyor's Office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Sarpy County Surveyor/Engineer

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M. SARPY COUNTY, NEBRASKA. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 30; THENCE N87°02'27"E ON THE NORTH LINE OF THE NORTHWEST 1/4, A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH 132ND STREET; THENCE S02°41'20"E, ON THE EASTERLY RIGHT OF WAY LINE OF SOUTH 132ND STREET, A DISTANCE OF 1335.83 FEET TO THE POINT OF BEGINNING; THENCE N87°23'34"E A DISTANCE OF 405.61 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 51.20 FEET, WITH A RADIUS OF 130.00 FEET, WITH A CHORD BEARING OF S81°19'26"E, WITH A CHORD LENGTH OF 50.87 FEET; THENCE S70°02'27"E A DISTANCE OF 45.70 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 56.00 FEET, WITH A RADIUS OF 70.00 FEET, WITH A CHORD BEARING OF N87°02'32"E, WITH A CHORD LENGTH OF 54.52 FEET; THENCE S25°52'30"E A DISTANCE OF 60.00 FEET; THENCE S64°07'30"W A DISTANCE OF 65.73 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 49.24 FEET, WITH A RADIUS OF 60.00 FEET, WITH A CHORD BEARING OF S40°36'58"W, WITH A CHORD LENGTH OF 47.87 FEET; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 71.56 FEET, WITH A RADIUS OF 470.00 FEET, WITH A CHORD BEARING OF S12°44'43"W, WITH A CHORD LENGTH OF 71.49 FEET; THENCE S77°37'30"E A DISTANCE OF 75.65 FEET; THENCE S44°04'36"E A DISTANCE OF 33.58 FEET; THENCE S02°41'44"E A DISTANCE OF 360.03 FEET; THENCE S77°37'48"E A DISTANCE OF 109.04 FEET; THENCE S11°12'12"W A DISTANCE OF 69.51 FEET TO THE NORTH LINE OF LINCOLN ROAD; THENCE, ON SAID NORTH LINE, WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 249.53 FEET, WITH A RADIUS OF 1089.00 FEET, WITH A CHORD BEARING OF N85°57'12"W, WITH A CHORD LENGTH OF 248.98 FEET; THENCE S87°29'00"W, ON SAID NORTH LINE, A DISTANCE OF 128.39 FEET; THENCE N02°41'18"W A DISTANCE OF 94.36 FEET; THENCE S87°18'42"W A DISTANCE OF 153.00 FEET; THENCE N02°41'18"W A DISTANCE OF 188.29 FEET; THENCE S87°23'31"W A DISTANCE OF 90.78 FEET; THENCE S54°37'59"W A DISTANCE OF 33.27 FEET TO THE EAST LINE OF 132ND STREET; THENCE N02°41'20"W, ON SAID EAST LINE, A DISTANCE OF 419.02 FEET BACK TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 7.566 ACRES MORE OR LESS.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PRAIRIE QUEEN LLC, A NEBRASKA LIMITED LIABILITY COMPANY, OWNER OF THE LAND DESCRIBED IN THE LAND SURVEYOR'S LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE NUMBERED AND NAMED AS SHOWN HEREON, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS PRAIRIE QUEEN, LOTS 1 THROUGH 9, INCLUSIVE; DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT; AND WE DO HEREBY DEDICATE TO THE PUBLIC THE STREETS AS SHOWN HEREON AND DO HEREBY GRANT THE EASEMENTS AS SHOWN HEREON. WE DO HEREBY GRANT TO THE GRANTEE, THEIR SUCCESSORS AND ASSIGNS AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, AND CONTRACTORS, THE PERMANENT RIGHT TO ENTER AND USE, FROM TIME TO TIME, THE EASEMENT AREAS, SHOWN HEREON FOR THE STATED PURPOSE, FOR INGRESS AND EGRESS IN THE CONNECTION WITH THE INSPECTION, OPERATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF FACILITIES; PROVIDED, HOWEVER, THERE IS RESERVED TO THE GRANTOR, AND TO THE GRANTEE'S HEIRS, SUCCESSORS, AND ASSIGNS, THE RIGHT TO USE THE EASEMENT AREA, IN THE EVENT THAT THE GRANTEE ENTERS THE EASEMENT AREA FOR THE PURPOSES OF MAINTENANCE OF REPAIR, THE GRANTEE SHALL COMPENSATE GRANTOR FOR ANY DAMAGE TO AUTHORIZED USES WITHIN SAID EASEMENTS. THIS GRANT OF ANY EASEMENT SHOWN HEREON SHALL NOT PASS, NOR BE CONSTRUED TO PASS, TO THE GRANTEE IN FEE SIMPLE INTEREST OR TITLE OF THE EASEMENT AREAS. ANY VARIANCE OR RELEASE TO THE RIGHTS GRANTED HEREIN MUST BE APPROVED BY THE GRANTEE IN WRITTEN FORM.

PRAIRIE QUEEN LLC, A NEBRASKA LIMITED LIABILITY COMPANY

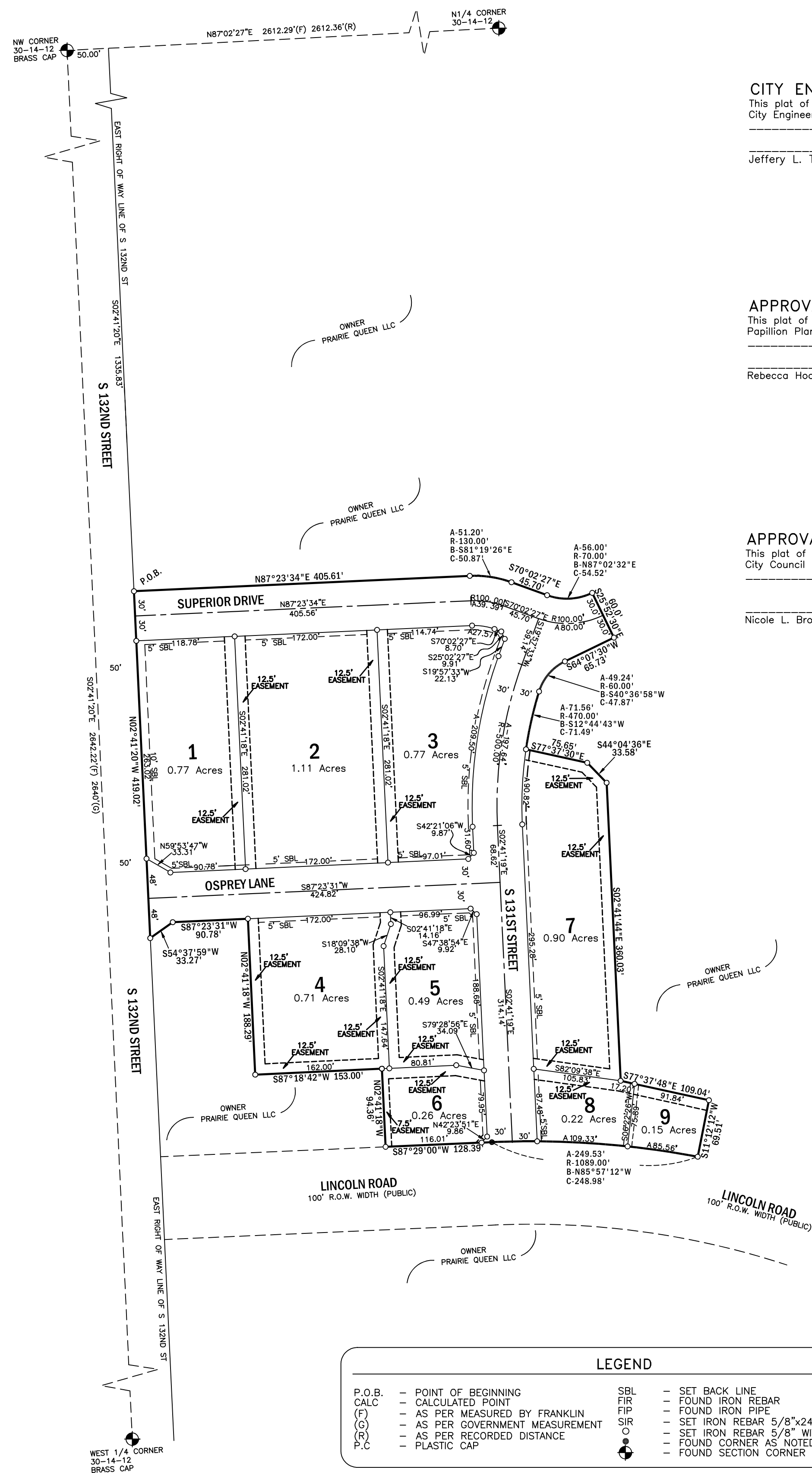
PRINCIPAL OFFICER, PRAIRIE QUEEN LLC

ACKNOWLEDGEMENT OF NOTARY

State of Nebraska }
} SS
County of \_\_\_\_\_ }
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

by \_\_\_\_\_ of PRAIRIE QUEEN LLC

Signature of Notary Public



LEGEND table with symbols and descriptions for P.O.B., CALC, (F), (G), (R), P.C., SBL, FIR, FIP, SIR, and FOUND CORNER AS NOTED.

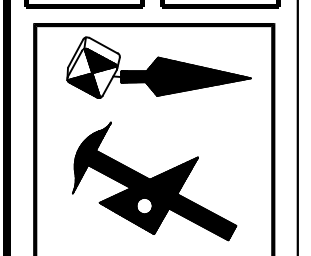
REFERENCES table listing corner markers and their locations, such as NW CORNER FOUND BRASS CAP and N 1/4 CORNER FOUND BRASS CAP.

SURVEYOR'S NOTES
1. NO DIRECT ACCESS WILL BE PERMITTED FROM ANY LOTS TO SOUTH 132ND STREET AND LINCOLN ROAD.
2. A PERMANENT INGRESS AND EGRESS EASEMENT WITHIN THE 12.5 FEET EASEMENTS SHOWN ON THIS PLAT TO OWNERS OF LOTS 1 THROUGH 9 INCLUSIVE, ALONG WITH FUTURE PLATTED PRAIRIE QUEEN LOTS, AND THEIR TENANTS, GUESTS AND INVITEES.

CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.
DATE: 3-14-2018
FRED M. FRANKLIN R.L.S. 525



ALPHA LAND SURVEYING
FINAL PLAT



SINCE 1996

Alpha Land Surveying
SOUTH SIOUX CITY, NEBRASKA (402) 484-2122
OAKLAND, NEBRASKA (402) 685-6944 BLAIR, NEBRASKA (402) 371-7571
NORFOLK, NEBRASKA (402) 371-7571 OMAHA, NEBRASKA (402) 371-7571
website - www.alphaandsurveying.com
email - alphaandsurveying@gmail.com

DATE: 07-17-2017
DRAWN BY: AJP
CHECKED BY: FME
JOB NO.: 2016050