

5-14-72

City 523-573

PROJECT NO. S.O.S. 3610

TRACT NO. 36

PERMANENT SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

C. Clifton Nelsen, Karen Ellen Nelsen Trust, Judith Lynne Nelsen Trust, hereinafter referred to as GRANTOR, C. Clifton Nelsen, Trustee, sum of Three Hundred Eighty-Nine-Dollars (\$10,300.00) and other valuable considerations, the receipt of which is hereby acknowledged does hereby grant and convey unto the CITY OF OMAHA, NEBRASKA, a Municipal Corporation, hereinafter referred to as CITY, and to its successors and assigns, an easement for the right to construct, maintain and operate a Sanitary Outfall Sewer, and appurtenances thereto, in, through, and under the Permanent Easement Area described on Exhibit "A" attached hereto and made a part hereof. Payment to be made on or before June 30, 1973

TO HAVE AND TO HOLD unto said CITY, 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 Sanitary Outfall Sewer at the will of the CITY. The GRANTOR may, following construction of said Sanitary Outfall Sewer, continue to use the surface of the easement strip conveyed hereby for agricultural or other purposes, subject to the right of the CITY to use the same for the purposes herein expressed.

It is further agreed as follows: Work to be completed by August 1974.

1. That no buildings, improvements, or other structures, shall be placed in, on, over, or across said easement strip by GRANTOR, his or their successors and assigns without express approval of the CITY. Such improvements may include landscaping, or road, street or parking area surfacing or pavement. Any trees, grass, and shrubbery placed on said easement shall be maintained by GRANTOR, his heirs, successors or assigns.
2. That CITY will replace or rebuild any and all damage to improvements caused by CITY exercising its rights of inspecting, maintaining or operating said Sanitary Outfall Sewer.
3. That CITY shall cause any trench made on said easement strip to be properly refilled 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, employe, or representative of the CITY and any of said construction and work.
4. That said GRANTOR for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said CITY and its assigns, that he or they, the GRANTOR is or are will seized in fee of the above described property and that he or they do 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, defend and defend this easement to said CITY and its assigns against the lawful claim and claims of all persons. This easement runs with the land. The Grantor or assigns retains a strip of top in water lines from adjacent lands at existing manholes.
5. That said easement is granted upon the condition that the CITY 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, except a Temporary Construction Easement if and as applicable, between the GRANTOR and the CITY or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the CITY or its agents or employees, except as are set forth herein.

IN WITNESS WHEREOF said GRANTOR has or have hereunto set his or their hand(s)

this \_\_\_ day of \_\_\_ A.D., 19 \_\_\_

C. Clifton Nelsen, Individual

C. Clifton Nelsen, Trustee

name of Corporation

Corporate Seal

Dianne L. Nelsen

BY

President

ATTEST

Secretary



TO BE CONSTRUCTION EASEMENT IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION 5, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS THE WEST QUARTER CORNER OF SAID SECTION 5; THENCE NORTH 87°30'29" EAST A DISTANCE OF 737.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°30'29" EAST A DISTANCE OF 90.00 FEET; THENCE NORTH 02°29'30" WEST A DISTANCE OF 117.55 FEET; THENCE NORTH 70°44'29" WEST A DISTANCE OF 220.22 FEET TO THE POINT OF CURVATURE OF A 263.54 FOOT RADIUS CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 136.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41°02'13" WEST A DISTANCE OF 173.77 FEET TO THE POINT OF CURVATURE OF A 188.49 FOOT RADIUS CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 108.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 08°11'03" WEST A DISTANCE OF 805.87 FEET TO A POINT ON A LINE 33 FEET WIDE PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 88°53'11" WEST A DISTANCE OF 40.85 FEET TO THE POINT OF CURVATURE OF A 646.47 FOOT RADIUS CURVE TO THE LEFT HAVING A TANGENCY OF 11°27'11" WEST; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 290.40 FEET TO THE POINT OF CURVATURE OF A 323.54 FOOT RADIUS CURVE TO THE LEFT; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 274.72 FEET TO THE POINT OF CURVATURE OF A 278.49 FOOT RADIUS CURVE TO THE LEFT; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 159.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41°02'13" EAST A DISTANCE OF 123.77 FEET TO THE POINT OF CURVATURE OF A 353.54 FOOT RADIUS CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 524.72 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41°02'13" EAST A DISTANCE OF 209.23 FEET; THENCE SOUTH 88°53'11" WEST A DISTANCE OF 56.56 FEET TO THE POINT OF

W-LET

JOHN NELGEM, TRUSTEE

THE HEARINGS SHOW ON LEGAL RESOLUTIONS ARE ON NEBRASKA STATE PLANNING COORDINATE SYSTEM SOUTH ZONE

POINT OF BEGINNING PERM EASEMENT  
POINT OF BEGINNING TEMP CONST EASEMENT

"L" STREET

CENTER SEC. 5-14-12

SCALE: 1" = 200'

THE SOUTH ONE HALF OF THE NORTHWEST QUARTER SECTION 5, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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A 15-FOOT PERMANENT EASEMENT IN THE SOUTHWEST QUARTER SECTION 5, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLASS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PERMANENT EASEMENT  
TEMPORARY EASEMENT

CITY PUBLIC WORKS  
SANITARY WEST PAVEMENT  
E C CURVATURE  
TR  
GOULDING, SCOTT ARCHITECTS  
OWNER  
JOB NO. 163046 D.E.  
DATE 5-2-54

11-9-72, EASEMENT REVISIONS	JLS
6-27-72, SECT ON NO CORRECTED	RAM
	MTLS



# POOR INSTRUMENT FILED

STATE OF NEBRASKA

With 523 44575

County of Platte SS

On this 10 day of July, 1933, before me, a duly authorized Notary Public in and for said county, personally appeared C. Clifton Nelson, Individual and Dianne E. Nelson, Husband and Wife, to me known to be the identical persons who signed the foregoing easement, and they severally acknowledged the easement to be their voluntary act and deed.  
Witness my hand and seal the day and year last above written.



My commission expires on \_\_\_\_\_  
Notary Public

### ACKNOWLEDGMENT BY INDIVIDUAL

STATE OF \_\_\_\_\_ SS  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a duly authorized Notary Public in and for said county, personally appeared \_\_\_\_\_, an unmarried person personally known to me to be the identical person who signed the above easement as Grantor, and acknowledged the easement to be his voluntary act and deed.

Witness my hand and seal the day and year last above written.

My commission expires on \_\_\_\_\_  
Notary Public

### ACKNOWLEDGMENT BY CORPORATION

STATE OF \_\_\_\_\_ SS  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a duly authorized Notary Public in and for said county, personally appeared \_\_\_\_\_, President of the \_\_\_\_\_ Corporation, and

\_\_\_\_\_ Corporation, and

\_\_\_\_\_

STATE OF NEBRASKA  
Platte County

Filed in the \_\_\_\_\_ and filed for Record in the Office of the Register of Deeds of Platte County and returned to Book 572 of Platte Page 36

Clifton Nelson  
REGISTER OF DEEDS

[Signature]  
26

RECORDED  
JUL 2 1933  
PLATTE COUNTY  
NEBRASKA