

AMENDMENT TO SUBDIVISION AGREEMENT
PAULSEN'S FIRST ADDITION

WHEREAS: The Subdivision Agreement for Paulsen's First Addition to the City of Lexington, Dawson County, Nebraska, dated March 26, 1991 contained a scrivener's error at Paragraph 13. Dedication of Park Ground, by referring erroneously to Lot One (1) Block Three (3), Paulsen's First Addition, when it was intended to refer to Lot One (1), Block Two (2) Paulsen's First Addition; and

WHEREAS, both of said lots are currently owned by M & H Enterprises;

IT IS THEREFOR AGREED by and between the undersigned parties as follows:

That Paragraph 13 of the Subdivision Agreement dated March 26, 1991, is hereby amended to read as follows:

13. DEDICATION OF PARK GROUND: Developers agrees to dedicate to City for park and/or recreational purposes or other such purposes as developers shall consent to in writing, the property described as Lot One (1), Block Two (2) Paulsen's First Addition, together with any land adjacent to the north of said Lot One (1), later acquired by developer by virtue of vacation of NPPD irrigation ditch right-of-way.

IN WITNESS WHEREOF, the parties have executed this agreement this ____ day of November, 2007.

SUBDIVIDER: M & H ENTERPRISES

CITY OF LEXINGTON, NEBRASKA

By: _____
Steven H. Heldt, general partner

By: _____
City Manager

STATE OF NEBRASKA)
) SS
COUNTY OF DAWSON)

The foregoing Subdivision Agreement was acknowledged before me on November ____, 2007, by Steven H. Heldt, partner of M & H Enterprises, Developer.

Notary Public