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FEES \$ 34.00
CHG_SFILE
SUBMITTED_TITLECORE NATIONAL, LLC

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
**2017-01111**  
2017 Jan 12 03:50:31 PM  
*Sheryl J. Dowling*  
REGISTER OF DEEDS



**TEMPORARY ACCESS EASEMENT**

THIS TEMPORARY ACCESS EASEMENT MADE AND ENTERED INTO by and between **PINK FAMILY INVESTMENTS, LLC**, a Nebraska limited liability company (hereinafter referred to as "Grantor") and **PINK INDUSTRIAL PARK 2 OWNERS ASSOCIATION**, a Nebraska nonprofit corporation (hereinafter referred to as "Grantee").

WHEREAS, Grantor is the record title holder of the following described real property (hereinafter referred to as Parcel A attached as Exhibit 1):

WHEREAS, Grantee is the property owners association consisting of the record title holder or holders of the following described real property (hereinafter referred to as Parcel B):

Lots 1-8, inclusive, Pink Industrial Park 2, a subdivision in Sarpy County, Nebraska

WHEREAS, Grantee desires a temporary ingress-egress right-of-way over and across a portion of Parcel A in order to provide police, fire and other emergency vehicle access to Pink Industrial Park 2, Phase 1, being Lots 1-8, inclusive, as provided herein, and Grantor has agreed to provide such an easement;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, Grantor does hereby grant and convey to Grantee, its heirs, personal representatives, successors, and assigns, a 12 foot ingress-egress right-of-way for the sole purpose of police, fire, and other emergency vehicle access to Parcel B, said easement to be over and across the following described portion of Parcel A (hereinafter the "Easement Parcel"): See attached Exhibit 2.

This Easement Parcel will be established, at the cost of Grantor, as a 12-foot one way 'country lane' type road which will be graded and then stabilized with crushed rock and seed to reduce erosion, dust, and invitation to use.

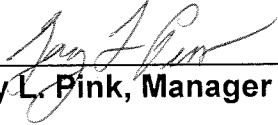
Until the approval of final platting or zoning for Parcel A, the Easement Parcel shall be used for access to Phase 1 of Pink Industrial Park 2 by only police, fire, and other emergency vehicles. During this period, the Easement Parcel shall have the following two locked gates installed to restrict non-emergency vehicle traffic on Easement Parcel: (1) at the east access point to Easement Parcel at 120th Street; and (2) at the west access point to the Easement Parcel from Valley Ridge Drive. The limited maintenance necessary for the Easement Parcel (including, but not limited to, regular mowing and snow removal) shall be provided initially by Grantor, its successors or assigns, or any sanitary and improvement district employed for such purpose until Grantee assumes such responsibilities as provided herein. The gates shall be locked at all times with keys provided to the Papillion Fire Department, the Papillion Police Department, and such other law enforcement and emergency agencies as may be warranted from time to time. One hundred percent (100%) of the improvement and maintenance of the Easement Parcel, including the gates, of the 12-foot wide emergency access easement and road improvements shall be paid by Grantor until a majority of the lots in Pink Industrial Park 2, (Lots 1 – 8) have been sold, at which time the continuing maintenance and repair shall be the responsibility of the Grantee which Grantee hereby agrees to assume.

The easement set forth herein is held by the Grantee, its heirs, personal representatives, successors, and assigns, as appurtenant to the land described herein, and shall be considered and construed as a covenant running with the above-described real estate. Said easement shall inure and extend to the benefit of the successors and assigns of the parties hereto, and shall continue in full force and effect until abrogated or annulled by mutual agreement or until Parcel A shall be finally platted.

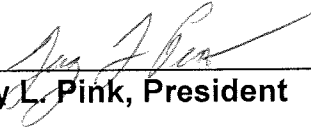
The doctrine of merger is hereby specifically negated and the easements granted herein shall be valid notwithstanding the fact that the benefitted and burdened lots may have common ownership.

IN WITNESS WHEREOF the Grantor has signed this Access Easement on this 11 day of January, 2017.

**GRANTOR  
PINK FAMILY INVESTMENTS, LLC**

By:   
**Gary L. Pink, Manager**

**GRANTEE  
PINK INDUSTRIAL PARK 2 OWNERS ASSOCIATION**

By:   
**Gary L. Pink, President**

STATE OF NEBRASKA    )  
  ) ss:  
COUNTY OF Douglas    )

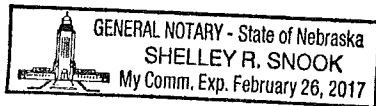
The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 2017, by **Gary L. Pink, Manager of PINK FAMILY INVESTMENTS, LLC**, a Nebraska limited liability company.



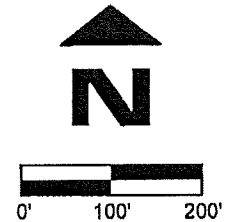
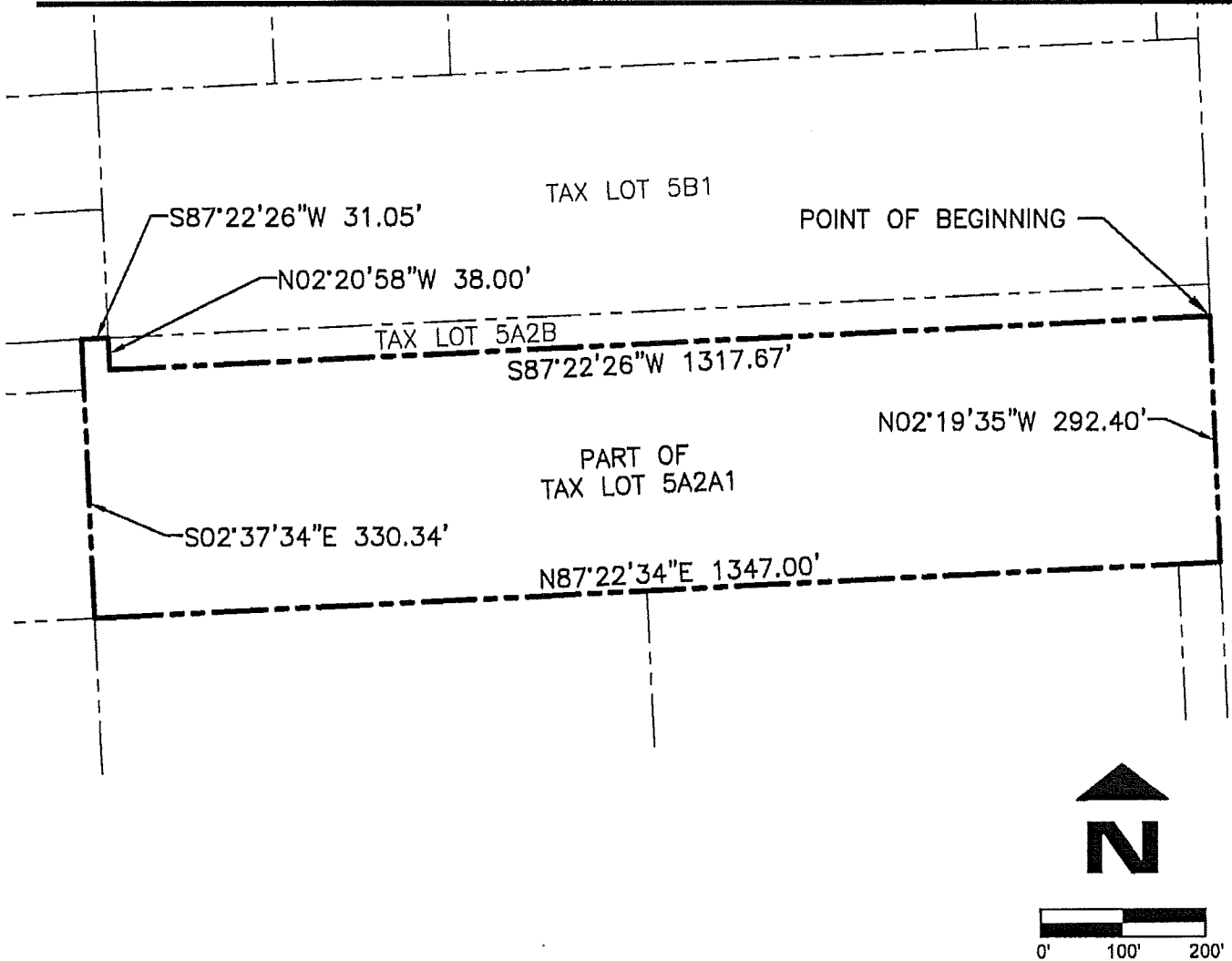
  
Notary Public

STATE OF NEBRASKA    )  
  ) ss:  
COUNTY OF Douglas    )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 2017, by **Gary L. Pink, President of PINK INDUSTRIAL PARK 2 OWNERS ASSOCIATION**, a Nebraska nonprofit corporation.



  
Notary Public



**LEGAL DESCRIPTION**

THAT PART OF TAX LOT 5A2A1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 19, T14N, R12E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHEAST CORNER OF TAX LOT 5A2B IN SAID SE 1/4;  
 THENCE S87°22'26"W (ASSUMED BEARING) 1317.67 FEET ON THE SOUTH LINE OF SAID TAX LOT 5A2B TO THE SOUTHWEST CORNER THEREOF;  
 THENCE N02°20'58"W 38.00 FEET ON THE WEST LINE OF SAID TAX LOT 5A2B;  
 THENCE S87°22'26"W 31.05 FEET;  
 THENCE S02°37'34"E 330.34 FEET TO THE SOUTH LINE OF SAID TAX LOT 5A2A1;  
 THENCE N87°22'34"E 1347.00 FEET ON THE SOUTH LINE OF SAID TAX LOT 5A2A1 TO THE SOUTHEAST CORNER THEREOF;  
 THENCE N02°19'35"W 292.40 FEET ON THE EAST LINE OF SAID TAX LOT 5A2A1 TO THE POINT OF BEGINNING.

CONTAINING 9.07 ACRES MORE OR LESS.



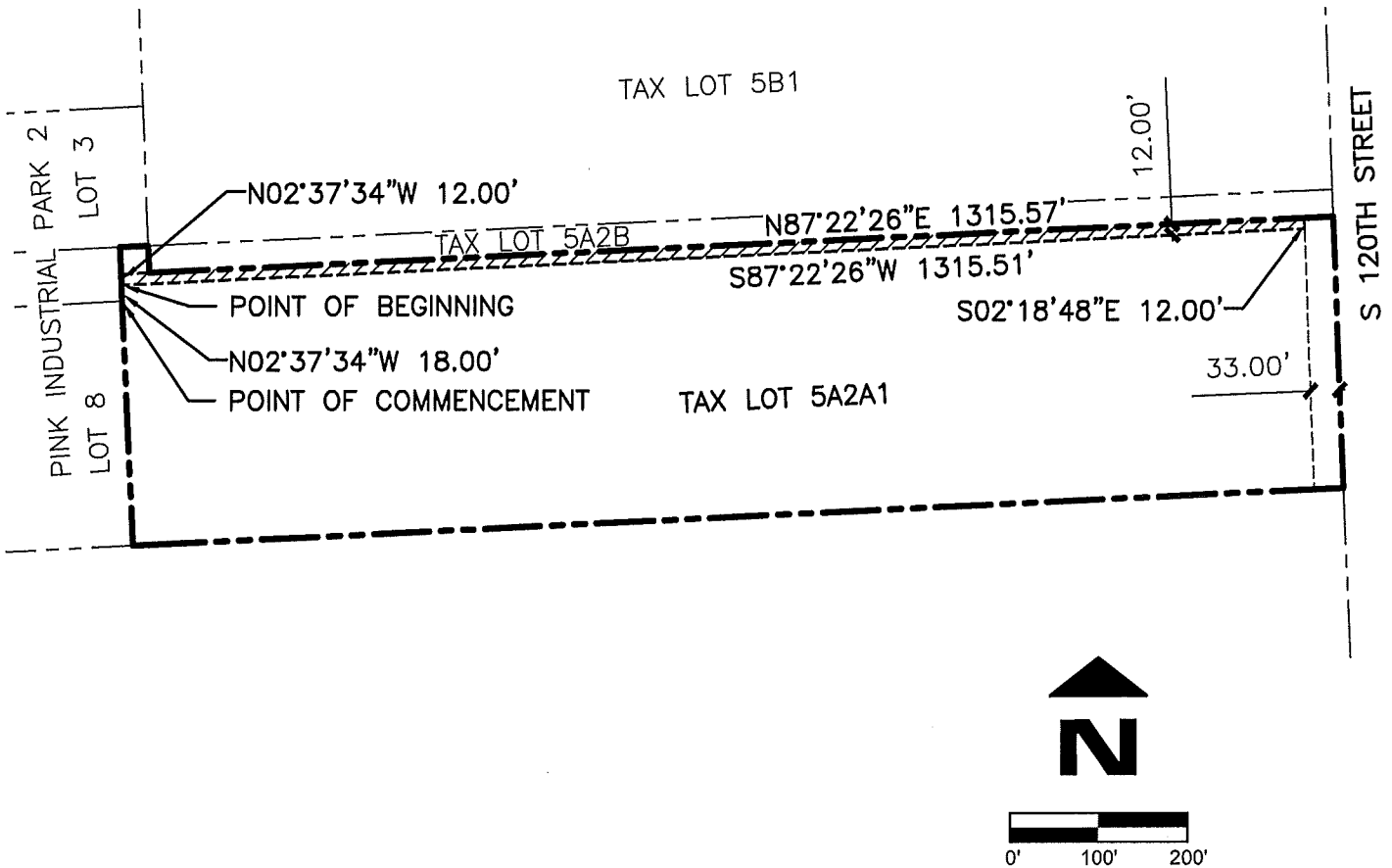
Job Number: 1042-124 EX 1  
 thompson, dressen & dorner, inc.  
 10836 Old Mill Rd  
 Omaha, NE 68154  
 p.402.330.8860 f.402.330.5866  
 td2co.com

Date: 08/30/2016  
 Drawn By: MRS  
 Reviewed By: DHN  
 Revision Date:

**EXHIBIT "1"**

Phase 2 Legal Description

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**LEGAL DESCRIPTION**

THAT PART OF TAX LOT 5A2A1 IN THE NE 1/4 OF THE SE 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHEAST CORNER OF LOT 8, PINK INDUSTRIAL PARK 2, A SUBDIVISION IN SAID SARPY COUNTY;  
 THENCE N02°37'34"W (ASSUMED BEARING) 18.00 FEET ON THE EAST LINE OF SAID PINK INDUSTRIAL PARK 2 TO THE POINT OF BEGINNING;  
 THENCE CONTINUING N02°37'34"W 12.00 FEET ON THE EAST LINE OF SAID PINK INDUSTRIAL PARK 2 TO THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID TAX LOT 5A2A1;  
 THENCE N87°22'26"E 1315.57 FEET ON THE NORTH LINE OF SAID TAX LOT 5A2A1 AND ITS WESTERLY EXTENSION;  
 THENCE S02°18'48"E 12.00 FEET ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NE 1/4;  
 THENCE S87°22'26"W 1315.51 FEET ON A LINE 12.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID TAX LOT 5A2A1 AND ITS WESTERLY EXTENSION TO THE POINT OF BEGINNING.

**TD2**  
 engineering & surveying

Job Number: 1042-121 EX 5  
 thompson, dressen & dorer, inc.  
 10836 Old Mill Rd  
 Omaha, NE 68154  
 p.402.330.8860 f.402.330.5866  
 tdco.com

Date: 01/11/2017  
 Drawn By: MRS  
 Reviewed By: DHN  
 Revision Date:

**EXHIBIT "2"**

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