

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2006 - 32381

2006 SEP 19 A 11:59

Sharon J. Dowling
REGISTER OF DEEDS

COUNTER *a* *CF*
VERIFY *DN* *DE*
PROOF *20.50*
FEES \$ *20.50*
CHECK # *200*
CHG. *CASH* CASH
REFUND CREDIT
SHORT NON

PERMANENT EASEMENT

The Venteicher, LLC Company, A limited liability company, hereinafter called the "Grantor" in consideration of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants and conveys to the City of Papillion, a municipal corporation, located in Sarpy County, Nebraska, hereinafter called "City", its successors and assigns, a permanent easement to construct and install a water line main along the southerly side of Cornhusker Road, for the purpose of conveying water over, across, through and under the land hereinafter described, together with the right to excavate and refill ditches or trenches for the location of said water line, and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location.

Said easement will be over and under the following described area:

PART OF THE NW 1/4, TOGETHER WITH PART OF THE SW 1/4 OF THE NE 1/4, ALL IN SECTION 21, T14N, R12E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 21;
THENCE N87°25'21"E (ASSUMED BEARING) 545.67 FEET ON THE SOUTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING;
THENCE N56°44'36"W 2281.88 FEET ON A LINE 20.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY AND NORTHWESTERLY EXTENSIONS;
THENCE N64°51'35"W 542.32 FEET ON A LINE 20.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY EXTENSION; THENCE N25°08'25"E 20.00 FEET TO THE SOUTHWEST LINE OF CORNHUSKER ROAD; THENCE S64°51'35"E 448.57 FEET ON THE SOUTHWEST LINE OF CORNHUSKER ROAD; THENCE SOUTHEASTERLY ON THE SOUTHWEST LINE OF CORNHUSKER ROAD ON A 1341.46 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S60°48'06"E, CHORD DISTANCE 189.87 FEET, AN ARC DISTANCE OF 190.03 FEET; THENCE S56°44'36"E 2215.82 FEET ON THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY EXTENSION TO THE SOUTH LINE OF SAID NE 1/4; THENCE S87°25'21"W 34.16 FEET ON THE SOUTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING.

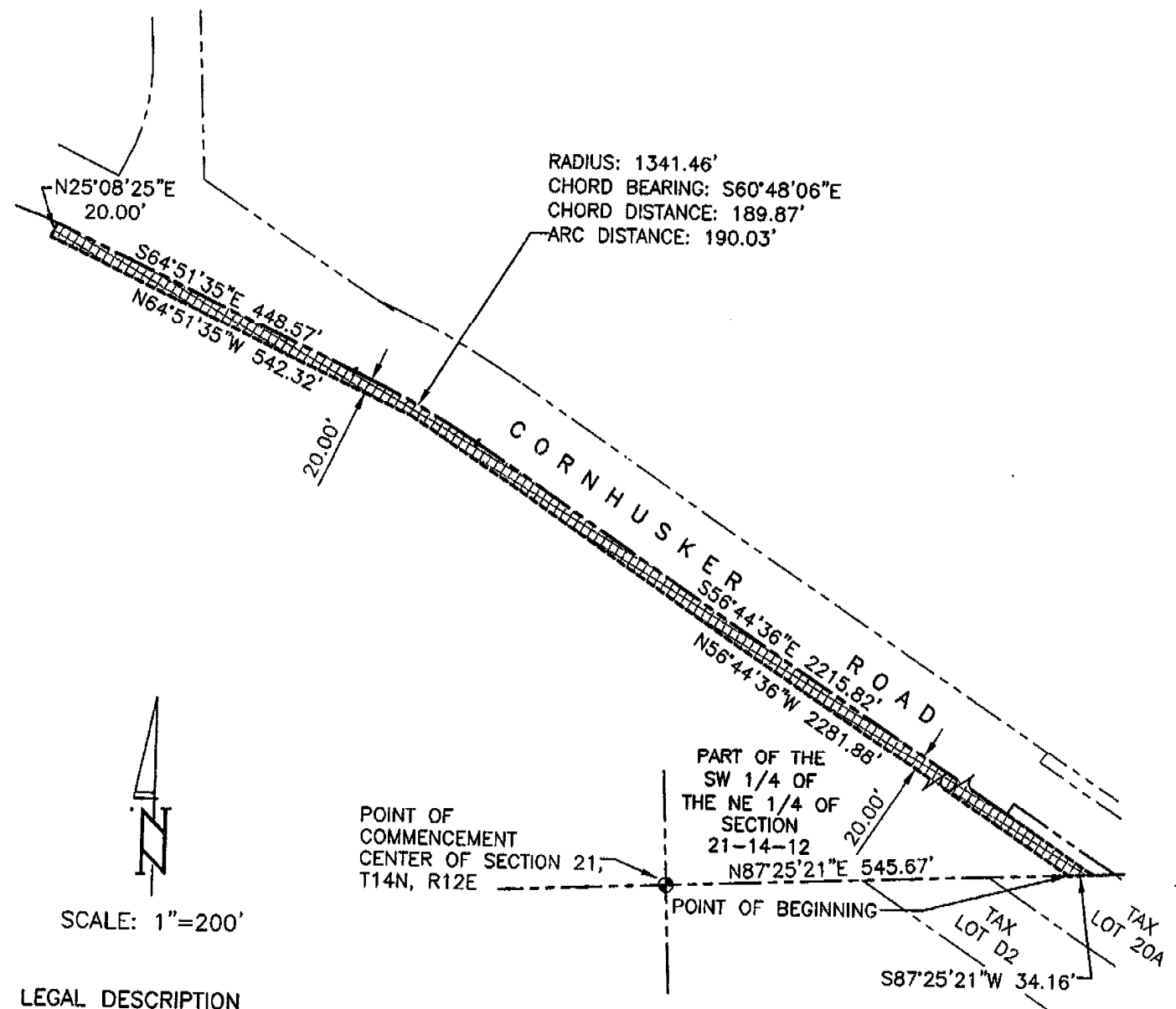
CONTAINING 1.30 ACRES MORE OR LESS

32381

REC
City of Papillion
1230 E 3rd St
Papillion, Nebraska

1. The points described above are subject to adjustment by subsequent agreement between the City of Papillion and The Venteicher, LLC Company.
2. That attached hereto as attachment "A" and incorporated herein by reference is a graphic description of said water line easement area.
3. The Grantor hereby grants to the City, its successors and assigns, the right, privilege and authority to enter upon and pass over said property for the purpose of constructing, repairing, operating and maintaining said water main upon the property above described.
4. The Grantor does hereby covenant with the City that it is lawfully seized and possessed of the real estate above described; that it has good and lawful right to convey it or any part thereof; that it is free from encumbrance and it will, forever warrant and defend the title thereto against the lawful claims of all persons or entities whomsoever.
5. The City shall at all times exercise due care and diligence to avoid injury, loss or damage to structures or property of the Grantor, its successors and assigns and will indemnify and save harmless the Grantor, its successors and assigns for any and all loss, damage or injuries sustained to such property by reason of the construction, future maintenance, operation or reconstruction of said underground water main, or any part thereof.
6. This easement is binding upon the assigns and successors of the Grantor and shall be a permanent easement.
7. The above payment shall cover all damages caused by the establishment and construction of the above project.
8. The Grantor waives compliance by Papillion with the notice and other provisions of the Uniform Procedure for Acquiring Private Property for Public Use (Neb. Rev. Stat. '25-2501, et seq., as amended).
9. This easement shall not pass, nor be construed to pass, to Papillion, in fee simple interest or title to the easement area. The Grantor shall have the reserved right to make reasonable non-structural uses of the easement area which do not interfere with Papillion's rights under this easement.
10. The Grantor warrants that no verbal or written representations or inducements have been made or given by Papillion or by any of its officers, agents or employees, other than as may be recited in this document.

2006-32381 C



LEGAL DESCRIPTION

PART OF THE NW 1/4, TOGETHER WITH PART OF THE SW 1/4 OF THE NE 1/4, ALL IN SECTION 21, T14N, R12E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 21; THENCE N87°25'21"E (ASSUMED BEARING) 545.67 FEET ON THE SOUTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING; THENCE N56°44'36"W 2281.88 FEET ON A LINE 20.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY AND NORTHWESTERLY EXTENSIONS; THENCE N64°51'35"W 542.32 FEET ON A LINE 20.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY EXTENSION; THENCE N25°08'25"E 20.00 FEET TO THE SOUTHWEST LINE OF CORNHUSKER ROAD; THENCE S64°51'35"E 448.57 FEET ON THE SOUTHWEST LINE OF CORNHUSKER ROAD; THENCE SOUTHEASTERLY ON THE SOUTHWEST LINE OF CORNHUSKER ROAD ON A 1341.46 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S60°48'06"E, CHORD DISTANCE 189.87 FEET, AN ARC DISTANCE OF 190.03 FEET; THENCE S56°44'36"E 2215.82 FEET ON THE SOUTHWEST LINE OF CORNHUSKER ROAD AND IT'S SOUTHEASTERLY EXTENSION TO THE SOUTH LINE OF SAID NE 1/4; THENCE S87°25'21"W 34.16 FEET ON THE SOUTH LINE OF SAID NE 1/4 TO THE POINT OF BEGINNING.

CONTAINING 1.30 ACRES MORE OR LESS