

BOOK ~~622~~ PAGE ~~491~~  
BOOK 624 PAGE 182 PERPETUAL EASEMENT

THIS EASEMENT AGREEMENT made this first day of October, 1979, between the undersigned CARL A. BRADY

(herein called "Grantor" whether one or more), and SANITARY AND IMPROVEMENT DISTRICT NO. 290 OF DOUGLAS COUNTY, NEBRASKA, and the CITY OF OMAHA in the State of Nebraska, a Municipal Corporation (hereinafter collectively called "Grantee" except as otherwise noted),

WITNESSETH:

1. In consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, Grantor, being the owner of the property hereinafter described, does herewith give and grant unto the Grantee, its successors and assigns forever, a permanent sewer and drainage easement in, through, under, over, on and across Lots 136,137,193,200,201,202,248, as more fully described in Exhibit "A" Pages 1-9, a subdivision in Douglas County, Nebraska. The width and exact location of said permanent easementway is described in EXHIBIT "A" attached hereto and by this reference incorporated herein. This easement runs with the land.

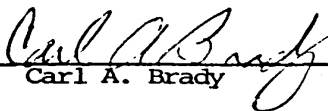
2. The scope and purpose of said easement is for the construction, use, repair, maintenance, replacement and renewal of storm sewers including all related or necessary appurtenances thereto and the transmission through said sewers of storm water sewage. The Grantee and its contractor and engineers shall have full right and authority to enter upon said easementway in order to perform any of the acts and functions described within the scope and purposes of such easement; PROVIDED, however, that such easement as to said Grantee, City of Omaha only, shall have no force and effect unless and until the property on or in which said storm sewer and drainage improvements are constructed shall be annexed as a part of said City and until said City shall have a legal obligation to maintain said storm sewer and drainage improvements as public facilities; and PROVIDED further that Grantee shall have a temporary construction easement in, through, under, over, on, across and upon that portion of said real property owned by Grantor described and identified as a temporary construction easement on said EXHIBIT "A" attached hereto, which said temporary construction easement shall commence on date hereof and terminate with the completion of construction of said storm sewer facilities, or one (1) year from date hereof, whichever first occurs.

3. By accepting and recording this permanent easement grant, said Grantee, Sanitary and Improvement District No. 290 of Douglas County, Nebraska, covenants and agrees to cause any trench made on said real property to be properly refilled and shall cause the restoration as nearly as practicably possible of all landscaping materials and plantings damaged or destroyed during the course of said construction and/or maintenance work in said real property to such condition(s) as exists on date hereof.

4. Grantor herein, for himself or itself, his heirs, personal representatives, successors and assigns, does hereby covenant and agree with the said Grantee and its successors and assigns that at the time of the execution and delivery of these presents, Grantor is lawfully seized of said premises; that they are free from encumbrances; that Grantor has good right and lawful authority to grant said easementway(s) and Grantor further hereby covenants to warrant and defend said easementway(s) against the lawful claims of all persons whomsoever.

5. This Agreement shall be binding on the heirs, personal representatives, successors and assigns of the respective parties hereto.

EXECUTED on the day and year first above written.

  
\_\_\_\_\_  
Carl A. Brady

BOOK ~~622~~ PAGE ~~492~~

-2-

BOOK 624 PAGE 183

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

On the day and year last above written, before me, the undersigned a Notary Public in and for said County, personally came CARL A. BRADY ~~and~~ ~~XXXXXX~~, to me personally known to be the identical person whose name ~~was~~ <sup>is</sup> affixed to the foregoing Perpetual Easement, and acknowledged the execution thereof to be ~~his~~ <sup>his</sup> voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Helen A. Gosbel  
Notary Public

My Commission expires February 13, 1981

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

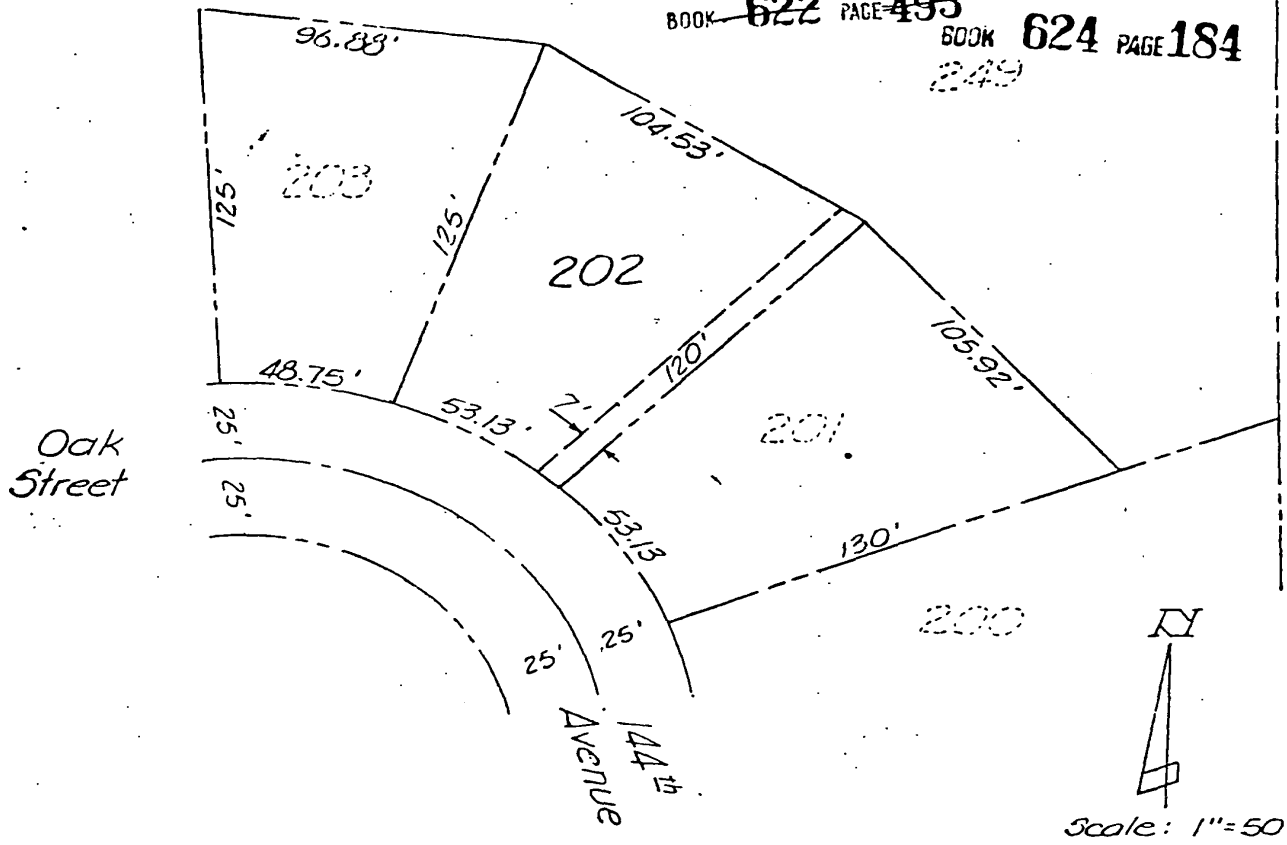
On the day and year last above written, before me, the undersigned a Notary Public in and for said County, personally came \_\_\_\_\_ of \_\_\_\_\_ to me personally known to be the \_\_\_\_\_ and the identical person whose name is affixed to the foregoing Perpetual Easement, and acknowledged the execution thereof to be (his) (her) voluntary act and deed as such officer and the voluntary act and deed of the said corporation, and that the Corporate Seal of the said corporation was thereto affixed by its authority.

WITNESS my hand and Notarial Seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

BOOK ~~622~~ PAGE ~~493~~  
BOOK 624 PAGE 184  
~~249~~



**LEGAL DESCRIPTION**

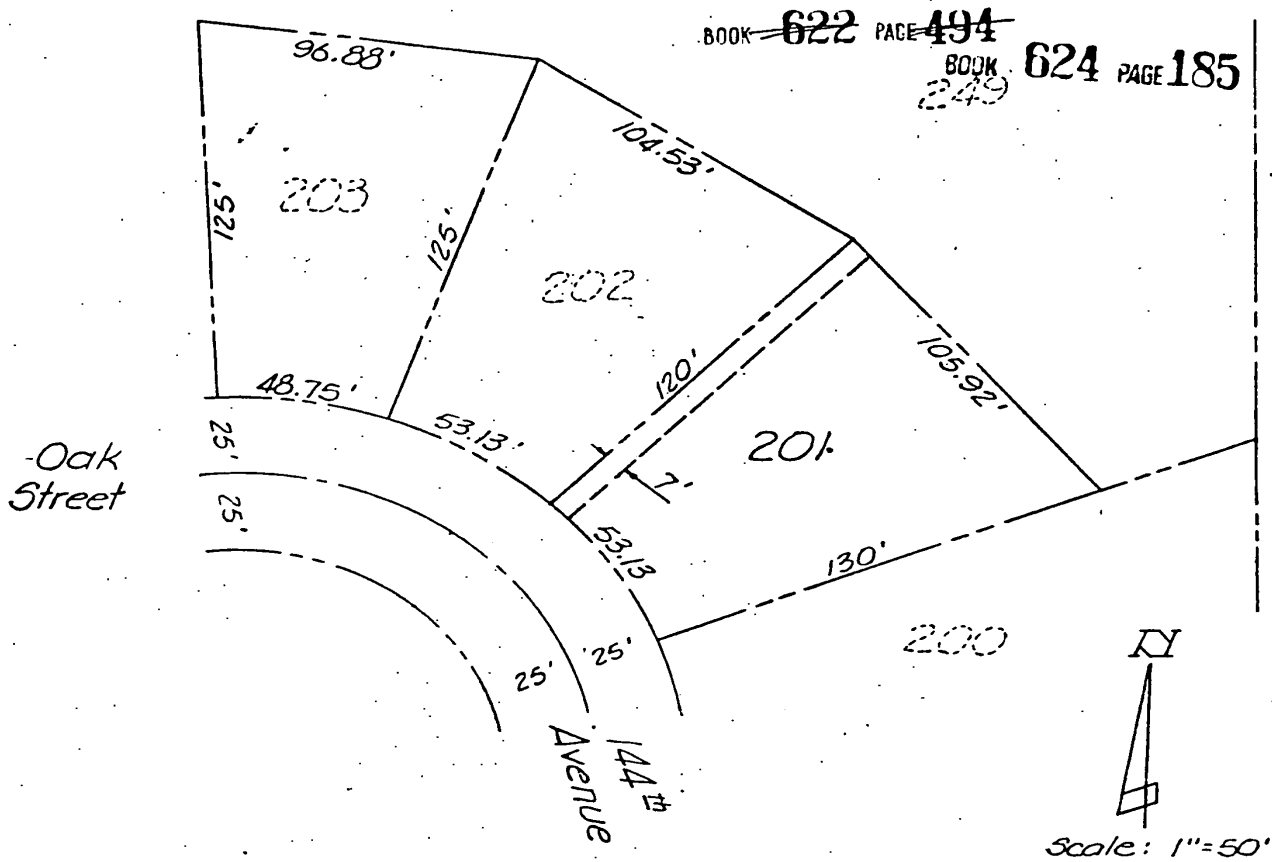
*A permanent sewer easement located in lot 202, Crescent Oaks (Lots 112 thru 250) a subdivision in Douglas County, Nebraska, being more particularly described as follows;*

*The southeasterly 7 ft. of lot 202, Crescent Oaks (Lots 112 thru 250) Douglas County, Nebraska.*

**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS · ENGINEERS · PLANNERS

DESIGNED \_\_\_\_\_ DRAWN R5 CHECKED \_\_\_\_\_ DATE 1-18-79 SHEET NO. 11720-03



**LEGAL DESCRIPTION**

*A permanent sewer easement located in lot 201, Crescent Oaks (Lots 112 thru 250) a subdivision in Douglas County, Nebraska, being more particularly described as follows;*

*The northwesterly 7 ft. of lot 201, Crescent Oaks (Lots 112 thru 250) Douglas County, Nebraska.*

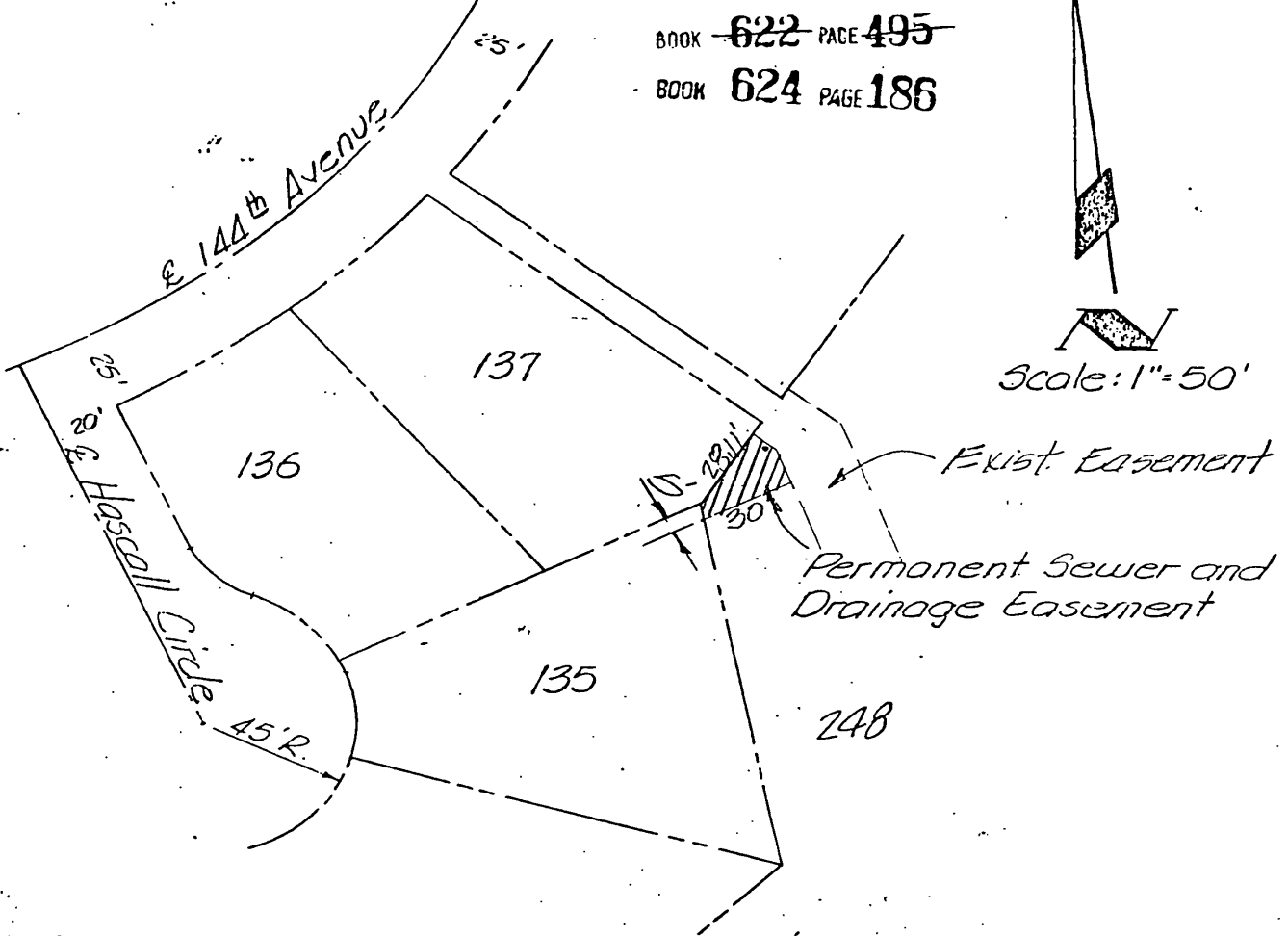
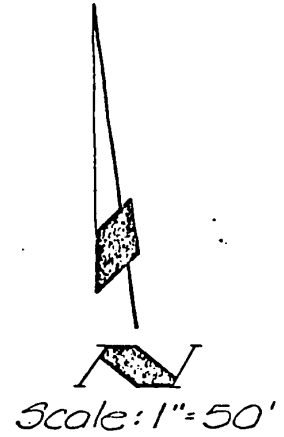
**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS • ENGINEERS • PLANNERS

DESIGNED \_\_\_\_\_ DRAWN ERS CHECKED \_\_\_\_\_ DATE 1-18-79 SHEET NO. 11720-03

**POOR INSTRUMENT FILED**

BOOK ~~622~~ PAGE ~~495~~  
BOOK **624** PAGE **186**



**LEGAL DESCRIPTION: Permanent Sewer & Drainage Easement.**  
Located in Lot 248, Crescent Oaks, Lots 112 thru 250, more particularly described as follows:  
Beginning at a point on the southeasterly line of Lot 137 that is 5.0' southwesterly of the northeasternmost corner of said lot, thence southwesterly along said line a distance of 23.11 feet to the northernmost corner of Lot 135; thence southeasterly along the easterly line of lot 135 a distance of 5.0'; thence northeasterly parallel to the extended common line of Lots 135 & 137 a distance of 30' to a point on the southerly line of an existing 20' easement; thence northwesterly along said southerly line to the point of beginning.

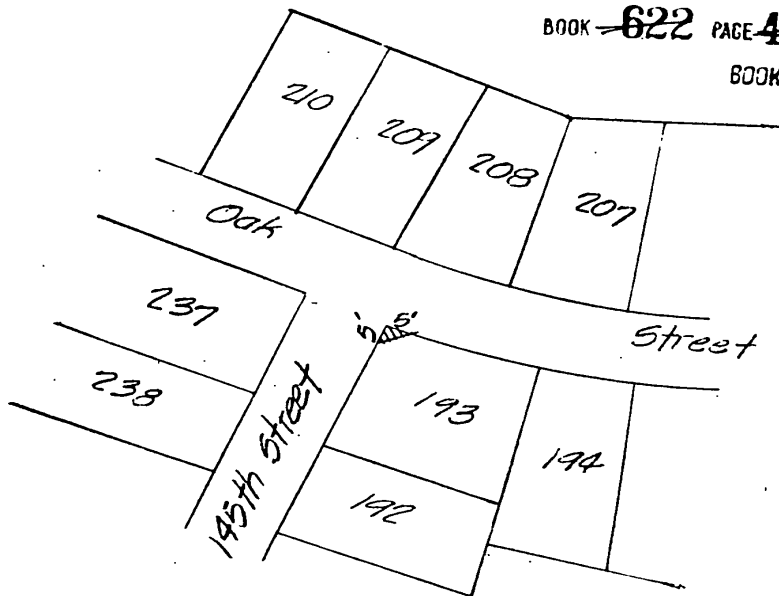
**THE SCHEMMER ASSOCIATES INC.**  
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DESIGNED \_\_\_\_\_ DRAWN EGS CHECKED EGS DATE FEB 77 SHEET NO. 11727-05

# POOR INSTRUMENT FILED

BOOK ~~622~~ PAGE ~~496~~

BOOK 624 PAGE 187



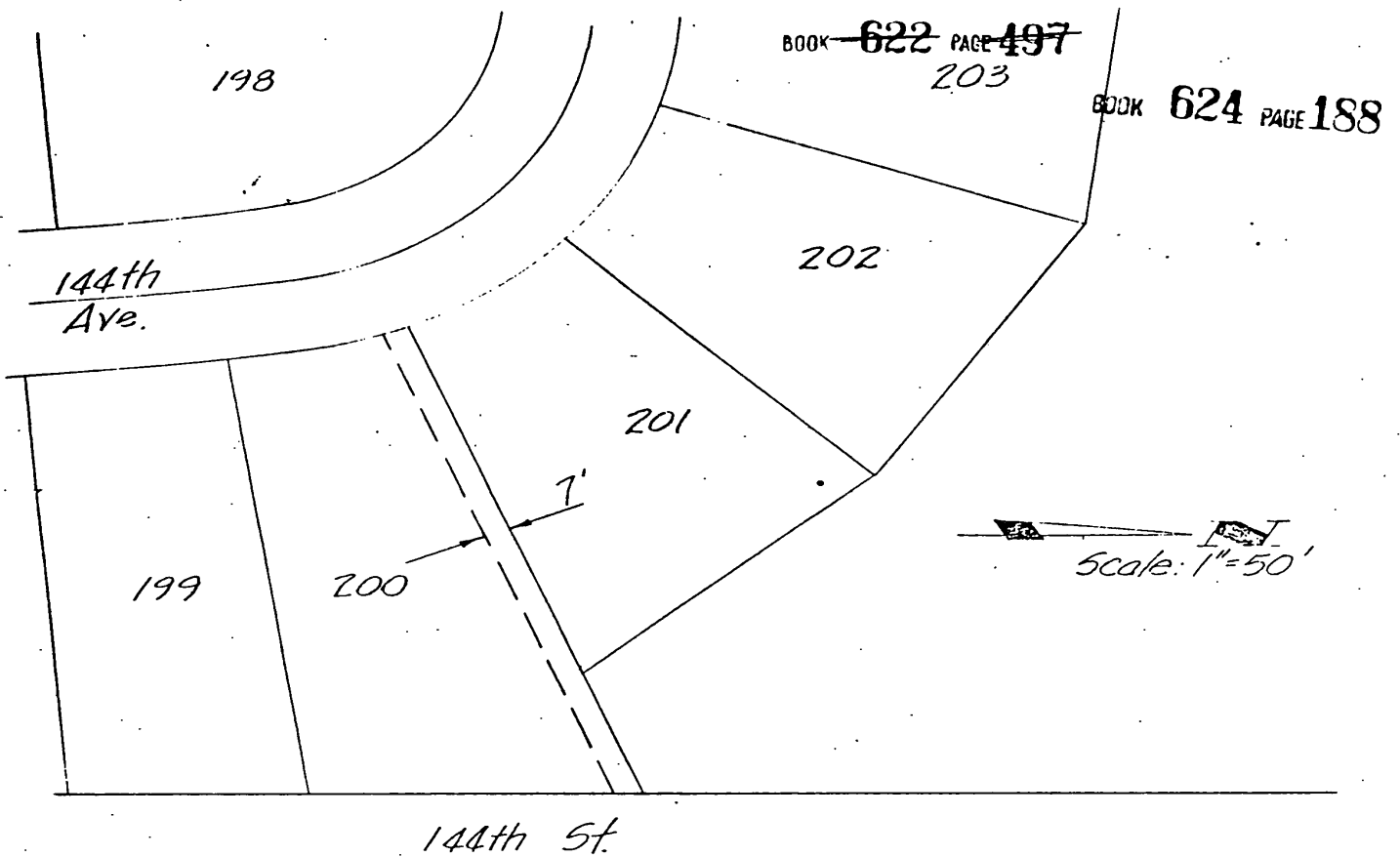
**LEGAL DESCRIPTION:** Permanent Sewer & Drainage Easement. Located in Lot 193, Crescent Oaks, Lots 112 thru 250, more particularly described as follows:

Beginning at the northwesterly corner of said lot; thence southerly along the westerly line of said lot (A.K.A. the easterly r.o.w. line of 145th Street) a distance of 5.0'; thence northeasterly to a point on the northerly line of said lot (A.K.A. the southerly r.o.w. line of Oak Street) thence westerly along said northerly line a distance of 5.0' to the point of beginning.

## THE SCHEMMER ASSOCIATES INC.

ARCHITECTS • ENGINEERS • PLANNERS

DESIGNED \_\_\_\_\_ DRAWN FMS CHECKED \_\_\_\_\_ DATE Aug 79 SHEET NO. 172.D.05



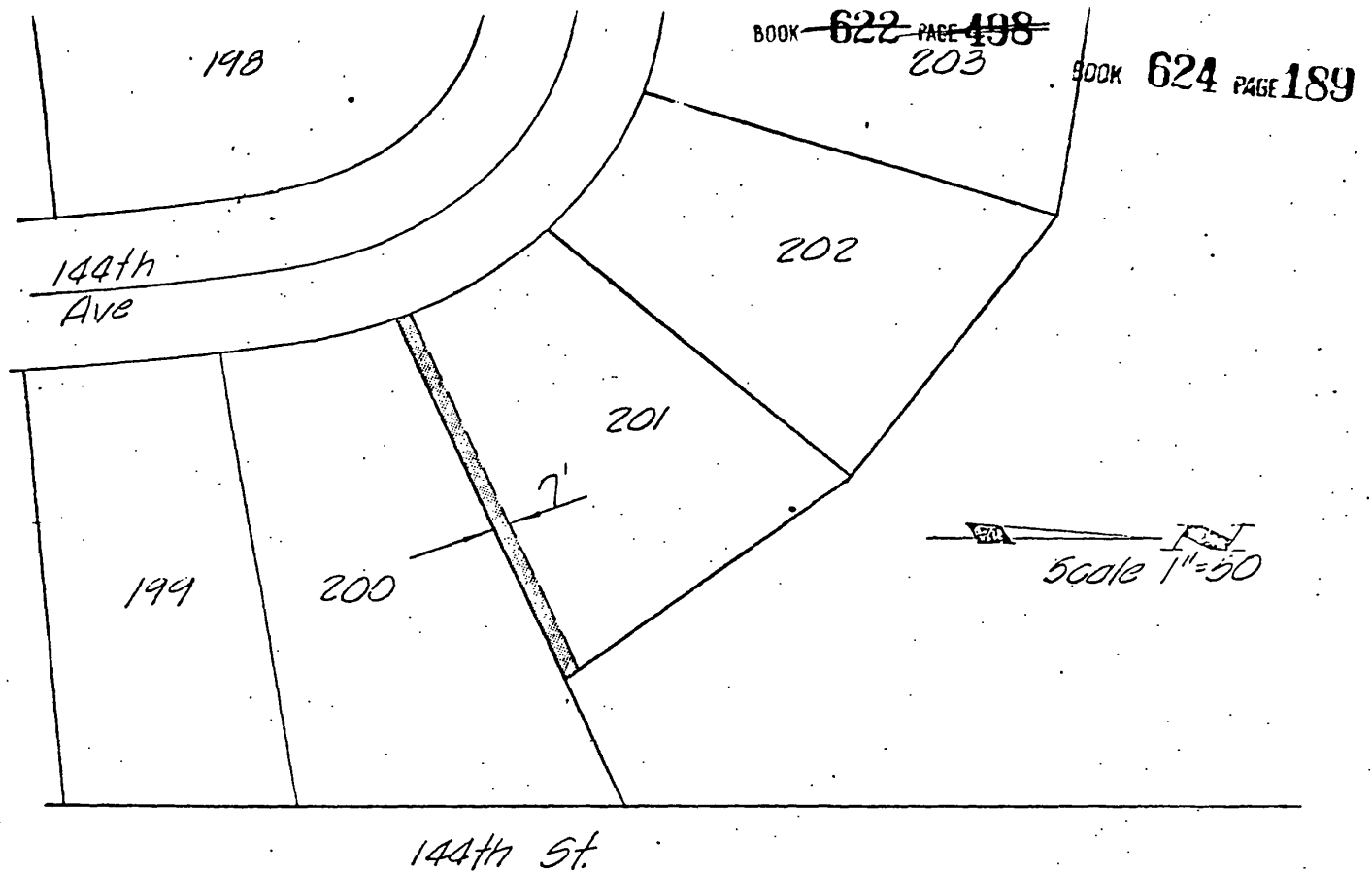
LEGAL DESCRIPTION  
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is the legal description of a permanent sewer and drainage easement located in Crescent Oaks, Lots 112 thru 250, a platted subdivision in Douglas County, Nebraska, a copy of which is on file with the City of Omaha. The legal description is more particularly described as follows:

The Northerly 7 feet of Lot 200, parallel to the common line of Lots 201 and 200.

**THE SCHEMMER ASSOCIATES INC.**  
 ARCHITECTS · ENGINEERS · PLANNERS

DESIGNED \_\_\_\_\_ DRAWN K.M.K. CHECKED F.M.S. DATE AUG 79 SHEET NO. 1173.C-05



**LEGAL DESCRIPTION  
PERMANENT SEWER AND DRAINAGE EASEMENT**

The following is the legal description of a permanent sewer and drainage easement located in Crescent Oaks, Lots 112 thru 250, a platted subdivision in Douglas County, Nebraska, a copy of which is on file with the City of Omaha. The legal description is more particularly described as follows:

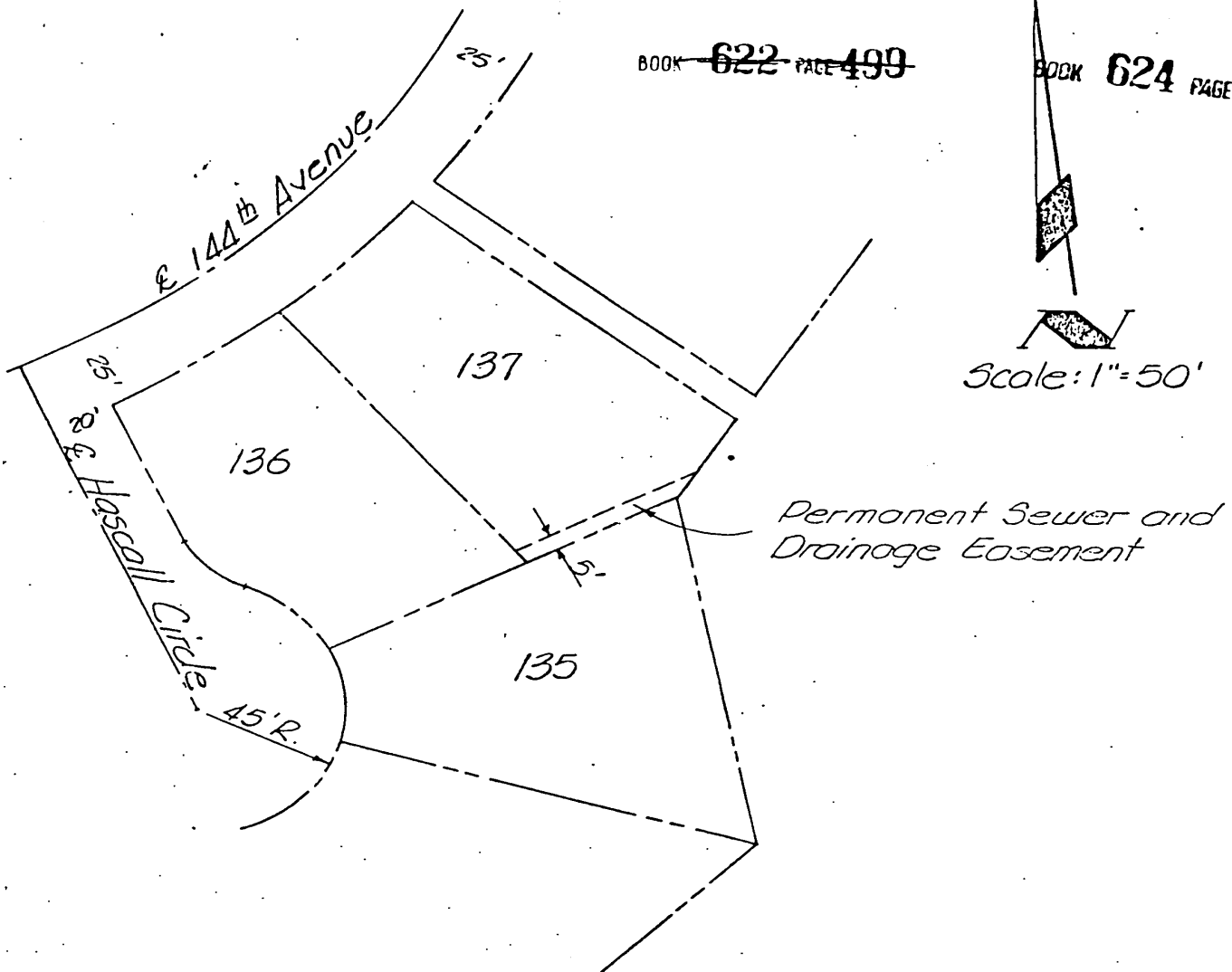
The Southeasterly 7 feet of lot 201, parallel to the common line of lots 201 and 200.

**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS • ENGINEERS • PLANNERS

DESIGNED \_\_\_\_\_ DRAWN FMS CHECKED CRC DATE FEB 79 SHEET NO. 11720-05  
 TSA FORM 26-27 1-78





**LEGAL DESCRIPTION:**

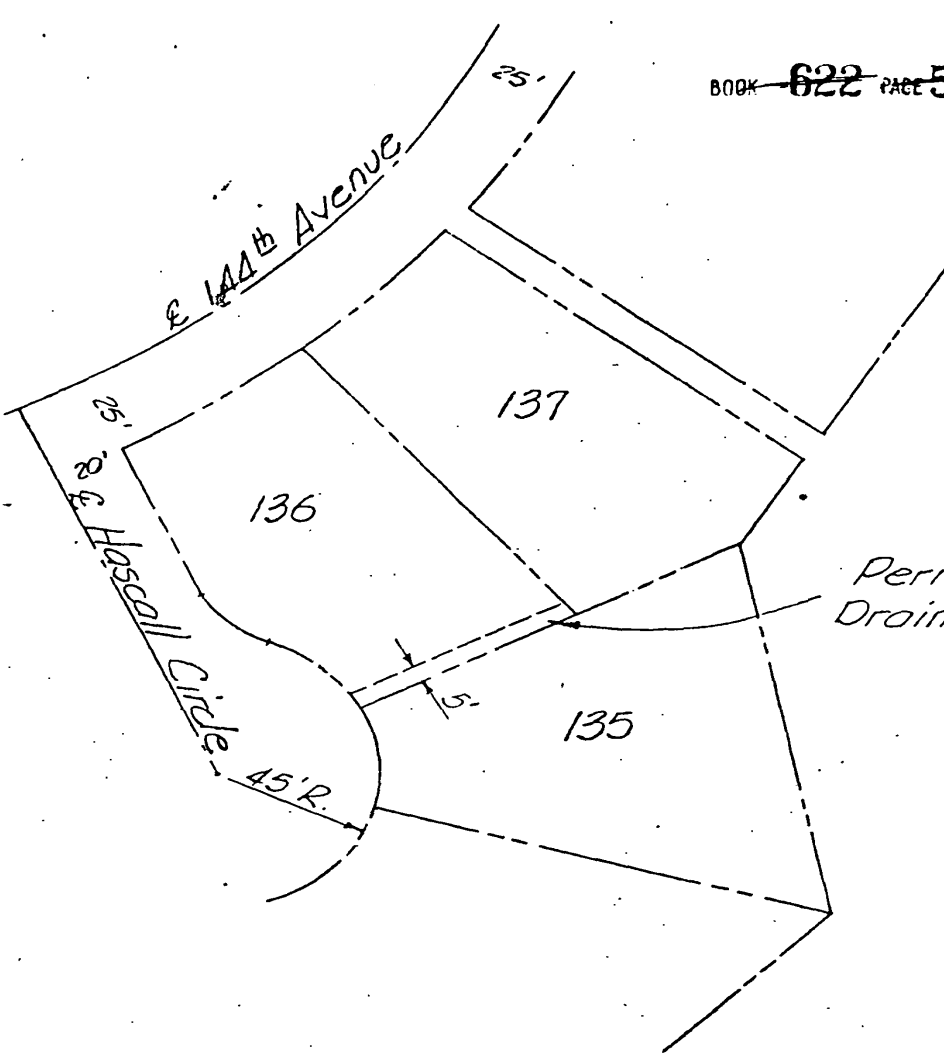
A 5' wide permanent sewer and drainage easement more particularly described as follows:

The southeasterly 5 ft. of lot 137, Crescent Oaks, Lots 112 thru 250, an addition in Douglas County, Nebraska.

**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS · ENGINEERS · PLANNERS

DESIGNED \_\_\_\_\_ DRAWN ERS CHECKED URC DATE FEB 79 SHEET NO. 112D-05



BOOK ~~622~~ PAGE ~~500~~

BOOK 624 PAGE 191

Scale: 1" = 50'

Permanent Sewer and Drainage Easement

**LEGAL DESCRIPTION:**

A 5' wide permanent sewer and drainage easement more particularly described as follows:

The southeasterly 5 ft. of lot 136, Crescent Oaks, Lots 112. thru 250, an addition in Douglas County, Nebraska.

**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS · ENGINEERS · PLANNERS

DESIGNED \_\_\_\_\_ DRAWN ELZ CHECK \_\_\_\_\_

4877 SHEET NO. 1172D-05

RECEIVED  
1979 NOV 20 AM 8 37  
CLERK OF DISTRICT  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

Book 624  
Page 191  
of 192

Fee 32.00  
Index ✓  
Comped \_\_\_\_\_  
\$ 86.48304

*9 April*