

COUNTER JD  
 VERIFY JD  
 PROOF JD  
 FEES \$ 22.00  
 CHECK# \_\_\_\_\_  
 CHG PAY CASH \_\_\_\_\_  
 REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
 SHORT \_\_\_\_\_ NCR \_\_\_\_\_

FILED SARPY COUNTY NEBRASKA INSTRUMENT NUMBER NEBRASKA DOCUMENTARY STAMP TAX

2013-33785

\$ Ex 23

11/01/2013 10:53:25 AM

*Lloyd J. Dowding*

By: counter1

REGISTER OF DEEDS



EASE



**THIS PAGE ADDED  
 FOR RECORDING  
 INFORMATION.**

**DOCUMENT STARTS ON  
 NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, # 1230

PAPILLION, NE 68046-2842

402-593-5773

*BTR*  
*Schemmer Arch.*  
*Ste 300*  
*1044 No 115 St*  
*Omaha Neb*  
*68154*  
*4410*

A

STORM SEWER EASEMENT

North Central States Regional Council of Carpenters, an unincorporated association and its successors and assigns ("Grantor"), for and in consideration of the sum of \$1.00 and other valuable consideration, the receipt of which is hereby acknowledged, does hereby donate, grant and convey unto the Sanitary Improvement District No. 266, Sarpy County of the State of Nebraska and its successors and assigns ("Grantee"), a permanent, perpetual Storm Sewer Easement for the right to construct, maintain, operate and replace sanitary sewers and appurtenances thereto over, under, and through the portions of the parcels of land respectively described on Exhibit "A" inclusive, attached and incorporated herein (collectively the "Easement Area").

TO HAVE AND TO HOLD, the Grantor agrees as follows:

- 1) The Grantor shall convey a permanent, perpetual Storm Sewer Easement over, under and through the Easement Areas to Grantee, together with the right of access for the purpose of constructing, inspecting, maintaining, operating, repairing, and/or replacing such Storm Sewer and appurtenances thereto.
- 2) No buildings or other structures shall be placed in, on, over, or across the Easement Areas by Grantor without the express approval of the Grantee, which shall be determined at the sole discretion of the Grantee.
- 3) The Grantor may, following construction of such Storm Sewer and appurtenances thereto, continue to use the Easement Areas for all other purposes, subject to the right of the Grantee to use the same for the purposes herein expressed and except as provided herein. Landscaping, road surfaces, street surfaces, parking area surfaces, sidewalks, and trails are expressly permitted on the Easement Areas. Any such permitted items or materials placed on or within the Easement Areas shall be maintained by Grantor.
- 4) The Grantor warrants that it has the lawful authority and right to grant and convey this Easement in the manner and form aforesaid, and that it will warrant and defend this Easement against the lawful claims and demands made by all persons.

IN WITNESS WHEREOF the Grantor has executed this Easement as of this 29<sup>th</sup> day of October, 2013.

GRANTOR: Randy J. Sowell  
By: Authorized Signatory  
Its:

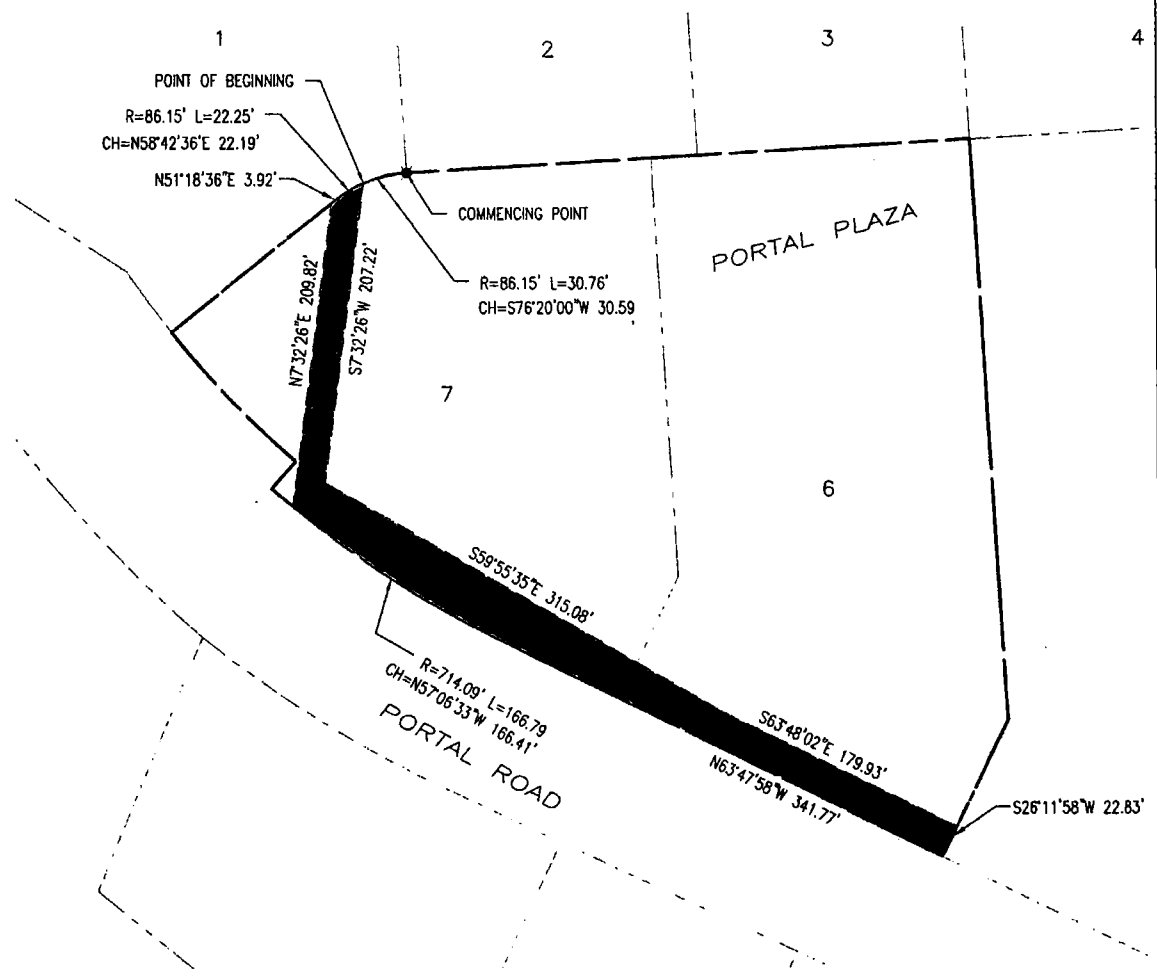
STATE OF CALIFORNIA )  
 ) ss.  
COUNTRY OF LOS ANGELES)

Now on this 29<sup>th</sup> day of October, 2013, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Randy J. Sowell of North Central States Regional Council of Carpenters, an unincorporated association, who is personally known to me to be the same person who executed in such capacity the within instrument on behalf of said entity and who duly acknowledged the execution of the same to be the act and deed of said entity.

Carmen M. Visser  
Notary Public



EXHIBIT "A"



**LEGAL DESCRIPTION**

A STORM SEWER EASEMENT LOCATED IN LOTS 6 AND 7, PORTAL PLAZA A SUBDIVISION, LOCATED IN THE NW¼ OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 12 RANGE OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWING:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, SAID PORTAL PLAZA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 2, SAID PORTAL PLAZA, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID LOT 7, PORTAL PLAZA; THENCE ON A CURVE TO THE LEFT WITH AN RADIUS OF 86.15 FEET, A DISTANCE OF 30.76 FEET ALONG THE SOUTH LINE OF SAID LOT 1, PORTAL PLAZA, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 7, PORTAL PLAZA, SAID CURVE HAVING A LONG CHORD WHICH BEARS S76°20'00"W (ASSUMED BEARING), A DISTANCE OF 30.59 FEET TO THE POINT OF BEGINNING; THENCE S07°32'26"W, A DISTANCE OF 207.23 FEET; THENCE S59°55'35"E, A DISTANCE OF 315.08 FEET; THENCE S63°48'02"E, A DISTANCE OF 179.93 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 6, PORTAL PLAZA; THENCE S26°11'58"W ALONG SAID EASTERLY LINE OF LOT 6, PORTAL PLAZA, A DISTANCE OF 22.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6, PORTAL PLAZA, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF PORTAL ROAD; THENCE ALONG THE SOUTH LINE OF SAID LOTS 6 AND 7, PORTAL PLAZA, SAID LINE ALSO BEING SAID NORTH RIGHT-OF-WAY LINE OF PORTAL ROAD ON THE FOLLOWING TWO (2) COURSES: THENCE N63°48'02"W, A DISTANCE OF 341.77 FEET; THENCE ON A CURVE TO THE RIGHT WITH AN RADIUS OF 714.09 FEET, A DISTANCE OF 166.79 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N57°06'33"W, A DISTANCE OF 166.41 FEET; THENCE N07°32'26"E, A DISTANCE OF 209.82 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 7, PORTAL PLAZA, SAID POINT ALSO BEING ON SAID SOUTH LINE OF LOT 1, PORTAL PLAZA; THENCE ALONG SAID NORTH LINE LOT 7, PORTAL PLAZA, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 1, PORTAL PLAZA ON THE FOLLOWING TWO (2) COURSES: THENCE N51°18'36"E, A DISTANCE OF 3.92 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 86.15 FEET, A DISTANCE OF 22.25 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N58°42'36"E, A DISTANCE OF 22.19 FEET TO THE POINT OF BEGINNING.

SAID STORM SEWER EASEMENT CONTAINS 18,160 SQUARE FEET OR 0.417 ACRES, MORE OR LESS.



1 inch = 100 ft.

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

Prepared by: The Schemmer Associates  
1044 North 115th. Street, Suite 300  
Omaha, NE 68154-4436  
402.493.4800  
JOB # 06315.010