

FILED SARPY CO. NE.
INSTRUMENT NUMBER
0009-02031

2009 JAN 28 P 2:55 PM

Henry J. Newling
REGISTER OF DEEDS

COUNTER W C.E. an
VERIFY an D.E. M
PROOF _____
FEES \$ 15.50
CHECK # _____
CHG TD CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT MCGREGOR INTERESTS, INC., a Nebraska corporation, (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and no/100ths Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto **SANITARY AND IMPROVEMENT DISTRICT NO. 59 OF SARPY COUNTY, NEBRASKA**, a Municipal corporation, (hereinafter referred to as "Grantee"), its successors and assigns (including the City of La Vista upon its annexation of Grantee), a perpetual easement and connection right over, under, on and across that real estate in Sarpy County, Nebraska, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference.

The scope and purpose of said easement is for the use, construction, repair, maintenance, replacement, and renewal of a sanitary sewer pipe line, including all necessary manholes and other related appurtenances, and the transmission through said sewers of sanitary sewer discharge. The Grantee and its contractor and engineers shall have full right and authority to enter upon said easementway in order to perform any of the acts and functions described within the scope and purposes of such easement.

By accepting and recording this perpetual easement grant, said Grantee, agrees to make good or cause to be made good to the owner or owners of the property in which same are constructed, any and all damage that may be done by reason of construction, alterations, maintenance, inspection, repairs, or reconstruction in the way of damage to trees, grounds, or other improvements thereon, including crops, vines, and gardens. Grantor reserves the right, following construction of said sewer and appurtenances thereto, to continue to use the surface of the easement strip conveyed hereby for other purposes, such as parking lots and driveways, subject to the right of the Grantee to use the same for the purposes herein expressed. Provided, however, that no building or other structure or improvement shall be built within the permanent easement area by Grantor, their successors or assigns, which will in anyway interfere with the scope and purpose of this easement or Grantee's ability to perform its rights granted hereunder. This easement runs with the land.

02031

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Grantor herein, for themselves and their successors and assigns, hereby covenant and agree with the said Grantee and its successors and assigns that at the time of the execution and delivery of these presents, Grantor is lawfully seized of said premises; that Grantor has good right and lawful authority to grant said perpetual sanitary sewer easement; and Grantor further hereby covenants to warrant and defend said easement way against the lawful claims of all persons whomsoever.

This instrument shall be binding on the successors and assigns of the respective parties hereto.

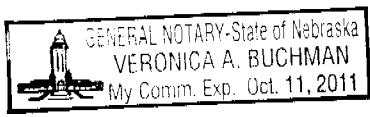
IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the 26 day of January, 2009.

McGREGOR INTERESTS, INC.
A Nebraska Corporation

By: [Signature]
Title: President

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 26th day of January, 2009, by LeGrande N. McGregg, President of McGREGOR INTERESTS, a Nebraska corporation, on behalf of said corporation.



[Signature]
Notary Public

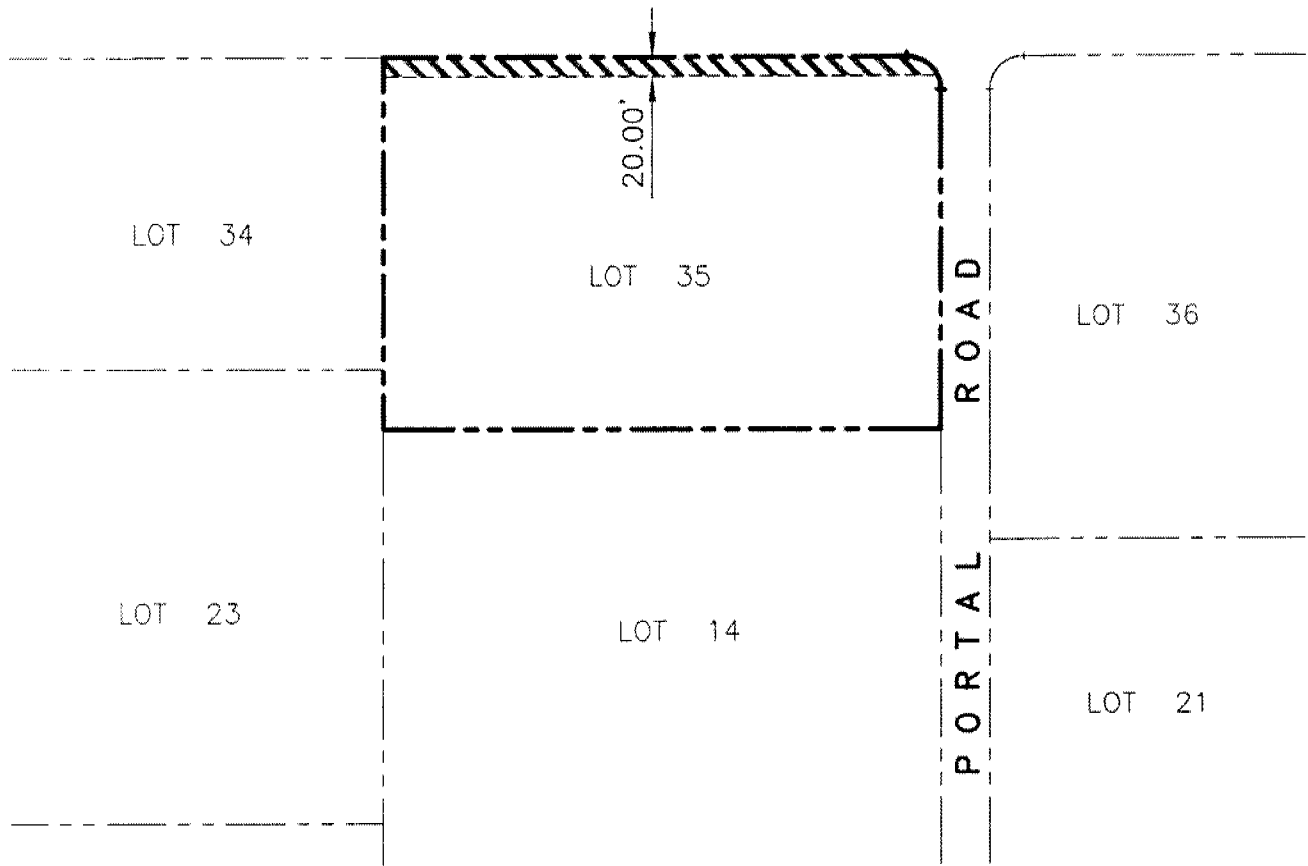
BHR

RETURN TO:
Thompson, Dreesen & Dornier, Inc.
10836 Old Mill Road
Omaha, NE 68154

TD² File No. 872-131-Lot 35

2009-02031 B

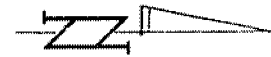
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B R O O K V A L L E Y I I B U S I N E S S P A R K



PROPOSED SANITARY SEWER EASEMENT



SCALE: 1" = 200'

LEGAL DESCRIPTION

THE WEST 20.00 FEET OF LOT 35, BROOK VALLEY II BUSINESS PARK,
A SUBDIVISION IN SARPY COUNTY, NEBRASKA.

EXHIBIT "A"

SID 59, SARPY COUNTY, NEBRASKA

TD2 FILE NO.: 872-131-E3

DATE: FEBRUARY 7, 2008

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