



MISC 2003173114

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE



SEP 11 2003 13:43 P 3

RECEIVED

**PERMANENT SANITARY SEWER AND WATER MAIN EASEMENT**

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, Century Development Company, L.L.C., a Nebraska limited liability company (the "Grantor"), hereby grants, transfers and conveys to Sanitary and Improvement District No. 453 of Douglas County, Nebraska, and its successors and assigns, (the "Grantee"), a permanent sanitary sewer and water main easement in, through, over and under the parcel of real property described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof for the legal description of the easement area, hereinafter referred to as the "Easement Area",

on which the Grantee may construct, reconstruct, maintain and repair a sanitary sewer line, force main, manholes for the sanitary sewer line and force main and related improvements (the "Sanitary Sewer Line") and on which the Grantee may construct, reconstruct, maintain and repair a water main and water line for the transportation of water and related improvements (the "Water Main"). The Sanitary Sewer Line and Water Main are hereinafter together referred to as the Sanitary Sewer and Water Line. Grantee shall have the right to enter upon the Easement Area at any time to inspect, construct, reconstruct, maintain and repair said Sanitary Sewer Line and Water Main.

After completion of the initial installation of the Sanitary Sewer Line and Water Main, Grantee shall restore the surface of the Easement Area as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the Easement Area.

Grantee is solely responsible for constructing, operating and maintaining the above-described improvements and Grantee shall indemnify and hold harmless the Grantor, and its successors and assigns, from any and all claims for personal injury or damage to property arising out of or in connection with construction, operation and maintenance of the above described improvements.

No building, improvement or other structure shall be placed over said Easement Area by the Grantor, or its successors or assigns, without the express written approval of the Grantee, provided, crops, grass, shrubbery, and paving or other hard surfaces, that does not interfere with or in any way obstruct the construction, reconstruct, maintenance, operation and repair of said Sanitary Sewer Line or Water Main, may be installed within the Easement Area by the Grantor, and its successors and assigns, and that in the event it becomes necessary to repair, remove or replace said Sanitary Sewer Line or Water Main, the Grantee shall have the right to remove such improvements, and said premises shall thereafter be restored by the Grantee, its successors and assigns, to the condition thereof existing before said removal.

The Grantor hereby warrants and confirms to the Grantee that it is the owner of the Easement Area, and that it has the right to grant and convey this easement in the manner set forth herein. This easement runs with the land and shall run in favor of and be binding upon the parties hereto and to their respective grantees, assigns, successors and agents.

Dated this 29 day of July, 2003.

Upon Recording Return to: James E. Lang, 11306 Davenport St., Omaha, NE 68154

*misc*  
3  
1  
FEE 15.50 FB OW-43061  
BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP 2  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

GRANTOR:

Century Development Company, L.L.C., a  
Nebraska limited liability company

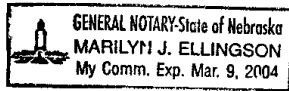
By F & J Enterprises, Inc., a Nebraska  
corporation, its sole member

By: Frank R. Krejci  
Frank R. Krejci, President

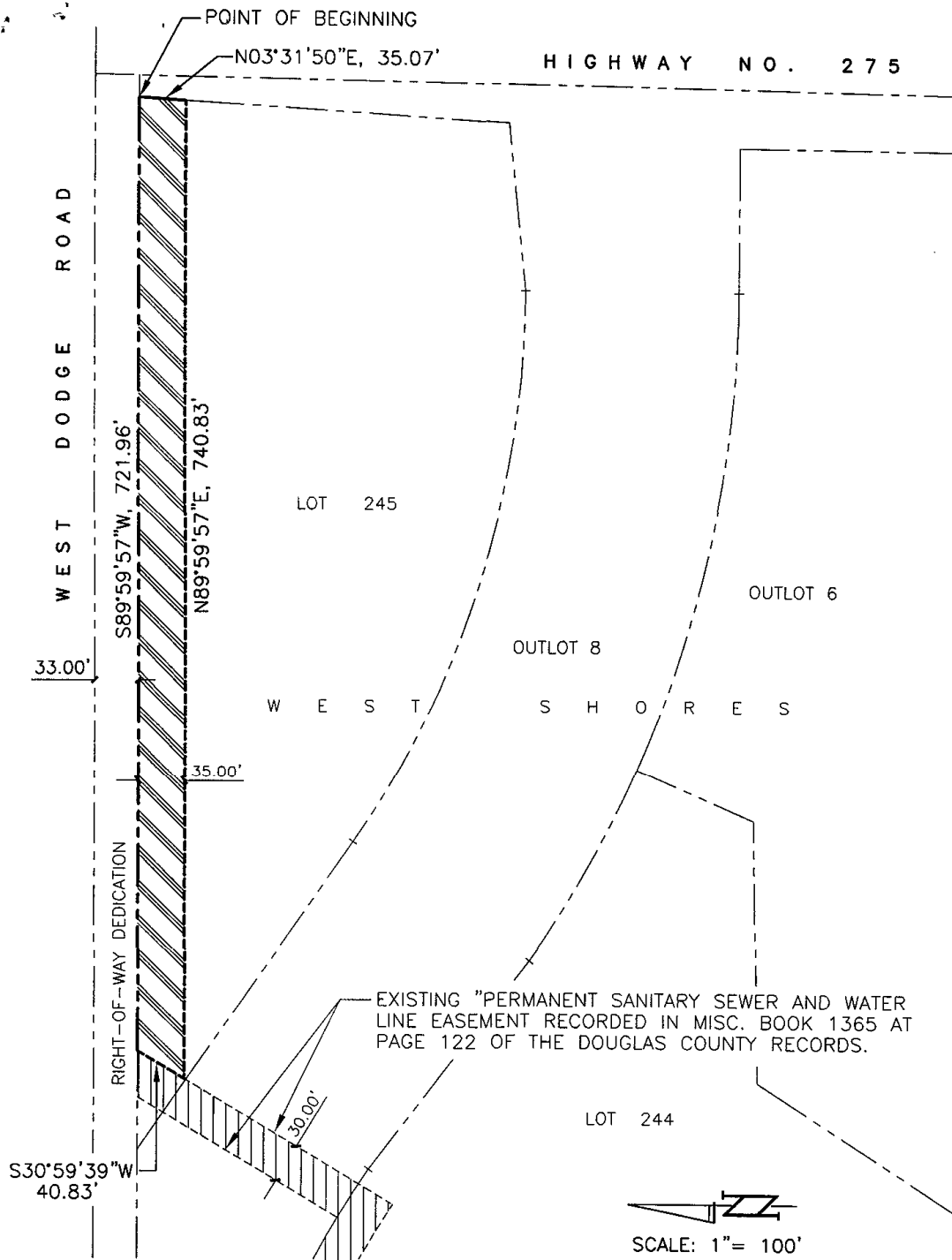
STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

On this 29 day of July, 2003, before me, a Notary Public duly  
commissioned and qualified in and for said County and State, personally came Frank R. Krejci,  
the president of F & J Enterprises, Inc., a Nebraska corporation, the sole member of Century  
Development Company, L.L.C., a Nebraska limited liability company, known to me to be the  
identical person who signed the foregoing instrument and acknowledged the execution thereof to  
be his voluntary act and deed and the voluntary act and deed of the corporation.

WITNESS my hand and notarial seal the day and year last above written.



Marilyn J. Ellingson  
Notary Public



## LEGAL DESCRIPTION

THAT PART OF LOT 245, WEST SHORES, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 245; THENCE S89°59'57"W (ASSUMED BEARING) 721.96 FEET ON THE NORTH LINE OF SAID LOT 245 TO THE EAST LINE OF AN EXISTING "PERMANENT SANITARY SEWER AND WATER LINE EASEMENT" RECORDED IN MISC. BOOK 1365 AT PAGE 122 OF THE DOUGLAS COUNTY RECORDS; THENCE S30°59'39"W 40.83 FEET ON THE EAST LINE OF SAID "PERMANENT SANITARY SEWER AND WATER LINE EASEMENT"; THENCE N89°59'57"E 740.83 FEET ON A LINE 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 245 TO THE EAST LINE THEREOF; THENCE N03°31'50"E 35.07 FEET ON THE EAST LINE OF SAID LOT 245 TO THE POINT OF BEGINNING.

## EXHIBIT "A"

CENTURY DEVELOPMENT, INC.

TD2 FILE NO.: 169-133-EW

DATE: JULY 21, 2003

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