



BK 1375 PG 178-183



MISC 2001 04309

RICHARD M. TAKECHI
REGISTERED DEEDS
2001 MAR 29 AM 10:17
RECEIVED

STORM SEWER AND DRAINAGE EASEMENTS

KNOW ALL MEN BY THESE PRESENTS:

Misc 6
A 2
FEE 31.00 FB 06-3072
BKP _____ C/O _____ COMP BW
DEL _____ SCAN dc FV

That PINEY CREEK, INC., a Nebraska corporation, hereinafter referred to as "GRANTOR", (whether one or more) for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto the SANITARY & IMPROVEMENT DISTRICT NO. 465 OF DOUGLAS COUNTY, NEBRASKA, hereinafter referred to as "SID", and to its successors and assigns, an easement for the right to construct, maintain and operate the storm sewers, and appurtenances thereto, in, through and under the parcel of land described as follows:

1. That part of Lot 136, Piney Creek Addition, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the NW corner of Lot 24, said Piney Creek; thence N87°15'57"E (assumed bearing) 146.20 feet on the northerly line of said Lot 24 and its easterly extension; thence N48°04'00"E 117.88 feet; thence N89°44'17"E 101.84 feet to the easterly line of said Lot 136; thence N26°23'19"W 22.28 feet on the easterly line of said Lot 136; thence S89°44'17"W 87.16 feet; thence N08°21'56"W 171.32 feet; thence S81°38'04"W 20.00 feet; thence S08°21'56"E 174.63 feet; thence S48°04'00"W 98.12 feet; thence S87°15'57"W 22.67 feet to the easterly line of Lot 23, said Piney Creek; thence S02°44'03"E 7.00 feet on the easterly line of said Lot 23 to the SE corner thereof; thence S87°15'57"W 125.00 feet on the southerly line of said Lot 23 to the SW corner thereof; thence S02°44'03"E 20.00 feet on the westerly line of said Lot 136 to the point of beginning (Exhibit A) and;

Beginning at the SE corner of Lot 11, said Piney Creek; thence S21°37'55"E (assumed bearing) 20.34 feet on the westerly line of said Lot 136; thence N78°31'16"E 149.50 feet; thence N75°35'06"E 89.40 feet; thence N14°24'54"W 13.14 feet to the easterly line of said Lot 136; thence northwesterly on a nontangent 65.00 foot radius curve to the right, chord bearing N81°30'59"W, chord distance 17.63 feet, an arc distance of 17.68 feet; thence S75°35'06"W 72.65 feet on a nontangent line; thence S78°31'49"W 152.57 feet to the point of beginning (Exhibit B).

2. Part of Lot 135, together with part of Lot 136, all in Piney Creek, a subdivision in Douglas County, Nebraska, all more particularly described as follows:

Beginning at the SE corner of Lot 134, said Piney Creek; thence N29°45'57"E (assumed bearing) 140.00 feet on the southerly lines of said Lots 134 and 135; thence S83°19'37"E 102.00 feet on the southerly line of said Lot 135; thence N87°15'57"E 85.68 feet on the southerly line of said Lot 135; thence N64°43'13"E 19.05 feet; thence N11°04'45"W 287.22 feet; thence N78°55'15"E 20.00 feet; thence S11°04'45"E 287.42 feet; thence N87°15'57"E 89.08 feet on a line 10.00 feet northerly of and parallel with the southerly line of said Lot 135 to the easterly line thereof; thence S35°24'40"E 23.76 feet on the easterly lines of said Lots 135 and 136; thence S87°15'57"W 111.25 feet on a line 10.00 feet southerly of and parallel with the northerly line of said Lot 136; thence S64°43'13"W 47.84 feet; thence N87°28'28"W 160.53 feet to the NW corner of Lot 1, said Piney Creek; thence S29°45'57"W 120.00 feet on the westerly line of

LAUGHLIN, PETERSON & LANG
ATTORNEYS AT LAW
11306 DAVENPORT STREET
OMAHA, NEBRASKA 68154

✓ 19830

said Lot 1 to the SW corner thereof; thence N60°14'03"W 25.00 feet on the westerly line of said Lot 136 to the point of beginning. (Exhibit C)

TO HAVE AND TO HOLD unto said SID, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting and maintaining or operating said sewer at the will of the SID. That Grantor may following construction of said sewer, continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the SID to use the same for the purposes herein expressed.

IT IS FURTHER AGREED as follows:

1. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures shall be placed in, on, over or across said easement strip by GRANTOR, his or their successors and assigns, without express approval of the SID. Improvements which may be approved by SID include landscaping or road, street or parking area surfacing or pavement. These improvements and any trees, grass or shrubbery placed on said easement shall be maintained by GRANTOR, his or their successor or assigns.
2. That SID will replace or rebuild any and all damage to improvements caused by SID exercising its rights of inspecting, maintaining or operating said sewer, except that, damage to or loss of trees and shrubbery will not be compensated for by SID except a tree on the northeast corner of said property.
3. That SID shall cause any trench made on said easement strip to be properly refilled 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 or representative of the SID and any of said construction work.
4. That said GRANTOR for himself or themselves and his or their successors and assigns, do confirm with the said SID and its assigns, that he or they, the GRANTOR is well seized in fee of the above-described property and that he or they 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 successors and assigns, shall warrant and defend this easement to said SID and its assigns against the lawful claims and demands of all persons. This easement runs with the land.
5. That said easement is granted upon the condition that the SID will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines trees within the easement area as necessary for construction.
6. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings between the GRANTOR and the SID or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements or representations of the SID or its agents or employees except as are set forth herein.

IN WITNESS WHEREOF, said GRANTOR has executed this easement this 1st day of November, 2000.

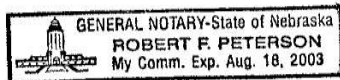
PINEY CREEK, INC., a Nebraska corporation

By: Henry J. Sudbed
Its President

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) SS.

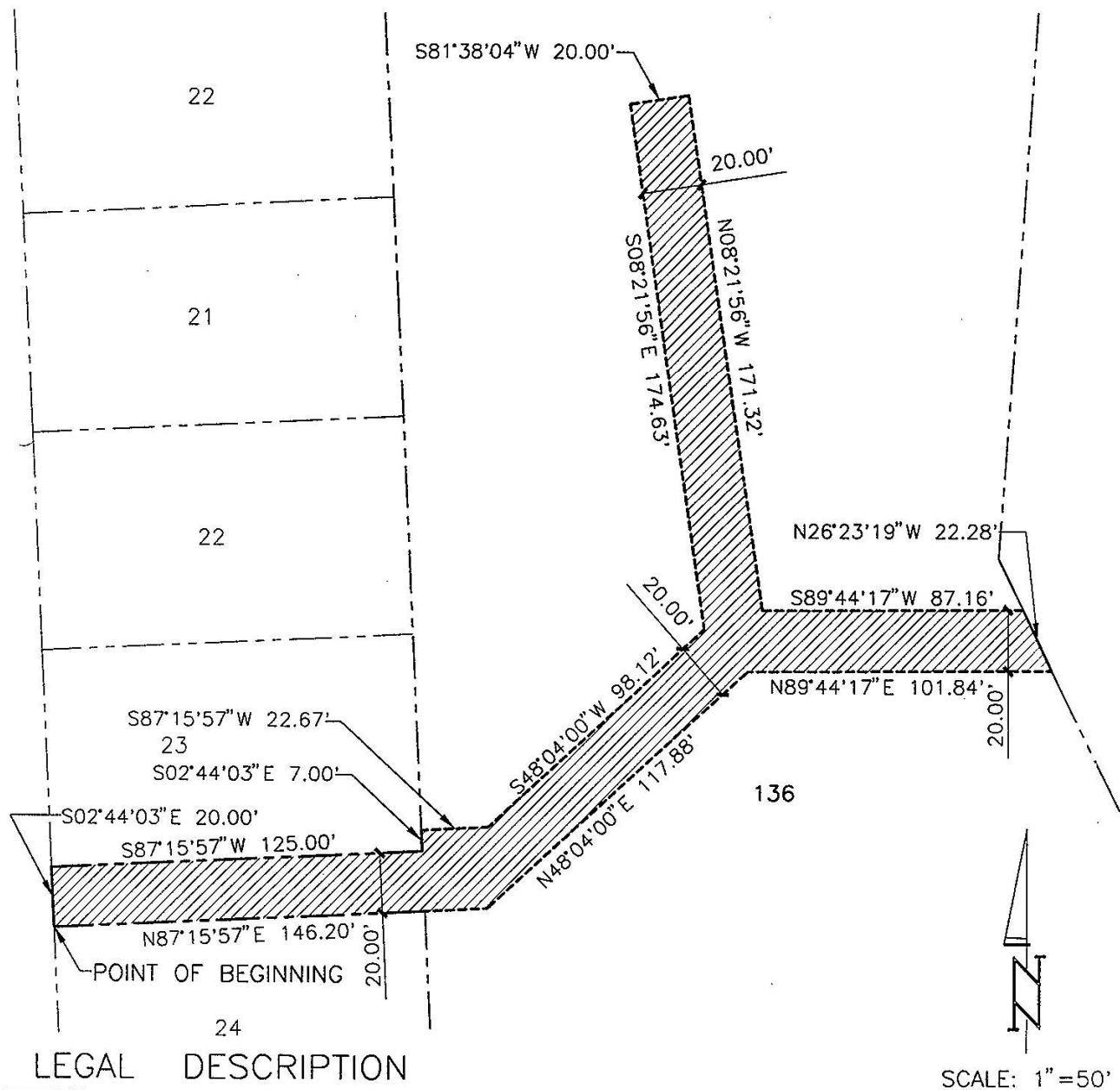
On this 1st day of November, 2000, before me, a Notary Public in and for said County and State, personally appeared Henry J. Suckling, President of Piney Creek, Inc., a Nebraska corporation, who is personally known to me to be the identical person whose name is affixed to the above instrument and acknowledged the instrument to be his/her voluntary act and deed.

WITNESS my hand and Notarial Seal the date aforesaid.



Robert F. Peterson
Notary Public

F:\AGREES\REAL\EASEMT\stormsew.465.wpd



THAT PART OF LOT 136, PINEY CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF LOT 24, SAID PINEY CREEK; THENCE N87°15'57"E (ASSUMED BEARING) 146.20 FEET ON THE NORTHERLY LINE OF SAID LOT 24 AND IT'S EASTERLY EXTENSION; THENCE N48°04'00"E 117.88 FEET; THENCE N89°44'17"E 101.84 FEET TO THE EASTERLY LINE OF SAID LOT 136; THENCE N26°23'19"W 22.28 FEET ON THE EASTERLY LINE OF SAID LOT 136; THENCE S89°44'17"W 87.16 FEET; THENCE N08°21'56"W 171.32 FEET; THENCE S81°38'04"W 20.00 FEET; THENCE S08°21'56"E 174.63 FEET; THENCE S48°04'00"W 98.12 FEET; THENCE S87°15'57"W 22.67 FEET TO THE EASTERLY LINE OF LOT 23, SAID PINEY CREEK; THENCE S02°44'03"E 7.00 FEET ON THE EASTERLY LINE OF SAID LOT 23 TO THE SE CORNER THEREOF; THENCE S87°15'57"W 125.00 FEET ON THE SOUTHERLY LINE OF SAID LOT 23 TO THE SW CORNER THEREOF; THENCE S02°44'03"E 20.00 FEET ON THE WESTERLY LINE OF SAID LOT 136 TO THE POINT OF BEGINNING.

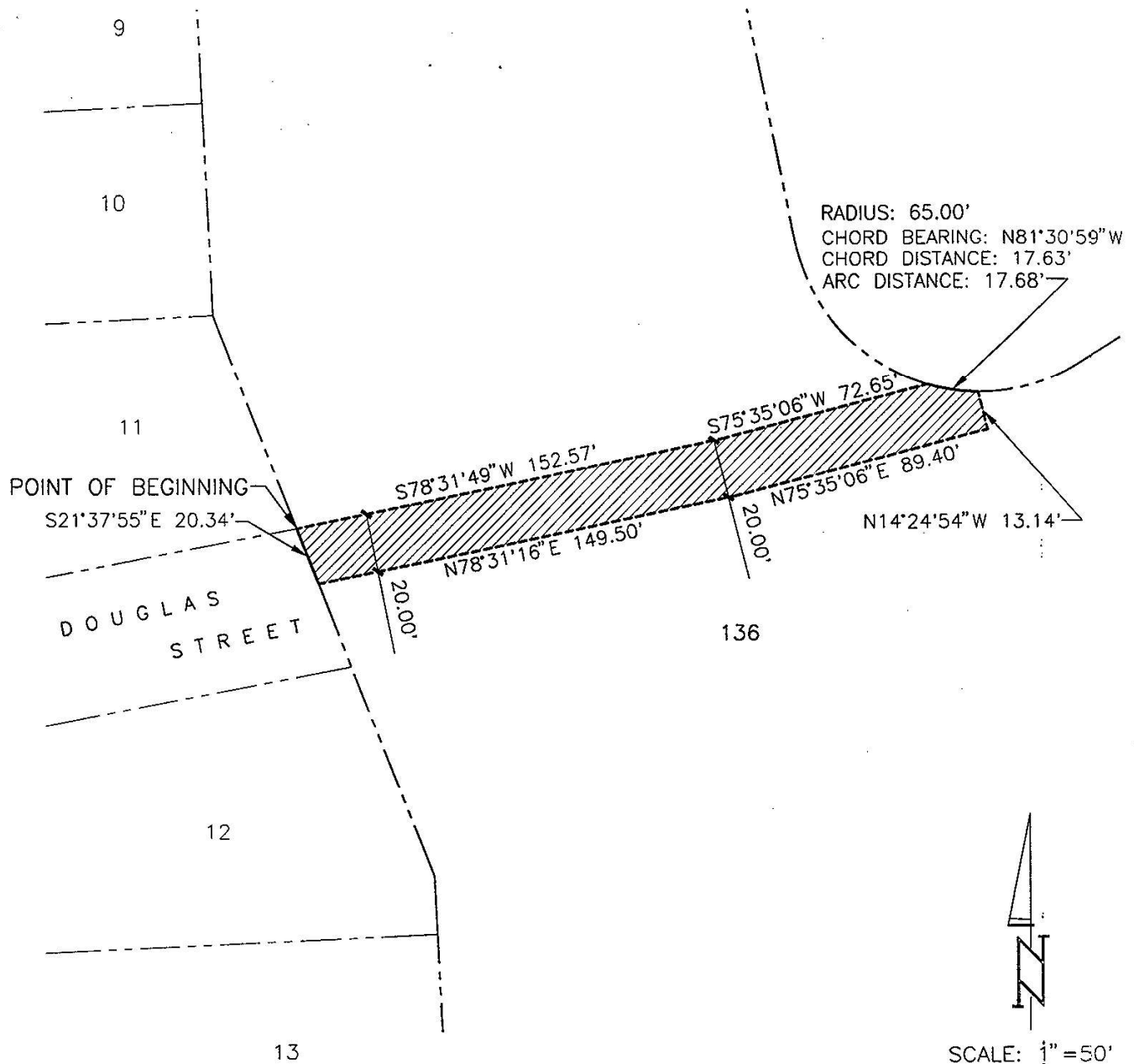
S.I.D. 465

TD2 FILE NO. 1198-102-EASE-B

DATE: OCT. 11, 2000

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

Exhibit A



LEGAL DESCRIPTION

THAT PART OF LOT 136, PINEY CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF LOT 11, SAID PINEY CREEK; THENCE S21°37'55"E (ASSUMED BEARING) 20.34 FEET ON THE WESTERLY LINE OF SAID LOT 136; THENCE N78°31'16"E 149.50 FEET; THENCE N75°35'06"E 89.40 FEET; THENCE N14°24'54"W 13.14 FEET TO THE EASTERLY LINE OF SAID LOT 136; THENCE NORTHWESTERLY ON A NONTANGENT 65.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N81°30'59"W, CHORD DISTANCE 17.63 FEET, AN ARC DISTANCE OF 17.68 FEET; THENCE S75°35'06"W 72.65 FEET ON A NONTANGENT LINE; THENCE S78°31'49"W 152.57 FEET TO THE POINT OF BEGINNING.

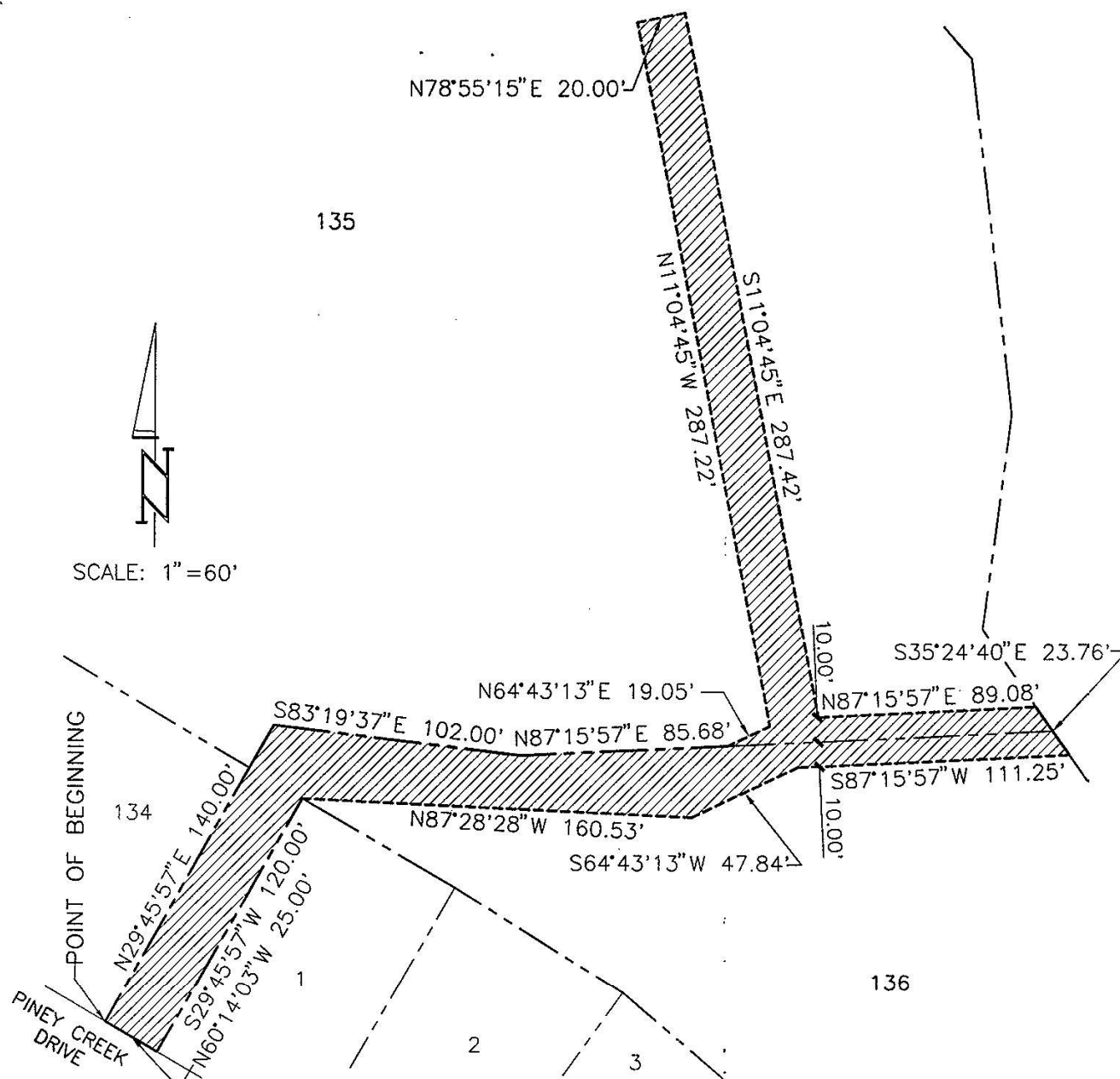
S.I.D. 465

TD2 FILE NO. 1198-102-EASE-C

DATE: OCT. 11, 2000

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

Exhibit B



LEGAL DESCRIPTION

PART OF LOT 135, TOGETHER WITH PART OF LOT 136, ALL IN PINEY CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF LOT 134, SAID PINEY CREEK; THENCE N29°45'57"E (ASSUMED BEARING) 140.00 FEET ON THE SOUTHERLY LINES OF SAID LOTS 134 AND 135; THENCE S83°19'37"E 102.00 FEET ON THE SOUTHERLY LINE OF SAID LOT 135; THENCE N87°15'57"E 85.68 FEET ON THE SOUTHERLY LINE OF SAID LOT 135; THENCE N64°43'13"E 19.05 FEET; THENCE N11°04'45"W 287.22 FEET; THENCE N78°55'15"E 20.00 FEET; THENCE S11°04'45"E 287.42 FEET; THENCE N87°15'57"E 89.08 FEET ON A LINE 10.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 135 TO THE EASTERLY LINE THEREOF; THENCE S35°24'40"E 23.76 FEET ON THE EASTERLY LINES OF SAID LOTS 135 AND 136; THENCE S87°15'57"W 111.25 FEET ON A LINE 10.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 136; THENCE S64°43'13"W 47.84 FEET; THENCE N87°28'28"W 160.53 FEET TO THE NW CORNER OF LOT 1, SAID PINEY CREEK; THENCE S29°45'57"W 120.00 FEET ON THE WESTERLY LINE OF SAID LOT 136 TO THE POINT OF BEGINNING.

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Exhibit C