

BK 1387 PG 077-080



MISC 2001 09343

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| Date                  |
| \$                    |
| By                    |

RICHARD M. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE.

2001 JUN 25 PM 3:02

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Misc H

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|   | FEE | 20.50  | FB   | 01.60000 | BW      |
| 4 | BKP | 35.600 | C/O  |          | COMP MS |
| 1 | DEL |        | SCAN | CR       | FV AL   |

**TOM DOYLE**  
DOUGLAS COUNTY ENGINEER  
15505 WEST MAPLE ROAD  
OMAHA, NEBRASKA 68116-5173

### PERMANENT EASEMENT

THIS INDENTURE, made this 18 day of May, 2001

Jeanne M. Neuhaus  
between and Lowell A. Neuhaus and Russell Neuhaus and Cecilia Neuhaus  
hereinafter referred to as "Grantor(s)," and the County of Douglas, State of Nebraska, hereinafter called "County."

**WITNESSETH:**

THAT, said Grantor(s) in consideration of the sum of Three Thousand Seven Hundred Eighty Dollars (\$ 3,780.00) and other valuable consideration, to Grantor(s) in hand paid by said County, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said County and its assigns forever, an easement for the right to use, construct, build, maintain and repair a roadway for the passage of traffic, together with all appurtenances, wires, lines, poles, structures and other applicable equipment pertaining to any paving in, through, over and under the parcel of land described as follows, to wit:

(SEE ATTACHED)

No buildings, improvements or structures shall be placed in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of Douglas County. Any trees, grass and shrubbery placed on said easement shall be maintained by Grantor(s), his or their heirs, successors and assigns.

Said County shall cause any excavation made on aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said excavation, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the County and any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said County and its assigns, that he or they, the Grantor(s), is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators shall warrant and defend this easement to said County and its assigns against the lawful claims and demands of all persons.

This easement runs with the land.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and seal(s) the day and year first above written.

x Lowell A. Neuhaus  
x Jeanne M. Neuhaus

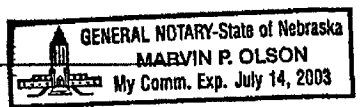
Paul W. Olson  
x Cecilia Neuhaus

STATE OF NEBRASKA, COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on May 18<sup>th</sup>, 2001.

by LOWELL A & JEANNE M. NEUHAUS

T.I.N \_\_\_\_\_



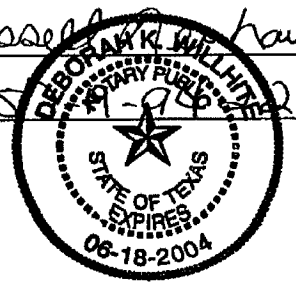
Marvin P. Olson  
Signature of Person Taking Acknowledgement

STATE OF Texas COUNTY OF Harris Title: \_\_\_\_\_

The foregoing instrument was acknowledged before me on June 4<sup>th</sup>, 2001.

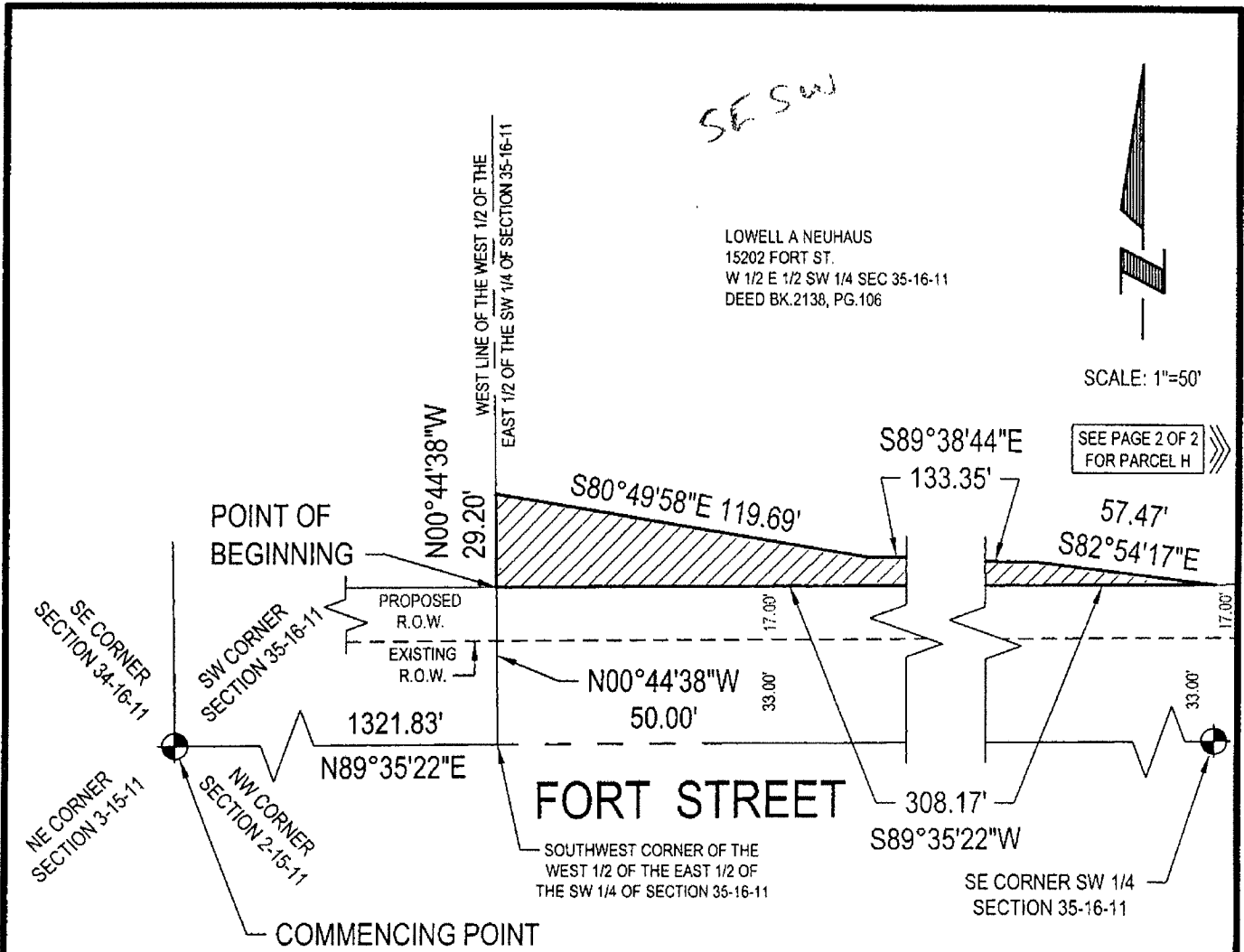
by Russell Neuhaus & Cecilia Neuhaus

T.I.N 45



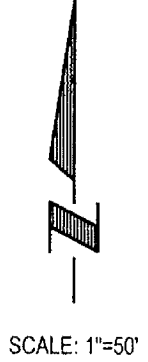
Deborah K. Willhite  
Signature of Person Taking Acknowledgement

Title: \_\_\_\_\_



SE SW

LOWELL A NEUHAUS  
15202 FORT ST.  
W 1/2 E 1/2 SW 1/4 SEC 35-16-11  
DEED BK.2138, PG.106



SEE PAGE 2 OF 2 FOR PARCEL H

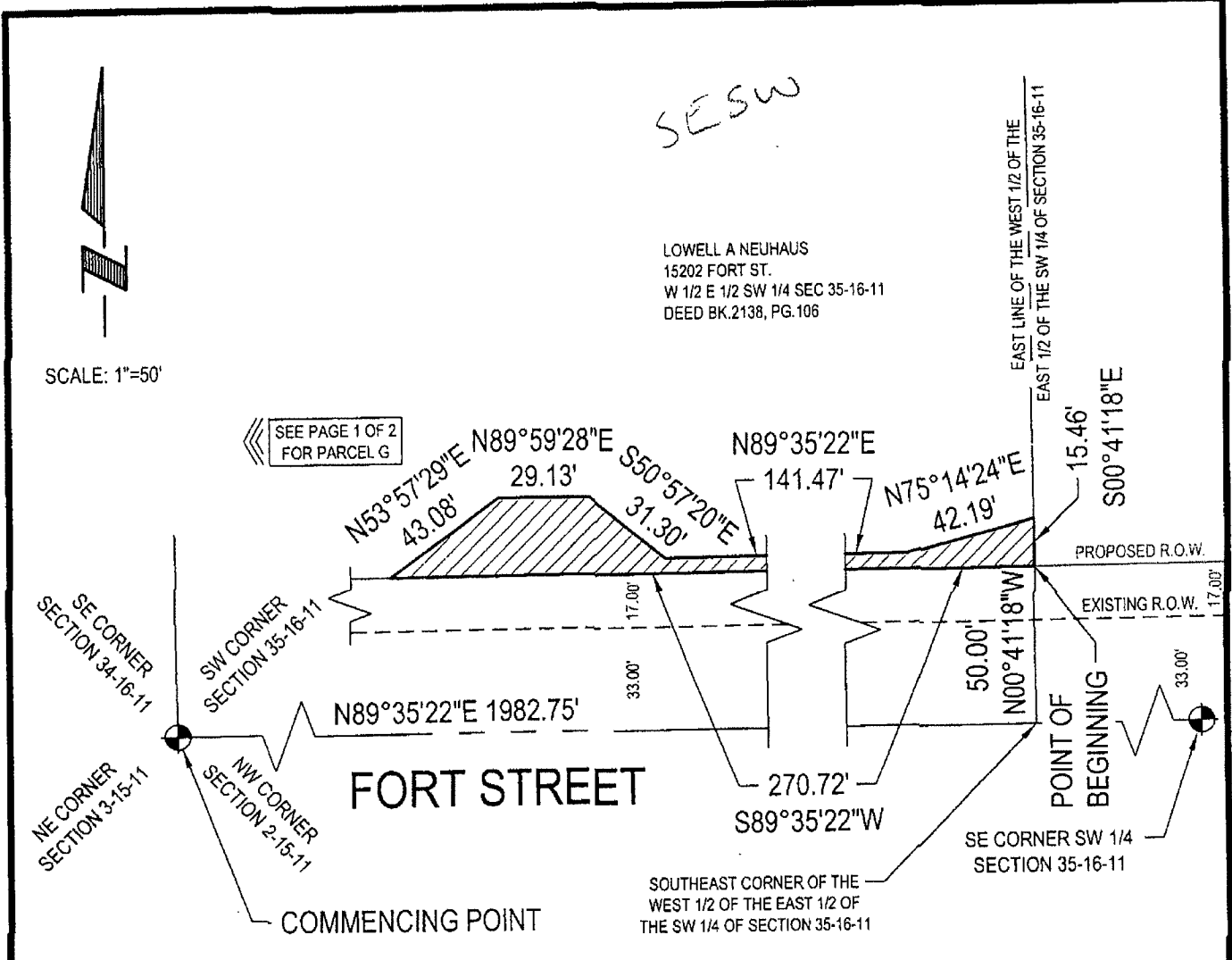
**LEGAL DESCRIPTION - PERMANENT EASEMENT (FORT STREET) - PARCEL G**  
LOWELL A NEUHAUS DEED BOOK 2138, PAGE 106

A Permanent Easement located in the West 1/2 of the East 1/2 of the SW 1/4 of Section 35, Township 16 North, Range 11 East, of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Section 35; thence N89°35'22"E (assumed bearing) along the South line of said SW 1/4 of Section 35, said line also being the North line of the NW 1/4 of Section 2, Township 15 North, Range 11 East, a distance of 1321.83 feet to the Southwest corner of said West 1/2 of the East 1/2 of the SW 1/4 of Section 35; thence N00°44'38"W along the West line of said West 1/2 of the East 1/2 of the SW 1/4 of Section 35, a distance of 50.00 feet to the point of beginning; thence continuing N00°44'38"W along said West line of the West 1/2 of the East 1/2 of the SW 1/4 of Section 35, a distance of 29.20 feet; thence S80°49'58"E, a distance of 119.69 feet; thence S89°38'44"E, a distance of 133.35 feet; thence S82°54'17"E, a distance of 57.47 feet; thence S89°35'22"W, a distance of 308.17 feet to the point of beginning.

Said Permanent Easement contains an area of 3,602 square feet or 0.083 acres, more or less.

|                |  |                     |   |
|----------------|--|---------------------|---|
|                | <b>E&amp;A CONSULTING GROUP, INC.</b><br>ENGINEERS • PLANNERS • SURVEYORS<br><small>12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700</small> |                     | <b>EXHIBIT, PARCEL G</b><br><b>PERMANENT EASEMENT</b><br><b>FORT STREET, WESTIN HILLS</b> |
|                | DRAWN BY: JAF  | CHECKED BY:         |   |
| JOB No.: 96029 |  | REVISED: 02-27-2001 |   |



LEGAL DESCRIPTION - PERMANENT EASEMENT (FORT STREET) - PARCEL H  
 LOWELL A NEUHAUS DEED BOOK 2138, PAGE 106

A Permanent Easement located in the West 1/2 of the East 1/2 of the SW 1/4 of Section 35, Township 16 North, Range 11 East, of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of said Section 35; thence N89°35'22"E (assumed bearing) along the South line of said SW 1/4 of Section 35, said line also being the North line of the NW 1/4 of Section 2, Township 15 North, Range 11 East, a distance of 1982.75 feet to the Southeast corner of said West 1/2 of the East 1/2 of the SW 1/4 of Section 35; thence N00°41'18"W along the East line of said West 1/2 of the East 1/2 of the SW 1/4 of Section 35, a distance of 50.00 feet to the point of beginning; thence S89°35'22"W, a distance of 270.72 feet; thence N53°57'29"E, a distance of 43.08 feet; thence N89°59'28"E, a distance of 29.13 feet; thence S50°57'20"E, a distance of 31.30 feet; thence N89°35'22"E, a distance of 141.47 feet; thence N75°14'24"E, a distance of 42.19 feet to a point on said East line of the West 1/2 of the East 1/2 of the SW 1/4 of Section 35; thence S00°41'18"E along said East line of the West 1/2 of the East 1/2 of the SW 1/4 of Section 35, a distance of 15.46 feet to the point of beginning.

Said Permanent Easement contains an area of 2,654 square feet or 0.061 acres, more or less.

**E&A CONSULTING GROUP, INC.**  
 ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

DRAWN BY: JAF      CHECKED BY:      DATE: 01-04-2001  
 JOB No.: 96029      REVISED: 02-27-2001

**EXHIBIT, PARCEL H  
 PERMANENT EASEMENT  
 FORT STREET, WESTIN HILLS**