

ACCESSORY BUILDING AGREEMENT

This Agreement is entered into between **Timothy Aschoff** and **Linda Aschoff**, husband and wife (Owners) and the County of Lancaster, Nebraska, (County) for the purpose of clarifying the legal status and establishing certain restrictions on the use of an accessory building located upon the following described real estate:

Lot 14, Irregular Tracts located in the Northwest Quarter of Section 33, Township 10 North, Range 5, East of the 6th P.M., Lancaster County, Nebraska (Property).

The Parties Agree:

1. Owners are titleholders and in possession of the Property.
2. There is an accessory building on the Property which includes plumbing and appliances which are commonly included in a dwelling unit, together with spaces which could be used as sleeping quarters. **(See attached Exhibit A).**
3. Owners warrant that the accessory building will not be occupied as a dwelling unit during the term of this Agreement.
4. The County agrees that the accessory building may remain on the Property in its current configuration and may be used as an accessory building by Owners, but shall not be occupied as a dwelling during the term of this Agreement, shall not be served by separate electrical service from that which is metered to the dwelling on the Property, and shall not be connected to septic or other sanitary sewer disposal facilities other than that which serves the dwelling on the Property.
5. Both parties acknowledge that during the term of this Agreement Owners intend to pursue a text amendment to the Lancaster County Zoning Resolution which would expressly permit the accessory building to be used as a dwelling unit, but that if such a text amendment is not approved by the Lancaster County Board of Commissioners, such use could be construed by the County to be a violation of the Zoning Resolution and the County may take remedial action to enforce compliance. Owners reserve the right to contest such an interpretation and alleged violation of the Zoning Resolution.

6. The term of this Agreement shall be one year from the date of approval by the Lancaster County Board of Commissioners.

EXECUTED this _____ day of _____, 2017, by Owners.

BY: _____
Timothy Aschoff

BY: _____
Linda Aschoff

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by _____.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by _____.

Notary Public

EXECUTED this _____ day of _____, 2017, by County.

BY: THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this ____ day of _____, 2017

Deputy County Attorney for
JOE KELLY, County Attorney

The foregoing instrument was acknowledged before me this _____ day of _____,
2017, by

_____,
County Commissioners of the Board of County Commissioners of the County of
Lancaster, Nebraska.

Notary Public