



MISC 2009024831



MAR 18 2009 15:19 P 4

K 4 misc 50

FEE 20.00 / 01-600000

BK# 12-1410 C/O _____ C/JP _____

DEL _____ SCAN _____ PV _____

AFTER RECORDING RETURN TO:

CROKER, HUCK, KASHER, DeWITT,
 ANDERSON & GONDERINGER, L.L.C. (RJH)
 2120 S 72 ST STE 1200
 OMAHA NE 68124

Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 3/18/2009 15:19:50.77



2009024831

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT **AVG-CFM 204Q, LLC**, a Delaware limited liability company (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. 524 OF DOUGLAS COUNTY, NEBRASKA**, a Municipal corporation, (hereinafter referred to as "Grantee"), its successors and assigns (including the City of Omaha upon its annexation of Grantee), a perpetual easement and connection right over, under, on and across that real estate in Douglas County, Nebraska, more particularly drawn and described on Exhibit "A" and "A-1" attached hereto and incorporated herein by this reference.

The scope and purpose of said easement is as follows: the use, construction, repair, maintenance, replacement and renewal of storm sewer pipeline, including all necessary manholes and other related appurtenances, and the transmission through said sewer of storm water runoff.

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, subject to the right of the Grantee to use the same for the purposes herein expressed. Provided, however, that no building or other structure shall be built within the permanent easement area by Grantor, their successors or assigns, which will in any way interfere with Grantee's ability to perform its rights granted hereunder. This easement runs with the land.

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 storm sewer easement; and Grantor further hereby covenants to warrant and defend said easementway against the lawful claims of all persons whomsoever.

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

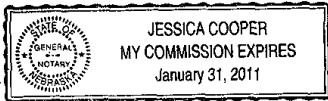
IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the 29 day of January, 2009.

AVG-CFM 204Q, LLC, a Delaware limited liability company

By: J.F. Carter
J.F. Carter, Member Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 29 day of January, 2009, by Joseph F Carter, Manager of AVG-CFM 204Q, LLC, on behalf of the company.



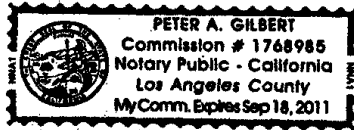
Jessica Cooper
Notary Public

AVG-CFM 204Q, LLC, a Delaware limited liability company

By: Arnold Schlessinger, Member

STATE OF CALIFORNIA)
) ss.
COUNTY OF Los Angeles)

The foregoing instrument was acknowledged before me this 29 day of January, 2009, by Arnold Schlessinger, Member of AVG-CFM 204Q, LLC, on behalf of the company.



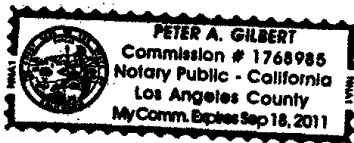
Arnold Schlessinger
Notary Public

AVG-CFM 204Q, LLC, a Delaware limited liability company

By: D. Gregory Scott, Member

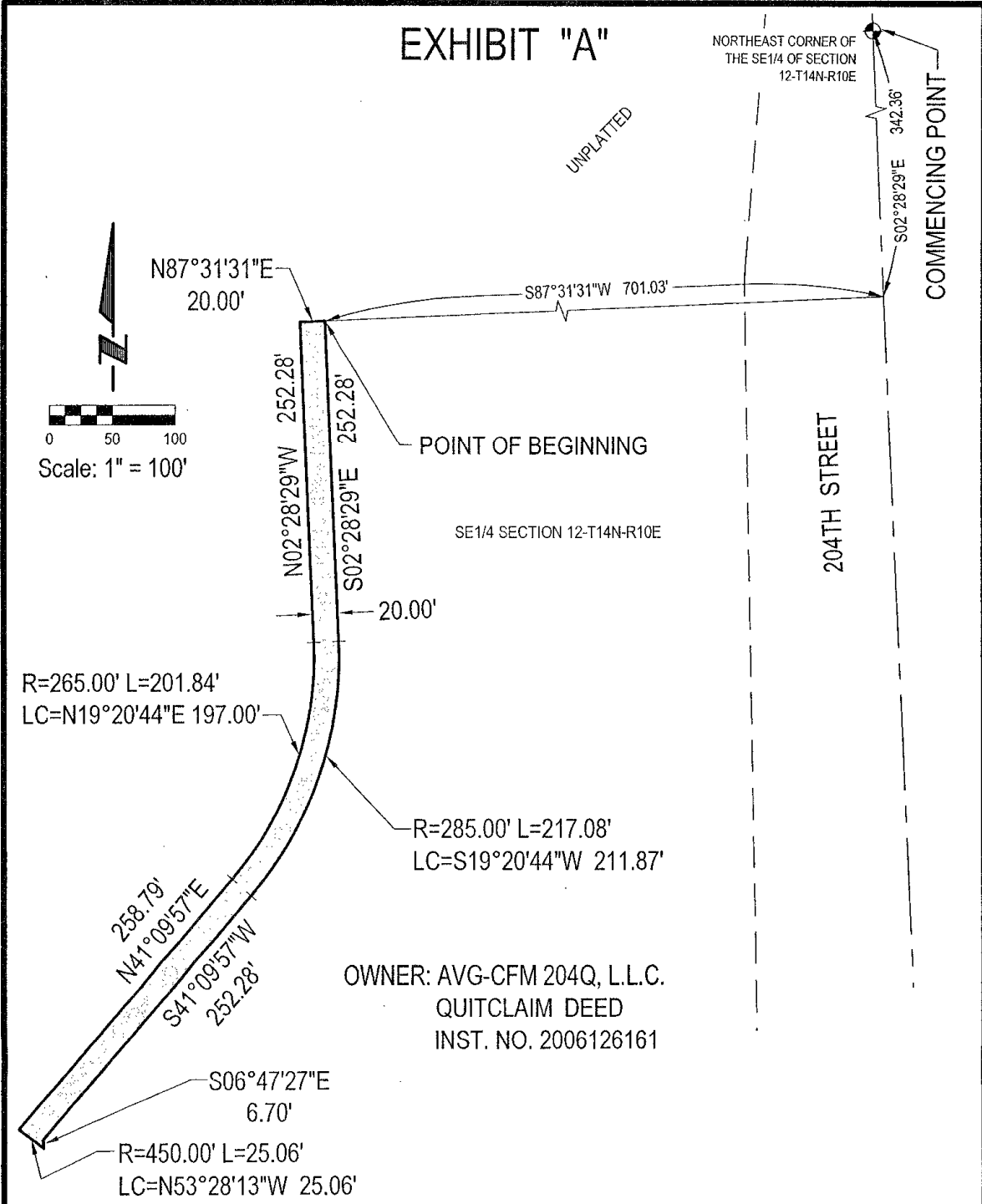
STATE OF CALIFORNIA)
) ss.
COUNTY OF Los Angeles)

The foregoing instrument was acknowledged before me this 29 day of January, 2009, by D. Gregory Scott, Member of AVG-CFM 204Q, LLC, on behalf of the company.



D. Gregory Scott
Notary Public

EXHIBIT "A"



SHEET 1 OF 2 - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 117TH STREET, OMAHA, NE 68154 PHONE (402) 865-4700

PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT

SE 1/4 OF SECTION 12-T14N-R10E
DOUGLAS COUNTY, NEBRASKA

Drawn by: EDF Chkd by: wac 5-19-08 Chkd by:

Job No.: P2004.277.001 Date: 3/21/2008 Book No: -----

EXHIBIT "A" -1

LEGAL DESCRIPTION

OWNER: AVG-CFM 204Q, L.L.C.
QUITCLAIM DEED
INST. NO. 2006126161

A PERMANENT STORM SEWER EASEMENT LOCATED IN THE SE1/4 OF SECTION 12, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE1/4 OF SECTION 12; THENCE S02°28'29"E (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SE1/4 OF SECTION 12, A DISTANCE OF 342.36 FEET; THENCE S87°31'31"W, A DISTANCE OF 701.03 FEET TO THE POINT OF BEGINNING; THENCE S02°28'29"E, A DISTANCE OF 252.28 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 285.00 FEET, A DISTANCE OF 217.08 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S19°20'44"W, A DISTANCE OF 211.87 FEET; THENCE S41°09'57"W, A DISTANCE OF 252.28 FEET; THENCE S06°47'27"E, A DISTANCE OF 6.70 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 450.00 FEET, A DISTANCE OF 25.06 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N53°28'13"W, A DISTANCE OF 25.06 FEET; THENCE N41°09'57"E, A DISTANCE OF 258.79 FEET; THENCE NORTHERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 265.00 FEET, A DISTANCE OF 201.84 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N19°20'44"E, A DISTANCE OF 197.00 FEET; THENCE N02°28'29"W, A DISTANCE OF 252.28 FEET; THENCE N87°31'31"E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT STORM SEWER EASEMENT CONTAINS AN AREA OF 14,409 SQUARE FEET OR 0.331 ACRES, MORE OR LESS.

SHEET 2 OF 2 - SEE SHEET 1 OF 2 FOR DRAWING



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700

PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT

SE1/4 OF SECTION 12-T14N-R10E
DOUGLAS COUNTY, NEBRASKA

Drawn by: EDF Chkd by: *WBC 5-19-08* Chkd by: _____

Job No.: P2004.277.001 Date: 3/21/2008 Book No.: -----