


COUNTER <u>P</u>	C.E. <u>ah</u>	REGISTER	FILED SARP COUNTY NEBRASKA INSTRUMENT NUMBER	NEBRASKA DOCUMENTARY STAMP TAX
VERIFY <u>P</u>	D.E. <u>ah</u>		2016-06918	
PROOF _____			04/01/2016 2:48:31 PM	\$ <u>Ex 23</u>
FEES \$ <u>28.00</u>			<u>Wayne J. Dowling</u>	By: counter1
CHECK # <u>1016223</u>			REGISTER OF DEEDS	
CHG _____ CASH _____				EASE
REFUND _____ CREDIT _____				
SHORT _____ NCR _____				

**PERMANENT UTILITY AND
ACCESS EASEMENT**

This Agreement is made this 24th day of march, 2016, between GDI, LLC, a Nebraska limited liability company (hereinafter referred to as "OWNER"), and the CITY OF GRETNA, NEBRASKA (hereinafter referred to as "CITY").

WHEREAS,

The CITY is desirous of improving its utility easement area across the property owned by OWNER, and

OWNER is agreeable to the grant of the easement for the herein described utility easement area improvements. It is, therefore,

AGREED:

1. In consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the undersigned OWNER of the real estate hereinafter described, its heirs, executors, administrators, successors and assigns, hereinafter called "Grantors", hereby grant and convey to the CITY as Grantee, their successors and assigns forever, hereinafter called the "CITY," a permanent utility easement over, across and through the said property to survey, construct, grade, shape, maintain, add to, the utility easement area and any and all appurtenances over, upon, above, along, under, in/across said property. The property described on Exhibit "A" attached hereto and made a part hereof by this reference.

2. The CITY shall have the right of ingress and egress across the Grantors' property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.

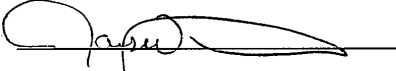
3. This easement shall include the perpetual right of access to, and the entering upon, said real estate, at any time that the CITY may see fit, and to construct, inspect, maintain, repair, patrol and regulate for the purposes of the utility easement (the "Improvements"), together with the right to excavate and refill ditches and/or trenches for the location of said improvements and exclusive right to remove trees, bushes, undergrowth and other obstructions and control vegetation interfering with the location, construction and maintenance of said improvements and appurtenances.

4. The CITY shall properly and promptly refill any excavations made on said premises after the purpose of said improvements has been fulfilled and shall leave the premises in the same general condition as it was in before said CITY entered upon the premises. If any fences or existing structures are moved for the purpose of excavating and maintaining, said improvements, said items shall be promptly replaced by the CITY upon completion of the work requiring such removal. The CITY shall reimburse OWNER for any damages to OWNER'S crops caused by entering the premises or caused by excavating and repairing the improvements.

PRE

GRANTEE

CITY OF GRETNA, NEBRASKA

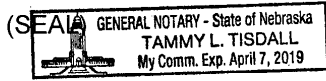


James W. Timmerman, Mayor

STATE OF Nebraska §
§ ss.
COUNTY OF Sarpy §

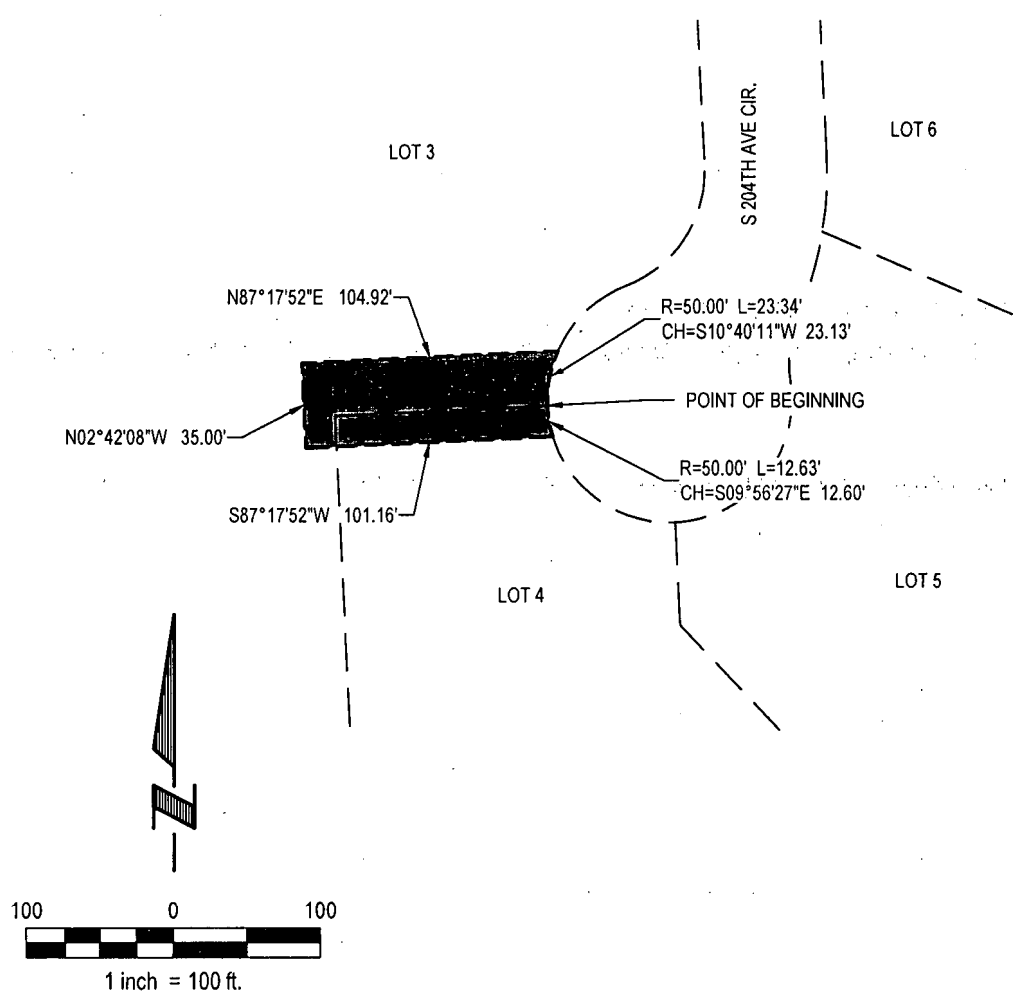
On this 24 day of March, 2016, before me personally appeared , James W. Timmerman, Mayor of and for the City of Gretna, Nebraska, known to me, or satisfactorily proved to be, the person whose name is subscribed to the above-written instrument and who acknowledged such execution to be for the purposes therein contained.

IN WITNESS WHEREOF, I set my hand and official seal.



Tammy L. Tisdall
Notary Public

EXHIBIT "A"



LEGAL DESCRIPTION:

AN ACCESS AND UTILITY EASEMENT LOCATED IN LOTS 3 AND 4, ROYAL VIEW APARTMENT COMMUNITY, A SUBDIVISION LOCATED IN THE NE 1/4 OF THE SE 1/4, SECTION 25, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4, ROYAL VIEW APARTMENT COMMUNITY, SAID POINT ALSO BEING ON THE EASTERLY LINE OF SAID LOT 3, ROYAL VIEW APARTMENT COMMUNITY, AND ALSO ON THE WESTERLY RIGHT-OF-WAY LINE OF S 204TH AVENUE CIRCLE; THENCE SOUTHEASTERLY ON THE EASTERLY LINE OF SAID LOT 4, ROYAL VIEW APARTMENT COMMUNITY, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF S 204TH AVENUE CIRCLE, ON A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, A DISTANCE OF 12.63 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S09°56'27"E (ASSUMED BEARING) A DISTANCE OF 12.60 FEET; THENCE S87°17'52"W, A DISTANCE OF 101.16 FEET; THENCE N02°42'08"W, A DISTANCE OF 35.00 FEET; THENCE N87°17'52"E, A DISTANCE OF 104.92 FEET TO A POINT ON SAID EASTERLY LINE OF SAID LOT 3, ROYAL VIEW APARTMENT COMMUNITY, SAID POINT ALSO BEING ON SAID WESTERLY RIGHT-OF-WAY LINE OF S 204TH AVENUE CIRCLE; THENCE SOUTHWESTERLY ON SAID EASTERLY LINE OF LOT 3, ROYAL VIEW APARTMENT COMMUNITY, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF S 204TH AVENUE CIRCLE, ON A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, A DISTANCE OF 23.34 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S10°40'11"W, A DISTANCE OF 23.13 FEET TO THE POINT OF BEGINNING.

SAID ACCESS AND UTILITY EASEMENT CONTAINS AN AREA OF 3,531 SQUARE FEET OF 0.811 ACRES, MORE OR LESS.

 E & A CONSULTING GROUP, INC. <small>Engineering • Planning • Environmental & Field Services</small> <small>10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599</small>	E & A CONSULTING GROUP, INC. <small>Engineering • Planning • Environmental & Field Services</small> <small>10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599</small>		ACCESS AND UTILITY EASEMENT <small>SARPY COUNTY, NEBRASKA</small>
	Drawn by: CJV Chkd by:	Date: 09-24-2015	
Job No.: P2014.104.001			