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RICHARD H. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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

PROJECT NO. C-28(238)

TRACT NO. 1

EASEMENT

THIS INDENTURE, made this 25<sup>th</sup> day of March, 1998.

between ZALKIN REAL ESTATE TRUST

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 ONE HUNDRED Dollars \$100.00 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.

Edward L. Belgrade  
Edward L. Belgrade, Trustee

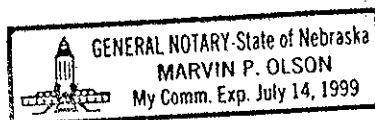
Mark W. Zalkin  
Mark W. Zalkin, Trustee

STATE OF NEBRASKA, COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on MARCH 25, 1998

by Edward L. Belgrade & Mark W. Zalkin

T.I.N. 47-6190589



Marvin P. Olson  
Signature of Person Taking Acknowledgement  
Title: Gen. Notary

**TRACT 1  
PARCEL 1A  
PERMANENT EASEMENT**

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, 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 18; THENCE S.  $87^{\circ} 10' 25''$  W. ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 580.92 FEET; THENCE S.  $02^{\circ} 49' 35''$  E. PERPENDICULAR TO SAID NORTH SECTION LINE, 161.16 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE S.  $72^{\circ} 53' 49''$  E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 20.06 FEET; THENCE S.  $21^{\circ} 22' 49''$  W., 18.42 FEET; THENCE N.  $68^{\circ} 37' 11''$  W., 20.00 FEET; THENCE N.  $21^{\circ} 22' 49''$  E., 16.93 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 353 SQUARE FEET (0.008 ACRES) MORE OR LESS.