

FILED SARPY CO. NE  
INSTRUMENT NUMBER

2006-26741

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*Lloyd J. Dowding*

REGISTER OF DEEDS

66UNTER	<u>UM</u>	B.E.	<u>[Signature]</u>
VERIFY	<u>p</u>	D.E.	<u>[Signature]</u>
PROOF	<u>a</u>		
FEE \$	<u>25.50</u>		
CHECK #			
CHC	<u>COP</u>	CASH	
REFUND		CREDIT	
SHORT		NCR	



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS  
1210 GOLDEN GATE DRIVE, STE 1109  
PAPILLION, NE 68046-2895  
402-593-5773

*R+K  
City of Papillion  
122 E. Third St.  
Papillion, NE 68046*

**PERMANENT EASEMENT**

**WALNUT CREEK OUTFALL SEWER**

FOR AND IN CONSIDERATION of the sum of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Mary L. Haug, (hereinafter referred to as the "GRANTOR", whether one or more), for himself, herself, themselves, or itself, and for his, her their or its heirs, successors and assigns, does hereby grant, bargain, sell, convey and confirm unto the CITY OF PAPIILLION, NEBRASKA, (hereinafter referred to as "PAPILLION") and its successors and assigns, permanent easements, hereinafter described, in, over and upon parcels of land in Sarpy County, Nebraska, more particularly described in the legal descriptions attached hereto as Exhibit "A", and incorporated herein by reference. (Such parcel(s) of land hereinafter being referred to as the "Easement Area".)

Said easement will be over and under the following described area:

THAT PART OF TAX LOT 4 IN THE NW ¼ OF SECTION 5, T13N, R12E OF THE 6<sup>th</sup> P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID NW 1/4;  
THENCE N02°57'30"W (ASSUMED BEARING) 300.00 FEET ON THE WEST LINE OF SAID NW 1/4;  
THENCE S87°01'25"W 33.00 FEET ON A LINE 300.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW ¼ TO THE POINT OF BEGINNING;  
THENCE CONTINUING S87°01'25"W 20.00 FEET ON A LINE 300.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW ¼;  
THENCE N02°57'30"W 147.53 FEET ON A LINE 53.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW 1/4;  
THENCE N71°02'27"E 20.81 FEET;  
THENCE S02°57'30"E 153.25 FEET ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW ¼ TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRES MORE OR LESS.

Pursuant to this Easement, Papillion, its successors and assigns, and their respective officers, agents, employees and contractors, shall have the right to enter and use the Easement Area from time to time ingress and egress in connection with inspection, operation, maintenance, replacement, and repair of Walnut Creek Outfall Sewer improvements; and, the permanent right to have the Easement Area unobstructed at the time of Papillion's entries; provided, however, there is reserved to the GRANTOR and GRANTOR'S heirs, successors and assigns, the right to use the Easement Area for purposes that do not interfere with Papillion's uses of the Easement Area.

### **GENERAL PROVISIONS**

A. The above payments shall cover all damages caused by the establishment and construction of the above project.

B. The GRANTOR waives compliance by Papillion with the notice and other provisions of the Uniform Procedure for Acquiring Private Property for Public Use (Sec. 25-2501, R.R.S. 1943, et seq., as amended.)

C. The GRANTOR, for itself and for its successors and assigns, covenants and agrees that GRANTOR is the owner of the Easement Area and that it has good right to convey these easements over the same; that said premises are free and clear of all liens and encumbrances, except easements and covenants of record; and, that it will warrant and defend the title to this Easement against all lawful claims and demands of all persons whatsoever.

D. This Easement shall not pass, nor be construed to pass, to Papillion, in fee simple interest or title to the Easement Area. The GRANTOR shall have the reserved right to make reasonable non-structural uses of the Easement Area which do not interfere with Papillion's rights under this Easement.

C

E. The GRANTOR warrants that no verbal or written representations or inducements have been made or given by PAPANILLION or by any of its officers, agents or employees, other than as may be recited in this document.

IN WITNESS WHEREOF, the GRANTOR has executed this Easement as of this 13 day of July, 2006.

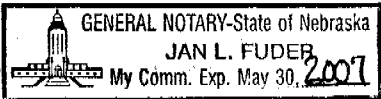
GRANTOR:

Mary L. Haug

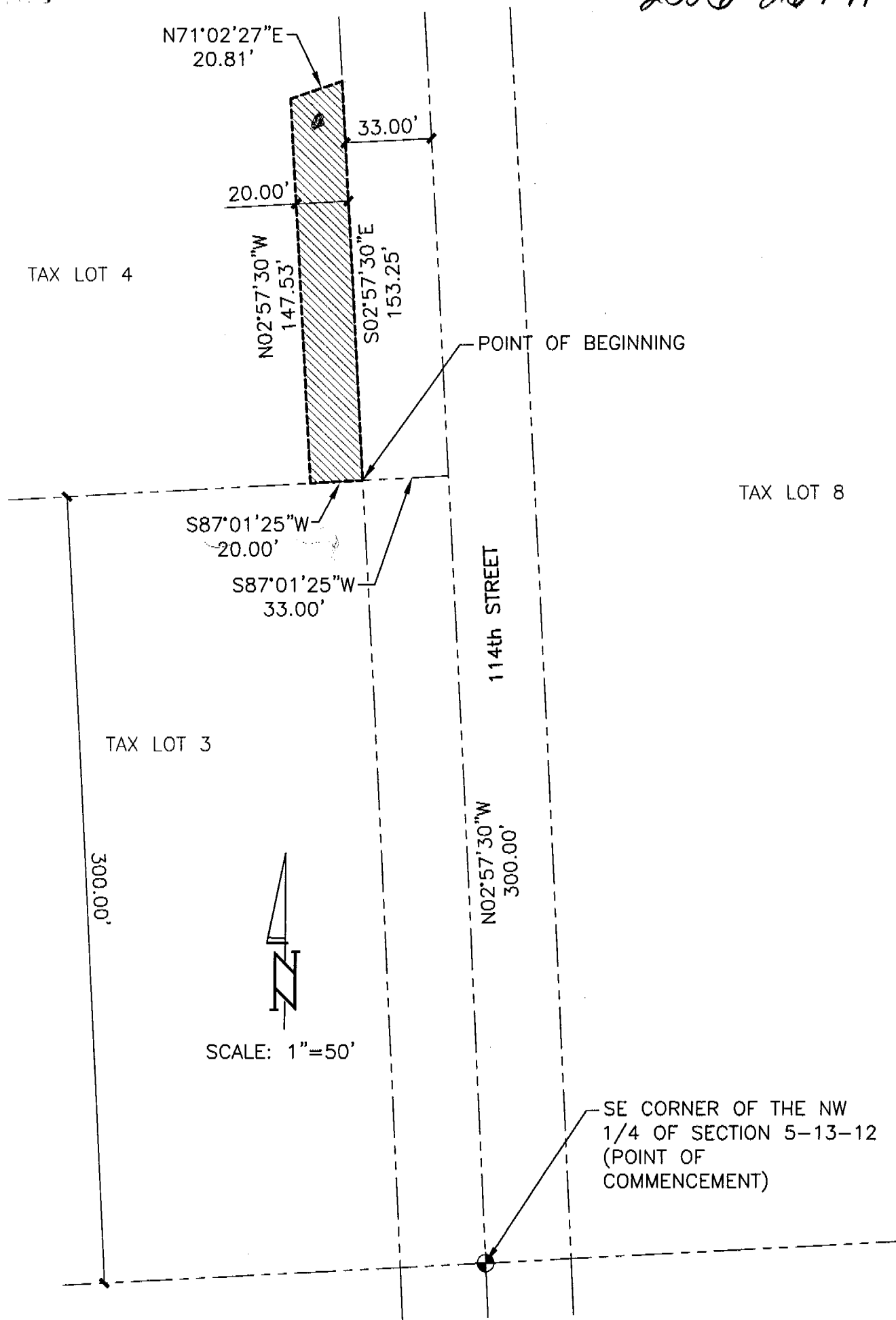
**ACKNOWLEDGMENT**

STATE OF NEBRASKA    )  
  )ss  
COUNTY OF SARPY    )

On this 13<sup>th</sup> day of July, 2006, before me a General Notary Public, duly commissioned and qualified, personally came Mary L. Haug, known to me known to be the identical person(s) whose name(s) is/are affixed to the foregoing instrument as Grantor(s) and acknowledged the same to be a voluntary act and deed.



Jan L. Fuder  
Notary Public



**LEGAL DESCRIPTION**

THAT PART OF TAX LOT 4 IN THE NW ¼ OF SECTION 5, T13N, R12E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NW ¼; THENCE N02°57'30"W (ASSUMED BEARING) 300.00 FEET ON THE WEST LINE OF SAID NW ¼; THENCE S87°01'25"W 33.00 FEET ON A LINE 300.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW ¼ TO THE POINT OF BEGINNING; THENCE CONTINUING S87°01'25"W 20.00 FEET ON A LINE 300.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NW ¼; THENCE N02°57'30"W 147.53 FEET ON A LINE 53.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW ¼; THENCE N71°02'27"E 20.81 FEET; THENCE S02°57'30"E 153.25 FEET ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW ¼ TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRES MORE OR LESS.