



MISC 2006035988



MAR 31 2006 15:51 P 5

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
3/31/2006 15:51:04.76



2006035988

PERMANENT STORM SEWER EASEMENT

THAT HEARTHSTONE HOMES, INC., a Nebraska corporation, hereinafter referred to as GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto SANITARY AND IMPROVEMENT DISTRICT NUMBER 519 OF DOUGLAS COUNTY, Nebraska, hereinafter referred to as GRANTEE, and to its successors and assigns, an easement for the right to construct, maintain and operate a system of storm sewers for the transmission of storm waters over, under and through that certain real property as set forth on, and as more specifically shown in Exhibit "A" attached hereto and by this reference incorporated herein.

TO HAVE AND TO HOLD unto said GRANTEE, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining or operating said storm sewers at the will of the GRANTEE. It is further agreed as follows:

1. This easement runs with the land. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures, shall be placed in, on, over, or across said easement strip by GRANTOR, its successors and assigns without express approval of the GRANTEE. Any trees, grass or shrubbery placed on said easement shall be maintained by GRANTOR, its successors or assigns.
2. That GRANTEE will replace or rebuild any and all damage to improvements caused by GRANTEE exercising its rights of constructing, inspecting, maintaining or operating said storm sewers, except that, damage to, or loss of, trees and shrubbery will not be compensated for by GRANTEE.
3. This easement is also for the benefit of any contractor, agent, employee, or representative of the GRANTEE and any of said construction and work.
4. That said GRANTOR, for itself and for its successors and assigns, does hereby confirm with the said GRANTEE and its successors and assigns, that GRANTOR is well seized in fee of the above described property and that it has the right to grant and convey this easement in the manner and form aforesaid, and that it and its successors and assigns shall warrant and defend this easement to said GRANTEE and its assigns against the lawful claims and demands of all persons.
5. That said easement is granted upon the condition that the GRANTEE will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, trees within the easement area as necessary for construction.
6. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings between the GRANTOR and the GRANTEE or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the GRANTEE or its agents or employees, except as are set forth herein.

IN WITNESS WHEREOF, GRANTOR has executed this easement this 27th day of MAR, 2006.

GRANTOR: HEARTHSTONE HOMES, INC.,
a Nebraska corporation


Michael Freestone, Controller

Misc
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714-11

01-60000
C/O
CCTP
SPAN
FY

FULL

V3-1762

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

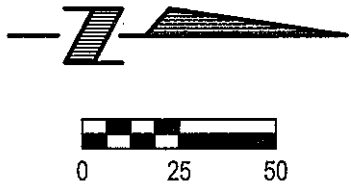
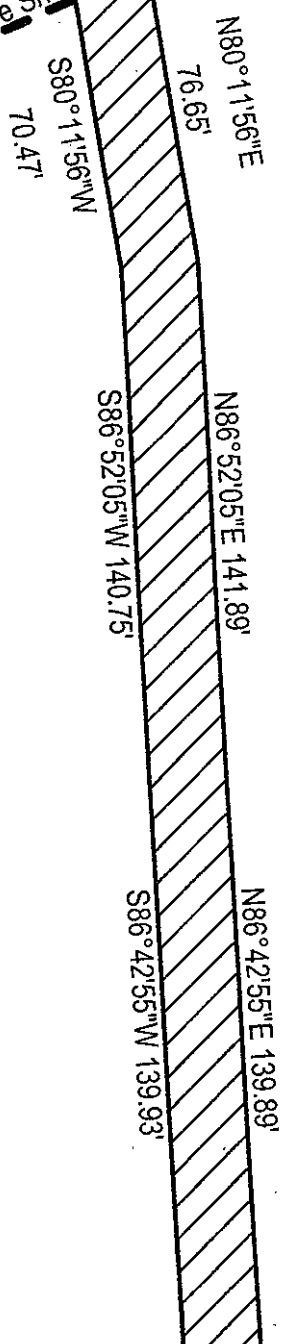


The foregoing instrument was acknowledged before me this 27 day of March, 2006 by Michael Freestone, Controller on behalf of Hearthstone Homes, Inc., a Nebraska corporation.

Cheryl McKenzie
Notary Public

EXHIBIT "A"

Matchline See Sheet 2 of 3

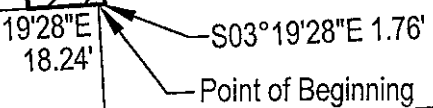


Scale: 1" = 50'

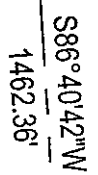
NORTH 1/4 CORNER OF SECTION 7 T14N-R11E

HEARTHSTONE HOMES, INC.
 WARRANTY DEED
 DEED NO. 2005093052
 DEED NO. 2005093053
 DEED NO. 2005093054
 DEED NO. 2005093055
 DEED NO. 2005093056
 DEED NO. 2005093058

Future Arbor Gate
467



"Q" Street



NORTHEAST CORNER OF SECTION 7 T14N-R11E

Sheet 1 of 3 See Sheet 3 of 3 for Legal Description

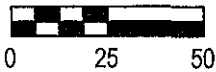
E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700

Drawn by: RLB Chkd by: WAC 2-22-06 Chkd by: _____

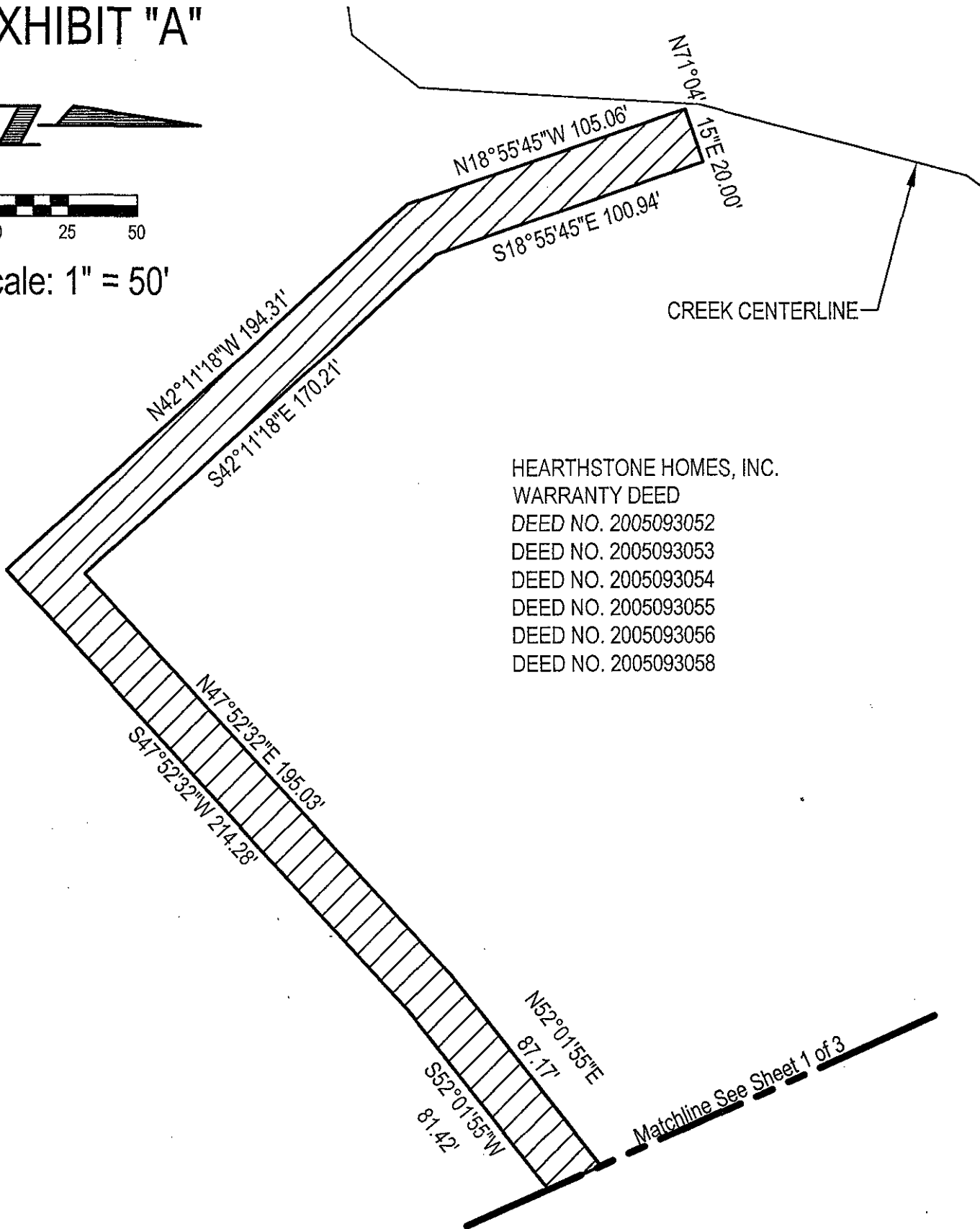
Job No.: 2004264.02 Date: 02/14/06 Book No.: _____

**PERMANENT 20.00 FOOT WIDE
 STORM SEWER EASEMENT**
 DOUGLAS COUNTY, NEBRASKA

EXHIBIT "A"



Scale: 1" = 50'



HEARTHSTONE HOMES, INC.
 WARRANTY DEED
 DEED NO. 2005093052
 DEED NO. 2005093053
 DEED NO. 2005093054
 DEED NO. 2005093055
 DEED NO. 2005093056
 DEED NO. 2005093058

Sheet 2 of 3

See Sheet 3 of 3 for Legal Description



E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 696-4700

**PERMANENT 20.00 FOOT WIDE
 STORM SEWER EASEMENT
 DOUGLAS COUNTY, NEBRASKA**

Drawn by: RLB Chkd by: *WDC 2-22-06* Chkd by: _____

Job No.: 2004264.02 Date: 02/14/06 Book No.: _____

EXHIBIT "A"

NW
NE NE

LEGAL DESCRIPTION

A PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT LOCATED IN THE NORTH 1/2 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF "R" STREET, AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID "R" STREET; THENCE S03°19'28"E (ASSUMED BEARING) ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF "R" STREET, A DISTANCE OF 18.24 FEET; THENCE S86°42'55"W, A DISTANCE OF 139.93 FEET; THENCE S86°52'05"W, A DISTANCE OF 140.75 FEET; THENCE S80°11'56"W, A DISTANCE OF 70.47 FEET; THENCE S52°01'55"W, A DISTANCE OF 81.42 FEET; THENCE S47°52'32"W, A DISTANCE OF 214.28 FEET; THENCE N42°11'18"W, A DISTANCE OF 194.31 FEET; THENCE N18°55'45"W, A DISTANCE OF 105.06 FEET; THENCE N71°04'15"E, A DISTANCE OF 20.00 FEET; THENCE S18°55'45"E, A DISTANCE OF 100.94 FEET; THENCE S42°11'18"E, A DISTANCE OF 170.21 FEET; THENCE N47°52'32"E, A DISTANCE OF 195.03 FEET; THENCE N52°01'55"E, A DISTANCE OF 87.17 FEET; THENCE N80°11'56"E, A DISTANCE OF 76.65 FEET; THENCE N86°52'05"E, A DISTANCE OF 141.89 FEET; THENCE N86°42'55"E, A DISTANCE OF 139.89 FEET; THENCE S03°19'28"E, A DISTANCE OF 1.76 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT CONTAINS AN AREA OF 18,580 SQUARE FEET OR 0.427 ACRES, MORE OR LESS.

Sheet 3 of 3

See Sheet 1 & 2 of 3 for Drawing



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330 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 895-4700

**PERMANENT 20.00 FOOT WIDE
STORM SEWER EASEMENT
DOUGLAS COUNTY, NEBRASKA**

Drawn by: RLB

Chkd by: WDC 2-22-06

Chkd by: _____

Job No.: 2004264.02

Date: 09/13/2005

Book No.: