

BK 1357 PG 369-372



MISC 2000 15023

RICHARD N. JAKEL  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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## EASEMENT FOR STORM SEWER AND DRAINAGE

This indenture made this 25 day of October, 2000, by and between HARLAN SPRAGUE DAWLEY, INC., an Indiana corporation, and its successors (hereinafter referred to as "Grantor"), and SANITARY AND IMPROVEMENT DISTRICT NO. 427 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision, and its successors (hereinafter referred to as "Grantee").


### WITNESSETH:

That Grantor, in consideration of the sum of One and no/100 dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to Grantee and its assigns, a right-of way perpetual easement with the right, privileges and authority in Grantee and its assigns, and entirely at Grantee's expense, to enter upon, dig, lay, install, construct, maintain, reconstruct, repair, replace, inspect, operate and use a storm sewer, drainage way and appurtenances thereto ("Sewer Line"), as part of Grantee's system and works for the collection, carriage, treatment, and disposal of storm water over that part of Lot 1 Amitech Addition, as surveyed, platted and recorded in Douglas County, Nebraska, more specifically located and described on Exhibit A attached hereto which is hereby incorporated in and made a part of this Easement by reference (the "Easement Area").

Grantee and its assigns shall have the right to enter along, over and upon the Easement Area to repair, relocate, service and maintain the Sewer Line, at will, and to make such alterations and improvements in the Sewer Line as may be necessary or useful in the sole discretion of Grantee, and to build and maintain all necessary intakes, catch basins, and other devices incident to the Sewer Line.

Grantee covenants that in the installation, operation and maintenance of the Sewer Line under, upon, over and across the Easement Area it will remove only those trees necessary and will restore the portion of the Easement Area disturbed by its work to a condition that is as near the condition that existed at the time the portion was disturbed by it. As a part of constructing the Sewer Line, Grantee will remove the barbwire fence on the northern edge of the Easement Area and will appropriately grade the Easement Area and the real estate to the north so that the storm water from the real estate to the north will drain to the Sewer Line. In addition, Grantee covenants that any berm necessary to the creation of the Sewer Line will be constructed so as to be easily maintainable with average lawn maintenance equipment.

To have and to hold this Easement and right-of-way unto the Grantee and its assigns, in perpetuity. Grantor and its assigns shall be entitled to and do hereby reserve the right, to connect to and make reasonable and customary use of the Sewer Line installed and maintained by Grantee under the terms of this Easement at no expense whatsoever. The approval of this Easement by Grantor shall be shown by recording this

  
Gaines, Pansing & Hogan  
10050 Regency Circle, Ste. 200  
Omaha, Nebraska 68114

21913



**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of drainageways and storm sewers over that part of the Southeast Quarter of Section 34, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

- Beginning at the southeast corner of Lot 5, STONE CREEK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;
  - Thence North 87°16'41" East (bearings referenced to the Final Plat of STONE CREEK) for 5.00 feet along the north line of the said Southeast Quarter of Section 34 to the west right of way line of 156th Street;
  - Thence South 03°09'08" East for 170.22 feet along the west right of way line of 156th Street parallel with and 45.00 feet west of the east line of the Southeast Quarter of Section 34;
  - Thence North 39°27'36" West for 8.44 feet;
  - Thence North 03°09'08" West for 144.24 feet parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 34;
  - Thence North 51°46'04" West for 29.31 feet to the north line of the Southeast Quarter of Section 34;
  - Thence North 87°16'41" East for 21.99 feet along the north line of the Southeast Quarter of Section 34 to the Point of Beginning.
- Contains 1045 square feet.

**STONE CREEK**

Lot 2



Point of Beginning

N87°16'41"E  
21.99'

N87°16'41"E  
5.00'

NE COR, SE 1/4,  
SEC. 34, T16N, R11E

29.31'  
N51°46'04"W

Drainage and Storm  
Sewer Easement

144.24'  
N03°09'08"W

170.22'  
S03°09'08"E

8.44'  
N39°27'36"W

156TH  
STREET

SE 1/4

SEC. 34, T15N, R11E

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**lamp, rynearson & associates, inc.**

engineers

surveyors

planners

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