

FILED SARPY CO. NE  
INSTRUMENT NUMBER  
2005-36779

2005 OC -5 PM 2: 53

*Glenn J. Dowling*  
REGISTER OF DEEDS

COUNTER ah C.E. sm  
VERIFY a D.E. S  
PROOF 1  
FEES \$ 30.50  
CHECK# \_\_\_\_\_  
CHG SEC CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

*Stamped copy*

**PERMANENT AND TEMPORARY SANITARY SEWER EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT SEC ACCOMMODATOR XXXVI, LLC, a Nebraska limited liability company, hereinafter referred to as GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant and convey unto SANITARY AND IMPROVEMENT DISTRICT NO. 253 OF SARPY COUNTY, Nebraska, and the CITY OF LA VISTA, Nebraska, hereinafter referred to as GRANTEE, and to its successors and assigns, an easement for the right to construct, maintain and operate a sanitary sewer for the transmission of sanitary sewage under and through that certain real property as set forth on, and as more specifically shown in Exhibit "A", attached hereto and by this reference incorporated herein. The temporary easement as set forth on, and as more specifically shown in Exhibit "B", attached hereto and by this reference incorporated herein, shall expire thirty days following certification of completion by the engineer for Sanitary and Improvement District No. 253.

TO HAVE AND TO HOLD unto said GRANTEE, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining or operating said sanitary sewers at the will of the GRANTEE. It is further agreed as follows:

1. This easement runs with the land. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures other than the existing driveway located within the easement areas, shall be placed in, on, over, or across said easement strip by GRANTOR, its successors and assigns without express approval of the GRANTEE. Any vegetation upon the premises, including but not limited to trees, grass, shrubbery or crops and all surface structures upon the premises, including but not limited to, walls, fences, drives and walks as may be damaged or removed as necessary in the exercise of the rights herein reserved but shall be restored after the exercise of such reserved rights; provided, further, that GRANTEE shall use reasonable efforts to ensure that GRANTOR will have free and uninterrupted flow of pedestrian or vehicular through the private driveway located within the easement area. All vegetation and improvements existing or placed within the easement area shall be maintained by GRANTOR, its successors or assigns.

2. That GRANTEE will replace or rebuild any and all damage to improvements caused by GRANTEE exercising its rights of constructing, inspecting, maintaining or operating said sanitary sewer, except that, damage to, or loss of, trees and shrubbery will not be compensated for by GRANTEE. . .

3. This easement is also for the benefit of any contractor, agent, employee, or representative of the GRANTEE and any of said construction and work.

*SEC  
W/MCA*



B

EXHIBIT "A"

LEGAL DESCRIPTION

OWNER  
PAPIO VALLEY, LLC  
WARRANTY DEED  
INST. NO. 99-032854

A 20.00 foot wide Permanent Sanitary Sewer Easement located in Lot 5, Papio Valley 1 Business Park, a subdivision located in the North 1/2 of the NE1/4 of Section 19, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of said Lot 5, Papio Valley 1 Business Park; thence N75°14'30"E (assumed bearing) along the Northerly line of said Lot 5, Papio Valley 1 Business Park, a distance of 20.46 feet; thence S02°34'30"E, a distance of 394.83 feet; thence S87°25'30"W, a distance of 20.00 feet to a point on the West line of said Lot 5, Papio Valley 1 Business Park; thence N02°34'30"W along said West line of Lot 5, Papio Valley 1 Business Park, a distance of 390.51 feet to the Point of Beginning.

Said 20.00 foot wide Permanent Sanitary Sewer Easement contains an area of 7,853 square feet or 0.180 acres, more or less.

See Sheet 1 of 2 for Drawing

Sheet 2 of 2



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET, OMAHA, NE 68137 PHONE: (402) 895-0700

**20.00 FOOT WIDE PERMANENT  
SANITARY SEWER EASEMENT**

Drawn by: KC    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_

Job No.: 2000030.11    Date: 10/29/04

SARPY COUNTY, NEBRASKA

C

# EXHIBIT "A"

TAX LOT 6B

CHICAGO BURLINGTON AND  
QUINCY RAILROAD R.O.W.

N75°14'30"E, 20.46'

TAX LOT 6C1

POINT OF BEGINNING

OWNER  
PAPIO VALLEY, LLC  
WARRANTY DEED  
INST. NO. 99-032854

TAX LOT 6C1

N02°34'30"W, 390.51'

S02°34'30"E, 394.83'

LOT 5

PAPIO VALLEY 1 BUSINESS PARK

S87°25'30"W, 20.00'



Scale: 1" = 100'

Sheet 1 of 2

See Sheet 2 of 2 for Legal Description



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET, OMAHA, NE 68137 PHONE: (402) 866-4700

## 20.00 FOOT WIDE PERMANENT SANITARY SEWER EASEMENT

Drawn by: KC    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_

Job No.: 2000030.11    Date: 10/29/04

SARPY COUNTY, NEBRASKA

D

EXHIBIT "B"

LEGAL DESCRIPTION

OWNER  
PAPIO VALLEY, LLC  
WARRANTY DEED  
INST. NO. 99-032854

A 60.00 foot wide Temporary Construction Easement located in Lot 5, Papio Valley 1 Business Park, a subdivision located in the North 1/2 of the NE1/4 of Section 19, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of said Lot 5, Papio Valley 1 Business Park; thence N75°14'30"E (assumed bearing) along the Northerly line of said Lot 5, Papio Valley 1 Business Park, a distance of 61.38 feet; thence S02°34'30"E, a distance of 443.47 feet; thence S87°25'30"W, a distance of 60.00 feet to a point on the West line of said Lot 5, Papio Valley 1 Business Park; thence N02°34'30"W along said West line of Lot 5, Papio Valley 1 Business Park, a distance of 430.51 feet to the Point of Beginning.

Said 60.00 foot wide Temporary Construction Easement contains an area of 26,219 square feet or 0.602 acres, more or less.

See Sheet 1 of 2 for Drawing

Sheet 2 of 2



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET, OMAHA, NE 68137 PHONE (402) 895-4700

**60.00 FOOT WIDE TEMPORARY  
CONSTRUCTION EASEMENT**

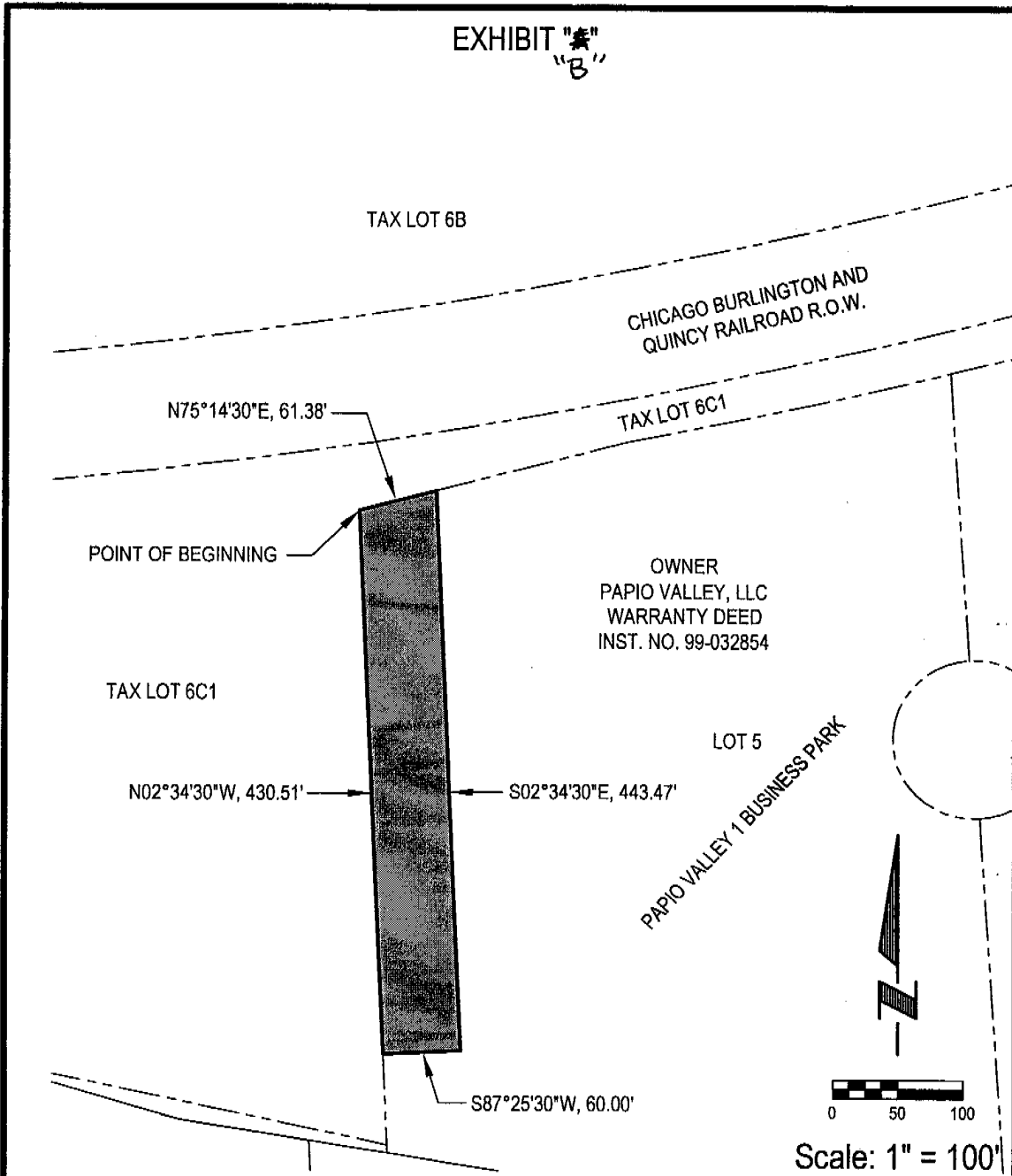
SARPY COUNTY, NEBRASKA

Drawn by: KC    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_

Job No.: 2000030.11    Date: 10/29/04

2005-36779E

EXHIBIT "A"  
"B"



See Sheet 2 of 2 for Legal Description

Sheet 1 of 2



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 G STREET, OMAHA, NE 68137 PHONE: (402) 895-4700

**60.00 FOOT WIDE TEMPORARY  
CONSTRUCTION EASEMENT**

SARPY COUNTY, NEBRASKA

Drawn by: KC    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_    Chkd by: \_\_\_\_\_    Date: \_\_\_\_\_

Job No.: 2000030.11    Date: 10/29/04