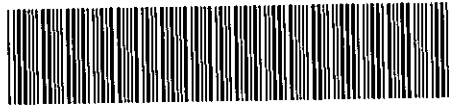


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Date
\$
By

RICHARD M. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

99 JAN -5 PM 3:09

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**THIS PAGE INCLUDED FOR INDEXING**  
**PAGE DOWN FOR BALANCE OF INSTRUMENT**

00169H

FEE 20<sup>50</sup> FB 01-1000000P  
 BKP 3-15-11 C/O \_\_\_\_\_ COMP EB  
 DEL \_\_\_\_\_ SCAN de FV \_\_\_\_\_

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

Project No. C-28(317)  
Tract No. 5

## PERMANENT EASEMENT

THIS INDENTURE, made this 30th day of November, 1998

between Robert W. Kardell and Darlene L. Kardell herein after 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 One Dollars (\$1.00) 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. The 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, but if the existing grade of the land in the area of this easement outside of the new 50 foot right-of-way line is raised in elevation to eliminate the need for that portion of this easement, then at that time that portion of this easement shall be null and void.

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 year and first above written.

Darlene L. Kardell  
Darlene L. Kardell

Robert W. Kardell  
Robert W. Kardell

STATE OF NEBRASKA, COUNTY OF DOUGLAS

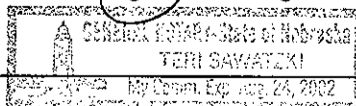
The foregoing instrument was acknowledged before me on November 30, 1998.

by Robert W. Kardell and Darlene L. Kardell

Teri Sawatzki  
Signature of Person Taking Acknowledgment

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

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



TRACT 5  
PARCEL 5A  
PERMANENT EASEMENT

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S.87°36'48"W. (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 100.27 FEET; THENCE S.02°23'12"E. PERPENDICULAR TO SAID NORTH LINE, 33.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FORT STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE S.42°34'12"E. ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET, 22.25 FEET; THENCE S.87°36'48"W. ALONG A LINE 17.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF FORT STREET, 347.09 FEET; THENCE S.77°45'43"W., 169.50 FEET; THENCE S.72°09'31"W., 176.38 FEET; THENCE S.02°23'12"E. PERPENDICULAR TO SAID SOUTH RIGHT-OF-WAY LINE, 10.00 FEET; THENCE S.87°36'48"W. ALONG A LINE 103.00 FEET SOUTH OF AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE, 20.00 FEET; THENCE N.02°23'12"W. PERPENDICULAR TO SAID SOUTH RIGHT-OF-WAY LINE, 12.00 FEET; THENCE N.81°59'52"W., 61.00 FEET; THENCE N.60°26'31"W., 100.17 FEET; THENCE N.88°34'22"W., 15.03 FEET; THENCE N.72°35'16"W., 26.57 FEET; THENCE S.87°36'48"W. ALONG A LINE 17.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF FORT, 344.79 FEET; THENCE N.01°45'17"W., 17.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FORT STREET; THENCE N.87°36'48"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE, 1219.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 41,386 SQUARE FEET (0.95 ACRE) MORE OR LESS.

TRACT 5  
PARCEL 5B  
PERMANENT EASEMENT

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3,  
TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN DOUGLAS COUNTY,  
NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 3;  
THENCE S.01°55'36"E. (ASSUMED BEARING) ALONG THE EAST LINE OF SAID NORTHEAST  
1/4, 103.70 FEET; THENCE S.88°04'24"W. PERPENDICULAR TO SAID EAST LINE, 40.00 FEET  
TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 156TH STREET, SAID POINT BEING THE  
POINT OF BEGINNING; THENCE S.01°55'36"E. ALONG SAID WEST RIGHT-OF-WAY LINE,  
1209.25 FEET; THENCE S.87°44'17"W., 10.00 FEET; THENCE N.01°55'36"W. ALONG A LINE  
10.00 FEET WEST OF AND PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE, 1220.96 FEET  
TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET; THENCE  
S.42°34'12"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 15.35 FEET TO THE POINT OF  
BEGINNING.

SAID PARCEL CONTAINS 12,151 SQUARE FEET (0.28 ACRE) MORE OR LESS.