

AGREEMENT

THIS AGREEMENT made and entered into this 17 day of October, 1973, by and between DEVILS NEST DEVELOPMENT COMPANY, hereinafter referred to as "DEVILS NEST" and SANITARY AND IMPROVEMENT DISTRICT NO. 2 OF KNOX COUNTY, NEBRASKA, hereinafter referred to as "SID #2."

WHEREAS, DEVILS NEST is the developer of lands legally described as Devils Nest Subdivision, Knox County, Nebraska, and

WHEREAS, DEVILS NEST has agreed through purchase agreements with various purchasers of lots in said subdivision to install, at its cost, or cause to be constructed at developer's cost, sanitary sewers, water lines, and public streets and

WHEREAS, SID #2 has caused to be constructed various improvements in the subject subdivision and has issued its warrants for the payment of said construction which construction includes the installation of sewer lines, water lines and public streets, and

WHEREAS, DEVILS NEST is the present holder of said warrants issued to date by SID #2 for the construction of said sewer lines, water lines, and public streets, and

WHEREAS, SID #2 has the authority by statute to levy special assessments against property within its boundaries to secure funds for the payment of its outstanding obligations,

NOW, THEREFORE, in consideration of the mutual covenants herein contained the parties hereto do mutually agree as follows:

- 1. DEVILS NEST agrees to cancel all SID #2 warrants issued to date and held by DEVILS NEST for the construction

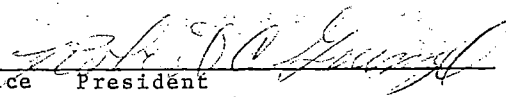
of sanitary sewers, water mains and streets within Devils Nest Subdivision, Knox County, Nebraska.

2. SID #2 agrees that it will not levy any special assessment against properties in Devils Nest Subdivision for the construction of said sanitary sewers, water mains and streets constructed to date by Sanitary and Improvement District No. 2 of Knox County, Nebraska.

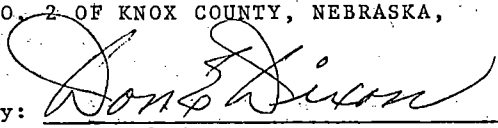
3. This Agreement is made and entered into for the benefit of purchasers of lots within Devils Nest Subdivision, Knox County, Nebraska, to insure that no special assessments will be levied against individual lot owners for the construction of sanitary sewers, water mains, and streets constructed by Sanitary and Improvement District No. 2 of Knox County, Nebraska, and for which said improvements DEVILS NEST has agreed with individual purchasers of lots in Devils Nest Subdivision to pay.

Dated this 18 day of October, 1973.

DEVILS NEST DEVELOPMENT COMPANY,

By: 
Vice President

SANITARY AND IMPROVEMENT DISTRICT
NO. 2 OF KNOX COUNTY, NEBRASKA,

By: 
Chairman