



2097 493 DEED



10878 98 493-508

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

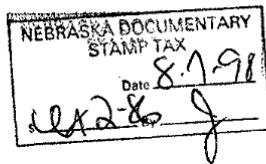
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**QUITCLAIM DEED**

Pursuant to Article IX(B) of a Subdivision Agreement dated December 13, 1994 entered into by and between Frank R. Krejci as the Subdivider, Sanitary and Improvement District No. 400 of Douglas County, Nebraska a political subdivision of the State of Nebraska, as the District, and the City of Elkhorn, a municipal corporation in the State of Nebraska, as the City (the "Subdivision Agreement"), and for other good and valuable consideration receipt and sufficiency of which is hereby acknowledged, Sanitary and Improvement District No. 400 of Douglas County, Nebraska ("SID 400"), the Grantor, quitclaims, assigns and conveys to the City of Elkhorn, a municipal corporation in the State of Nebraska, Grantee, all of its interests, rights, and title in and to an outfall sanitary sewer line constructed and owned by SID 400 which is described in Exhibit "A" attached hereto and located within the Permanent Sewer Easement dated November 14, 1995 and recorded in Book 1166 at Page 693 of the Miscellaneous Records with the Register of Deeds, Douglas County, Nebraska, on January 18, 1996, a copy of which is attached hereto as Exhibit "B", a Permanent Sewer Easement dated September 19, 1995 and recorded in Book 1166 at Page 688 of the Miscellaneous Records with the Register of Deeds, Douglas County, Nebraska, on January 18, 1996, a copy of which is attached hereto as Exhibit "C", and the easement resulting from a condemnation set forth as Case No. C95-60012 in the County Court of Douglas County, Nebraska, a copy of which is attached hereto as Exhibit "D", reserving unto itself and its residents, property owners, successors and assigns the right to use such sanitary sewer lines for the discharge of waste water sewage pursuant to the Subdivision Agreement. By an Assignment of the same date hereof, SID 400 has assigned its interest in the easements within which the outfall sanitary sewer is located whose legal descriptions are set forth in Exhibits "B", "C" and "D" attached hereto.

Dated this 12<sup>th</sup> day of May, 1998.



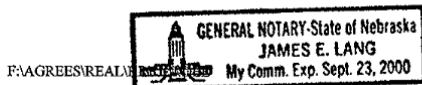
SANITARY AND IMPROVEMENT  
DISTRICT NO. 400 OF DOUGLAS  
COUNTY, NEBRASKA

By: Frank R Krejci  
Chairman

By: Vera Jane Krejci  
Clerk

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

The foregoing instrument was acknowledged before me on May 12, 1998, by Frank R. Krejci, Chairman and Vera Jane Krejci, Clerk of Sanitary and Improvement District No. 400 of Douglas County, Nebraska.



[Signature]  
Notary Public  
OC-14220  
FEE 20.00  
3-15-10  
BKP 25.00 C/O COMP ML  
DEL SCAN ds FV

EXHIBIT "A"

DESCRIPTION OF THE OUTFALL SANITARY SEWER LINE

An approximately 2,050 L.F. 12" Sanitary Sewer Line and an approximately 1,173 L.F. 8" Sanitary Sewer Line along with a 48" I.D. Standard Manhole and all appurtenances included therein constructed within the real property described in the easements attached hereto as Exhibits "B", "C" and "D" which constitutes the Outfall Sanitary Sewer Line constructed by Sanitary and Improvement District No. 400 of Douglas County, Nebraska.

Copy to:  
James E. Lang  
11306 Davenport Street  
Omaha, NE 68154

1 156 693 MISC

00592 96 693-697

RECEIVED

JAN 18 1 35 PM '96

GEORGE J. BIRNEY  
REGISTERED CLERK  
DOUGLAS COUNTY

GRANT OF EASEMENT

Permanent Sewer Easement

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, GOTTSCH FEEDING CORPORATION, a Nebraska corporation, hereinafter referred to as the "Grantor," hereby grants and conveys to Sanitary and Improvement District No. 400 of Douglas County, Nebraska, and its successors and assigns, hereinafter referred to as "Grantee", a permanent sewer easement, in, through, over and under the parcel of land described as follows:

See Exhibit "A" and Exhibit "B" attached hereto and by this reference made a part of this Easement for the legal description of the easement areas (hereinafter the "Easement Area"),

on which the Grantee may construct, reconstruct, maintain and repair a sanitary sewer line. Grantee shall have the right to enter upon this Easement Area at any time to inspect, construct, reconstruct, maintain and repair said sanitary sewer line.

After completion of the initial installation of the sanitary sewer line, Grantee shall restore the Easement Area surface as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the Easement Area.

Grantee is solely responsible for the constructing, operating and maintaining of the above-described improvements and Grantee shall indemnify and hold harmless the Grantor, and its successors and assigns, from any and all claims for personal injury or damage to the property arising out of or in connection with the constructing, operating or maintaining of the above-described improvement.

No building, improvement or other structure shall be placed over said easement by the Grantor, its successor or assigns, without the express written approval of the Grantee, provided, however a hard surfaced street, parking lot, trees, grass, crops and shrubbery may be installed within the Easement Area by the Grantor, and its successors and assigns, and that in the event it becomes necessary to repair, remove or replace said sewer line, the Grantee shall have the right to remove such street, parking lot, trees, crops, grass or shrubbery and said premises shall thereafter be restored by the Grantee, its successors and assigns, to the condition existing before said removal.

00592

12-15-10  
255A  
FE 016000  
AN 07  
COMPT  
S... FV

EXHIBIT "B"

As part of the consideration for the grant of the easement, the Grantee agrees that the Grantor, and its successor, heirs and assigns, shall have the right to connect to the sanitary sewer line located within the Easement Area to serve the Grantor's property which is within the drainage area of such sanitary sewer line, subject to the Grantor obtaining the appropriate consent of the City of Elkhorn and any other political subdivision whose consent is required for such connection. The Grantee shall charge no connection fee for the sewer connection, however, any fee required of the City of Elkhorn or any other political subdivision; shall be the responsibility of the Grantor.

The Grantor does hereby warrant and confirm to the Grantee that it is the owner of the Easement Area and that it has the right to grant and convey this Easement in the manner aforesaid and that it shall warrant and defend this Easement to the Grantee, its successors and assigns, against the lawful claims and demands of all persons.

This easement runs with the land and shall run in favor of and be binding upon the respective assigns, successors and agents of the Grantor and Grantee.

Dated this 14 day of Nov, 1995.

GRANTOR:

GOTTSCH FEEDING  
CORPORATION, a Nebraska  
corporation

By: 

Its: Secretary

GRANTEE:

SANITARY & IMPROVEMENT DISTRICT  
NO. 400 OF DOUGLAS COUNTY,  
NEBRASKA

By: Frank Krijci

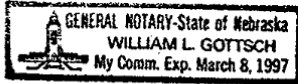
Chairman

By: Debra Jane Krijci

Clerk

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS) SS.

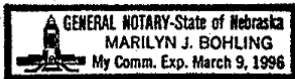
The foregoing instrument was acknowledged before me on Nov. 14,  
1995 by Brett Gottsch, the President of GOTTSCHE FEEDING  
CORPORATION, a Nebraska corporation.



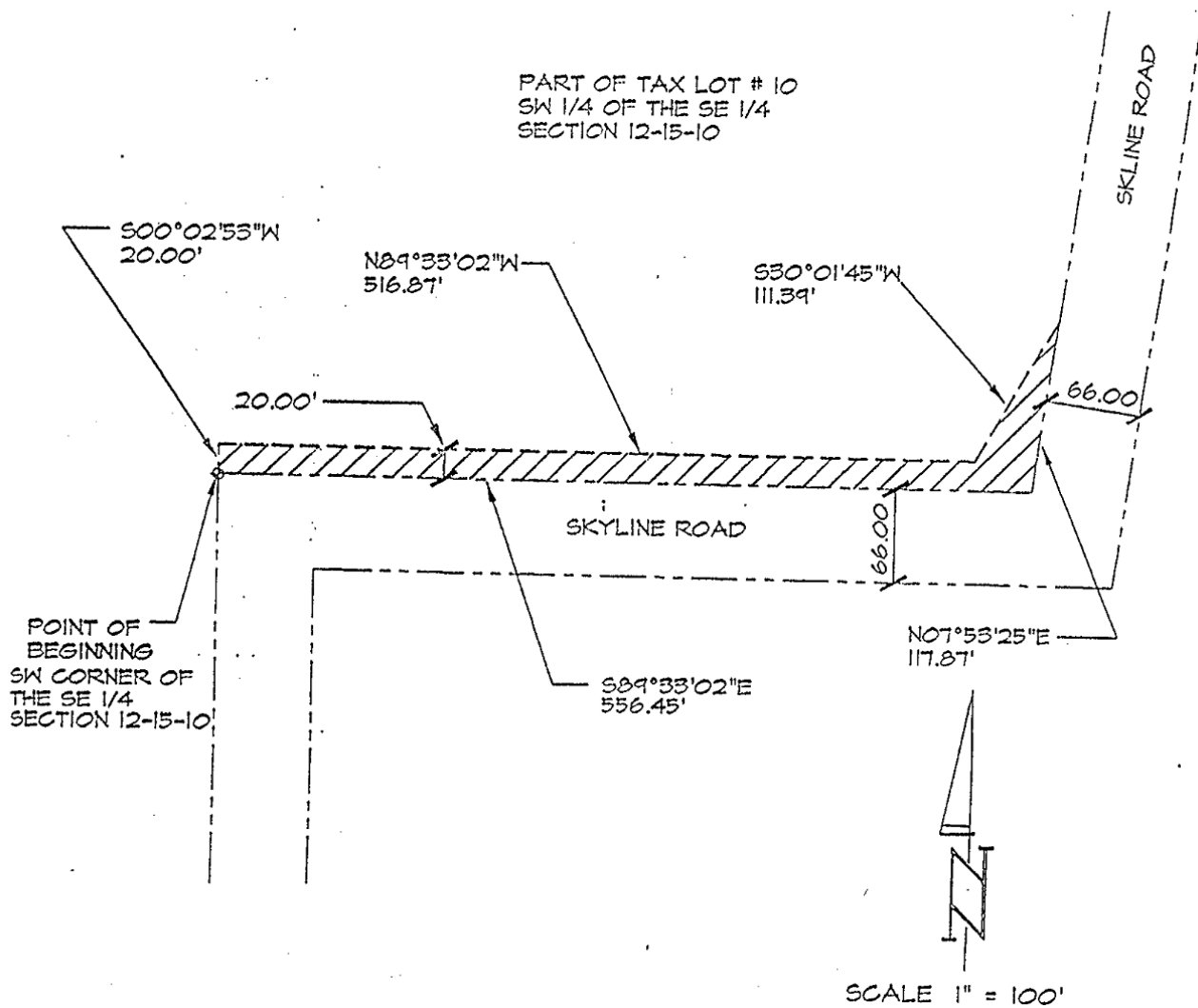
William L. Gottsch  
Notary Public

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS) SS.

The foregoing instrument was acknowledged before me on Dec 30,  
1995 by Frank R. & Vera Jane Heyco, the Chairman and Clerk of  
Sanitary & Improvement District No. 400 of Douglas County, Nebraska.



Marilyn J. Bohling  
Notary Public



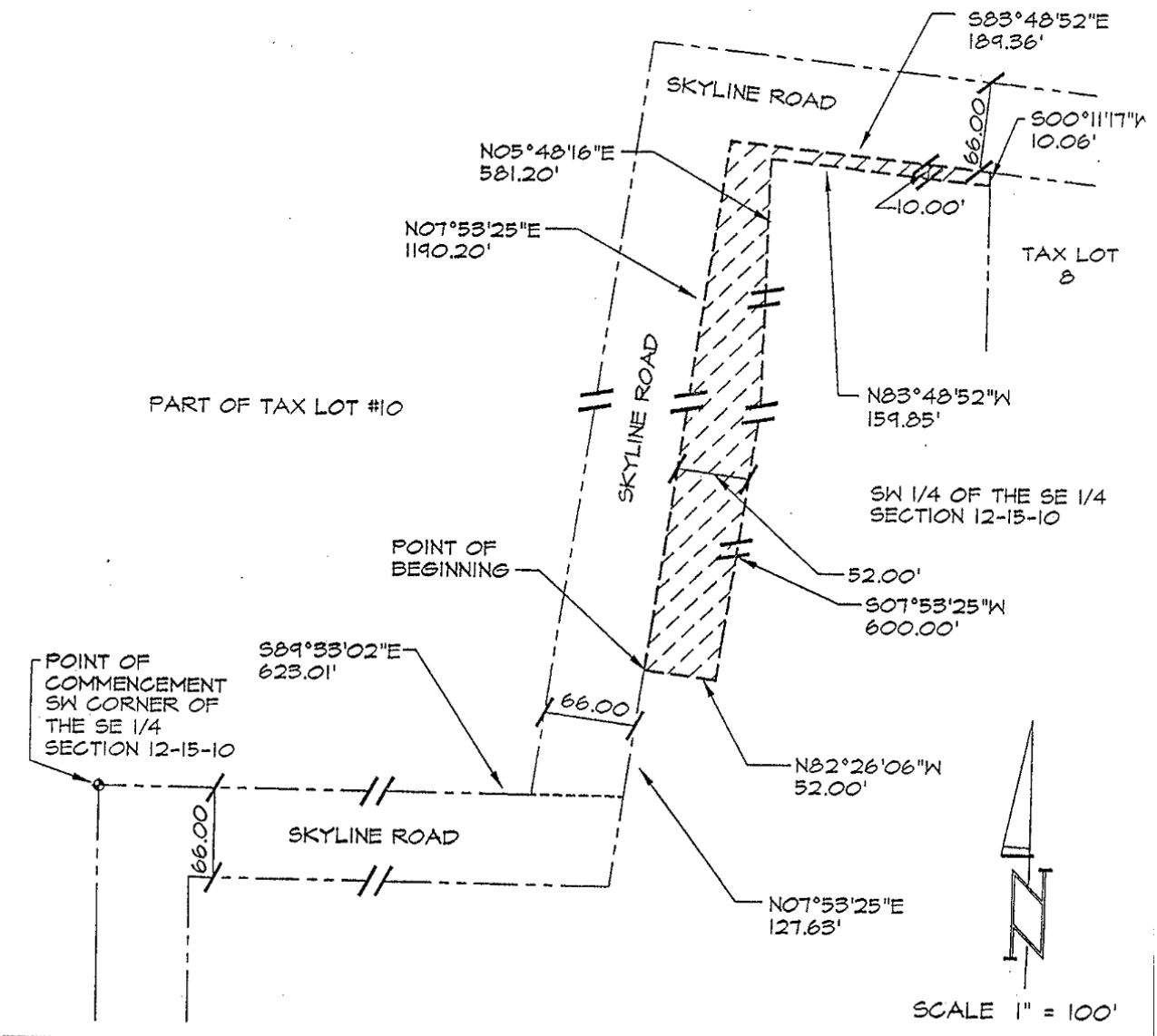
## LEGAL DESCRIPTION

THAT PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 12, T15N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID SW 1/4; THENCE S89°33'02"E (ASSUMED BEARING) 556.45 FEET ON THE SOUTH LINE OF SAID SW 1/4 AND ON THE NORTH LINE OF SKYLINE ROAD; THENCE N07°53'25"E 117.87 FEET ON THE WEST LINE OF SAID SKYLINE ROAD; THENCE S30°01'45"W 111.39 FEET; THENCE N89°33'02"W 516.87 FEET ON A LINE 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SW 1/4 AND THE NORTH LINE OF SAID SKYLINE ROAD TO THE WEST LINE OF SAID SW 1/4; THENCE S00°02'53"W 20.00 FEET ON THE WEST LINE OF SAID SW 1/4 TO THE POINT OF BEGINNING. CONTAINING 0.30 ACRES MORE OR LESS.

SID 400 (GREENBRIER)  
TD2 FILE NO.10051043  
3-16-1995

THOMPSON, DREESSEN AND DORNER, INC., 10036 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-

EXHIBIT "A"



LEGAL DESCRIPTION

THAT PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 12, T15N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SW 1/4; THENCE S89°33'02"E (ASSUMED BEARING) 623.01 FEET ON THE SOUTH LINE OF SAID SW 1/4 TO THE EAST LINE OF SKYLINE ROAD; THENCE N07°53'25" E 127.63 FEET ON THE EAST LINE OF SAID SKYLINE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING N07°53'25"E 1190.20 FEET ON THE EAST LINE OF SAID SKYLINE ROAD; THENCE S83°48'52"E 189.36 FEET ON THE SOUTH LINE OF SAID SKYLINE ROAD TO THE WEST LINE OF TAX LOT 8 IN SAID SW 1/4; THENCE S00°11'17"W 10.06 FEET ON THE WEST LINE OF SAID TAX LOT 8; THENCE N83°48'52"W 159.85 FEET ON A LINE 10.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SKYLINE ROAD; THENCE S05°48'16" 581.20 FEET; THENCE S07°53'25"W 600.00 FEET ON A LINE 52.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID SKYLINE ROAD; THENCE N82°26'06"W 52.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.31 ACRES MORE OR LESS.

SID 400 (GREENBRIER)  
 TD2 FILE NO.10051046  
 8-3-95  
 THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-88  
 Exhibit "B"

✓ 2 36

**GRANT OF EASEMENT**

Permanent Sewer Easement

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, FRANK R. KREJCI and VERA JANE KREJCI, husband and wife, hereinafter referred to as the "Grantors", hereby grants and conveys to Sanitary and Improvement District No. 400 of Douglas County, Nebraska, and its successors and assigns, hereinafter referred to as "Grantee", a permanent sewer easement, in, through, over and under the parcel of land described as follows:

See Exhibit "A" and Exhibit "B" attached hereto and by this reference made a part of this Easement for the legal description of the easement areas (hereinafter the "Easement Area"),

on which the Grantee may construct, reconstruct, maintain and repair a sanitary sewer line. Grantee shall have the right to enter upon this Easement Area at any time to inspect, construct, reconstruct, maintain and repair said sanitary sewer line.

After completion of the initial installation of the sanitary sewer line, Grantee shall restore the Easement Area surface as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the Easement Area.

Grantee is solely responsible for the constructing, operating and maintaining of the above-described improvements and Grantee shall indemnify and hold harmless the Grantor, its successors and assigns, from any and all claims for personal injury or damage to the property arising out of or in connection with the constructing, operating or maintaining of the above described improvement.

No building, improvement or other structure shall be placed over said easement by the Grantors, their successors or assigns, without the express written approval of the Grantee, provided, however a hard-surfaced street, parking lot, trees, grass, crops and shrubbery may be installed within the Easement Area by the Grantors, and their successors and assigns, and that in the event it becomes necessary to repair, remove or replace said sewer line, the Grantee shall have the right to remove such street, parking lot, trees, crops, grass or shrubbery and said premises shall thereafter be restored by the Grantee, its successors and assigns, to the condition existing before said removal.

The Grantors do hereby warrant and confirm to the Grantee that they are the owners of the Easement Area and that they have the right to grant and convey this Easement in the manner aforesaid and that they shall warrant and defend this Easement to the Grantee, its successors and assigns, against any lawful claims and demands of all persons.

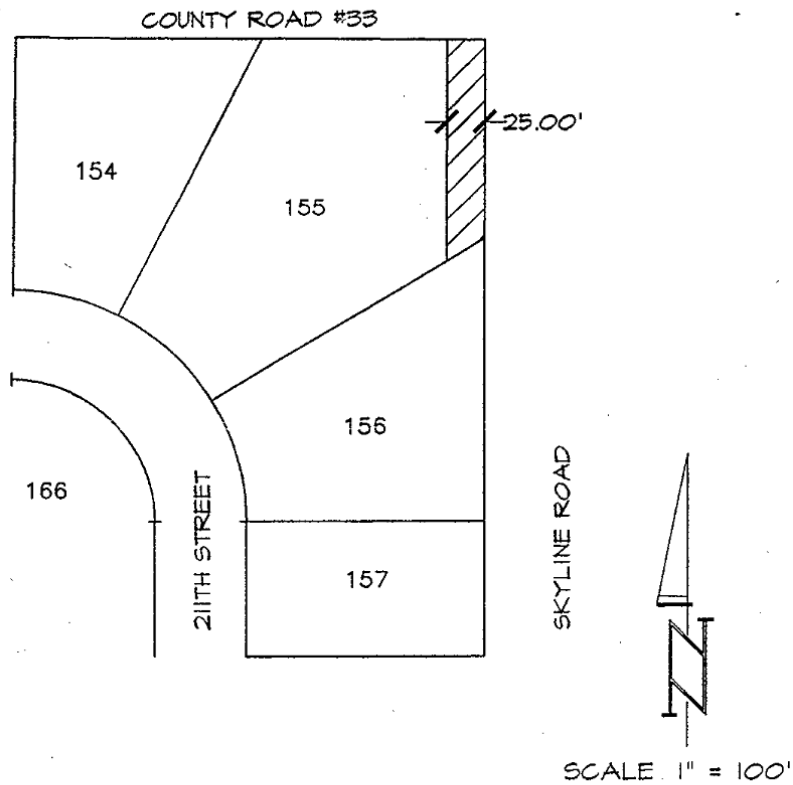
*Laughlin Peterson*  
11306 Davenport St  
68154

1

EXHIBIT "C"







LEGAL DESCRIPTION

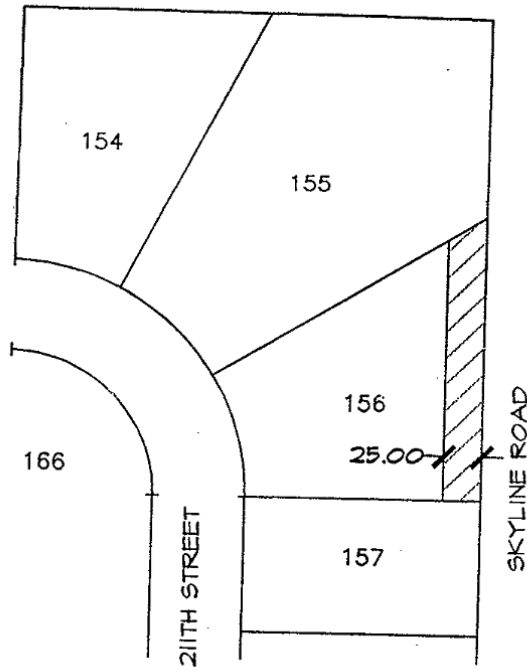
THE EASTERLY 25.00 FEET IN WIDTH OF LOT 155, GREENBRIER, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

SID 400 (GREENBRIER)  
 TD2 FILE NO.10051042  
 3-16-95

Exhibit "A"

THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68134, 402-330-8860

COUNTY ROAD #33



SCALE 1" = 100'

### LEGAL DESCRIPTION

THE EASTERLY 25.00 FEET IN WIDTH OF LOT 156, GREENBRIER, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

SID 400 (GREENBRIER)  
TD2 FILE NO.10051041  
3-16-95

Exhibit "B"

HOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

In the Matter of the Application	)	Case No. C95-60012
of SANITARY & IMPROVEMENT DISTRICT	)	
NO. 400 OF DOUGLAS COUNTY,	)	
NEBRASKA, to certain easements in	)	
Douglas County, Nebraska, by eminent	)	
domain to be owned and used by the	)	
Condemner for its corporate purposes,	)	
	)	
Condemner,	)	
	)	
vs.	)	REPORT OF APPRAISERS
	)	
LYLE E. DIKE and SHARON R.	)	
DIKE, Husband and Wife,	)	
GOTTSCH FEEDING CORPORATION,	)	
a corporation, Owner; JULIE	)	
HANEY, Douglas County	)	
Treasurer,	)	
	)	
Condemnees.	)	

NOW on this 30 day of August, 1995, the undersigned, being the duly appointed, qualified, and acting appraisers in the above entitled matter, do hereby make and file this report, showing unto the Court:

1. The undersigned were duly appointed appraisers in the above entitled matter by the "Order Appointing Appraiser" filed herein.
2. Before entering upon the duties as appraisers in the above entitled matter, the undersigned duly took and subscribed an oath to support the Constitutions of the United States and of the State of Nebraska and to faithfully and impartially discharge their duties as required by law.
3. The undersigned appraisers carefully inspect and viewed the real estate hereinafter specified sought to be taken and also any other property of the condemnee damaged thereby and heard all parties interested therein to the amount of damages while so inspecting and viewing the property. Those appearing were: James E. Lang, Attorney at Law, 11306 Davenport Street, Omaha, Nebraska, the attorney for the Condemner, and Mr. Dean A. Jaeger, P.E., Thompson, Dreessen & Dorner, Inc., 10836 Old Mill Road, Omaha, Nebraska 68154, the

EXHIBIT "D"

engineer for the condemner, and Lyle E. Dike, 1939 Skyline Road, RR 4, Elkhorn, NE 68022, the condemnee.

4. Said appraisers did meet on the 28th day of August, 1995, 9:30 a.m. and at 11:00 a.m., to assess the damages that the condemnee sustain by the taking of the hereinafter specified property by the condemner, at which time said appraisers did receive evidence relative to the amount of damages that will be sustained by the owner of said real estate. Those who appeared were James E. Lang, Attorney at Law, 11306 Davenport Street, Omaha, Nebraska, the attorney for the condemner, and Mr. Dean A. Jaeger, P.E., Thompson, Dreesen & Dorner, Inc., 10836 Old Mill Road, Omaha, Nebraska 68154, the engineer for the condemner, and Lyle E. Dike, 1939 Skyline Road, RR 4, Elkhorn, NE 68022, the condemnee.

5. That at the site, and again at the hearing, the condemner amended the temporary construction easement to reduce it from 35 feet to 20 feet so that the legal description of the temporary construction easement to be acquired as part of this proceeding is now as follows:

The South 20.00 feet of the North 35.00 feet of the West 110.00 feet of Tax Lot 3 in the NW 1/4 of the NE 1/4 of Section 13, T15N, R10E of the 6th P.M., Douglas County, Nebraska, containing 0.051 acres more or less.

6. The amount of damages that will be sustained by the owner of the real estate by reason of the taking thereof by the condemner for the purposes described in these proceedings is as hereinafter found and assessed.

Now, therefore, the undersigned appraisers do hereby find and assess the damages that will be suffered by reason of the taking of the real estate for the purposes described in these proceedings by the condemner as follows:

Parcel No. 1	Owners:	Lyle E. Dike & Sharon R. Dike RR 4 Elkhorn, NE 68022
--------------	---------	--

DESCRIPTION OF EASEMENTS:

A. Permanent Easement. The North 15.00 feet of the West 110.00 feet of Tax Lot 3 in the NW 1/4 of the NE 1/4 of Section 13, T15N, R10E of the 6th P.M., Douglas County, Nebraska, containing 0.04 acres more or less. That a copy of a plat setting

forth this permanent easement is attached hereto as Exhibit "A" and by reference made a part hereof.

B. Temporary Construction Easement. The South 20.00 feet of the North 35.00 feet of the West 110.00 feet of Tax Lot 3 in the NW 1/4 of the NE 1/4 of Section 13, T15N, R10E of the 6th P.M., Douglas County, Nebraska, containing .051 acres more or less. That a plat of the Temporary Construction Easement is attached hereto as Exhibit "B" and by reference made a part hereof.

Damages for taking the permanent easement:

Lyle E. Dike & Sharon R. Dike	\$950.00
Julie Haney, Douglas County Treasurer	0
TOTAL	\$950.00

Damages for taking the temporary construction easement:

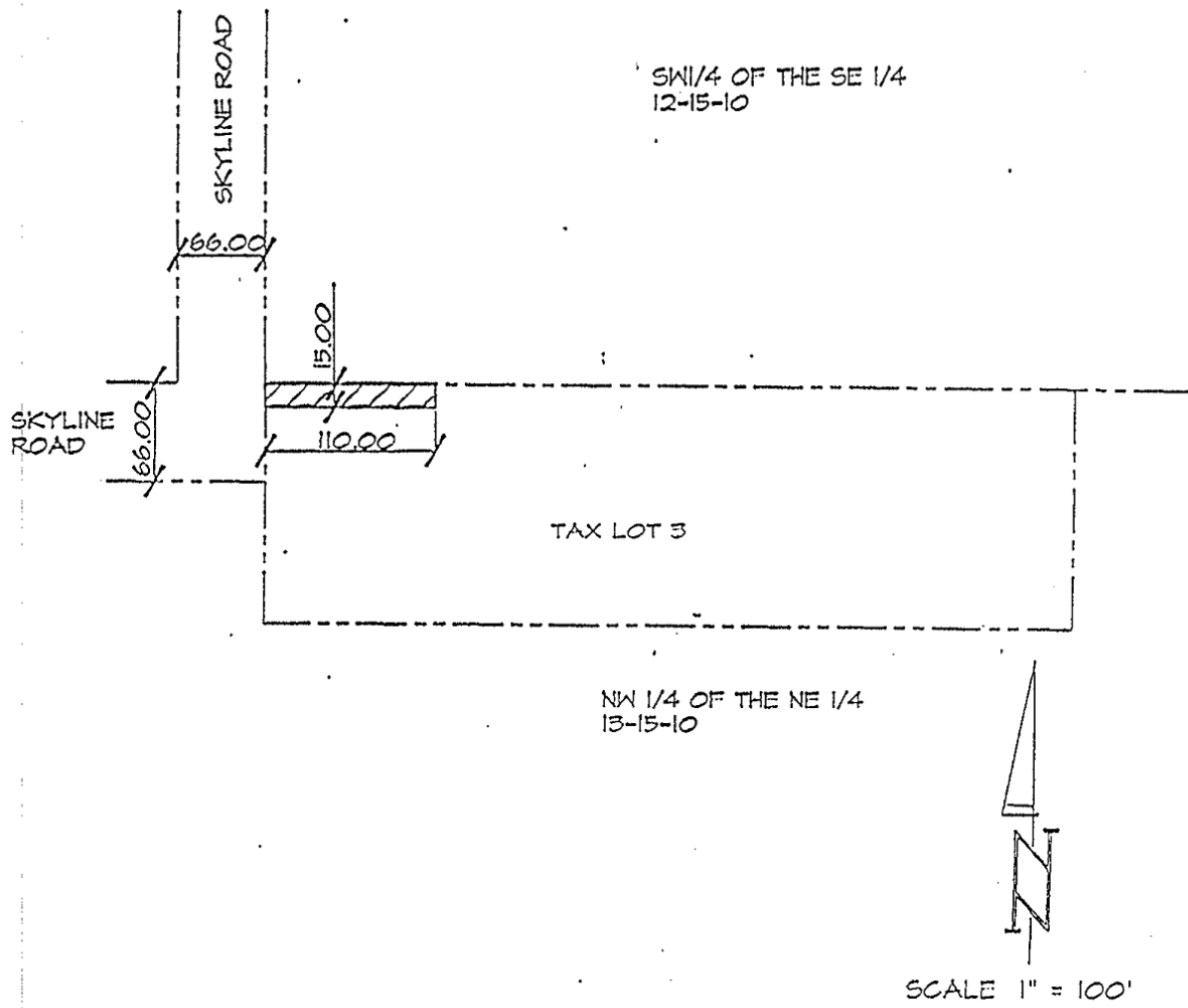
Lyle E. Dike & Sharon R. Dike	\$150.00
Julie Haney, Douglas County Treasurer	0
TOTAL	\$150.00

APPRAISERS:

Mel L. Strong  
MEL L. STRONG

Lola Lockwood  
LOLA LOCKWOOD

Thomas & Incontro  
THOMAS & INCONTRO

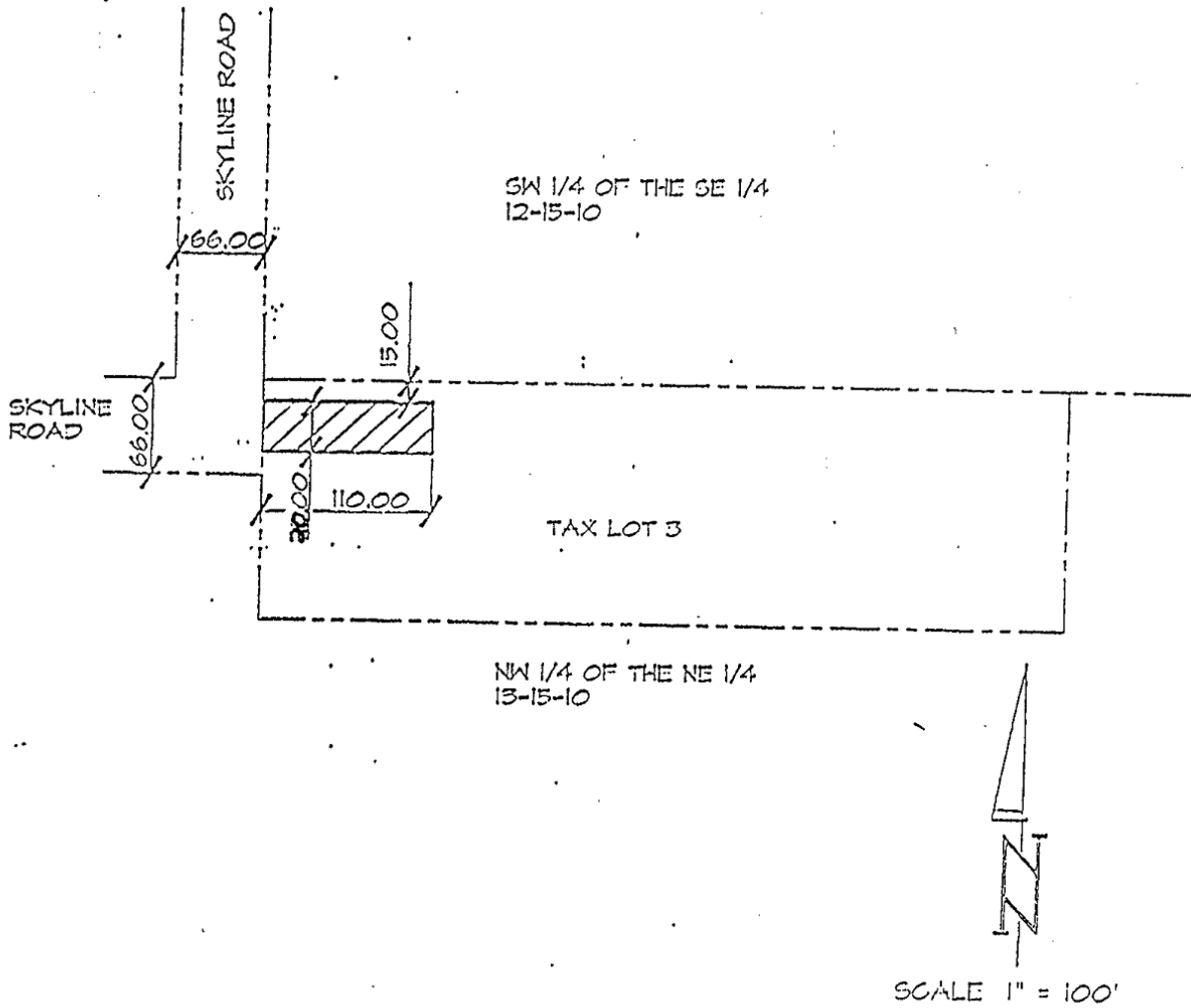


LEGAL DESCRIPTION

THE NORTH 15.00 FEET OF THE WEST 110.00 FEET OF TAX LOT 3 IN THE NW 1/4 OF THE NE 1/4 OF SECTION 13, T15N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. CONTAINING 0.04 ACRES MORE OR LESS.

SID 400 (GREENBRIER)  
TD2 FILE NO.10051033  
5-16-95

*Exhibit "A"*



LEGAL DESCRIPTION

THE SOUTH 20.00 FEET OF THE NORTH 35.00 FEET OF THE WEST 110.00 FEET OF TAX LOT 3 IN THE NW 1/4 OF THE NE 1/4 OF SECTION 13, T15N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. CONTAINING 0.051 ACRES MORE OR LESS.

YOUNG & WHITE  
8742 Frederick St.  
Omaha, NE 68124-3061

JEFF C. MILLER  
ATTORNEY AT LAW

(402) 393-5600

Fax 393-6823

SID 400 (GREENDRIER)  
TD2 FILE NO. 10051032  
5-16-95

Exhibit "B"