

SUBDIVISION AGREEMENT
AUTO HAUS ADDITION

This Agreement entered into this ____ day of October, 2007, by and between Kenneth L. Beans and Angelina Beans, hereinafter referred to as "SUBDIVIDER," and the City of Lexington, Nebraska, a municipal corporation of the State of Nebraska, hereinafter referred to as "CITY."

WHEREAS, SUBDIVIDER has applied for subdivision approval of AUTO HAUS ADDITION TO THE CITY TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA and within the zoning jurisdiction of the City of Lexington, Dawson County, Nebraska, said Subdivision to provide for transfer of developed commercial property.

IN CONSIDERATION OF THE MUTUAL AGREEMENTS OF THE PARTIES, THE PARTIES THEREFORE AGREE AS FOLLOWS:

1. **SUBDIVIDER RESPONSIBILITY:** The parties understand and agree that any review of SUBDIVIDER'S plans and specifications by or on behalf of CITY is only for purposes of CITY and in no way relates to an approval of materials used or the end product of SUBDIVIDER'S work. SUBDIVIDER certifies that he has thoroughly reviewed all plans, notes and specifications, examined the project site and ascertained all soil, geological, ground water and other conditions to be encountered which might affect the construction and future maintenance of the Subdivision. SUBDIVIDER further certifies that work contemplated under such plans and specifications will be prepared by or on behalf of the SUBDIVIDER, that the Subdivision is the responsibility of the SUBDIVIDER and that work is undertaken thereon only in reliance on its own investigation and information and not on any statements, representations or reports, if any, that may have been made or furnished by CITY, its officers, agents or employees.
2. **ENGINEERING STANDARDS AND INSPECTIONS:** The parties agree that prior to construction of public utilities, drainage facilities or public streets, engineering shall be completed by the City Engineer.
3. **DEVELOPMENT AGREEMENT:** The parties agree that prior to construction of any improvements, that a separate "Development Agreement" will be adopted, providing for streets, sidewalks, water, storm drainage, sanitary sewer, and other public improvements. Such development agreement will address the deferred water con-

