

2015-28801

11/23/2015 3:38:57 PM

*Clay J. Dowling*

\$ *EX 23*

By: jsatterfie

REGISTER OF DEEDS



EASE

COUNTER	<i>JD</i>	C.E.	<i>JD</i>
VERIFY	<i>JD</i>	D.E.	<i>JD</i>
PROOF	<i>a</i>		
FEES \$	<i>98.00</i>		
CHECK #	<i>12045</i>		
CHG		CASH	
REFUND		CREDIT	
SHORT		NCR	

TEMPORARY CONSTRUCTION EASEMENT

This indenture made this 5<sup>th</sup> day of July 2015, by and between Van C. Deeb, (the "Grantor"), and Sanitary & Improvement District No. 299, Sarpy County, Nebraska its successors and assigns (the "Grantee").

WITNESSETH:

That Grantor, in consideration of the sum of one dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledges, does hereby grant and convey to Sanitary & Improvement District No. 299, Sarpy County, Nebraska, its successors and assigns, a temporary construction easement over, upon, across and under portions of Lot 1, Easy View Addition, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described as follows:

A temporary construction easement over that part of Lot 1, Easy View Addition, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska described as follows:

Beginning at the northwest corner of said Lot 1; thence South 89°06'22" East (bearings referenced to the Final Plat of Aspen Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska) for 11.61 feet along the north line of said Lot 1; thence South 05°12'15" East for 34.34 feet; thence South 06°50'05" West for 42.97 feet; thence South 08°26'22" East for 54.28 feet; thence South 03°7'05" East for 28.58 feet; thence South 00°20'34" East for 29.66 feet to the right of way line of Nebraska State Highway 370; thence North 21°29'42" West for 32.14 feet along said line to the west line of said Lot 1; thence North 02°49'45" West for 159.20 feet point of beginning

(the "Property") for the installation of a paved streets for the District. Said easement is depicted on the survey attached hereto as Exhibit "1". Said easement shall include the right to modify the grade of the Property in accordance with the engineering specifications prepared by Lamp Rynearson & Associates as provided to Grantor. If any terms and provisions contained within the easement differ from the attachment, the easement shall prevail and supercede the attachment.

*12045*

Record & Return to: Adams & Sullivan, P.C., L.L.O., 1246 Golden Gate Drive, Suite 1, Papillion, NE 68046-2843

That Grantor covenants and agrees that he is the owner in fee of the above described Property; that he has legal power and lawful authority to convey the same; that said Property is free and clear of liens and encumbrances; and that he will warrant and defend the title thereto against the claims and demands of all persons whomsoever.

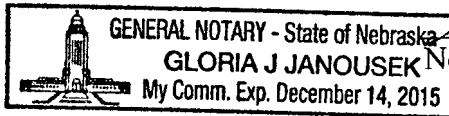
The temporary easement herein granted shall be for a term of one (1) year from the date of acceptance by Grantee or thirty (30) days after the improvements are completed whichever is earlier. This easement shall run with the land and shall be binding upon Grantor's heirs, successors and assigns.

In witness whereof the Grantors have caused this temporary easement to be executed the day and year first above written.

Van C. Deeb  
Van C. Deeb, Grantor

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF SARPY    )

The forgoing instrument was acknowledge before me on July 8, 2015,  
by Van C. Deeb.



Gloria J Janousek  
Notary Public

**ACCEPTANCE**

The Grantee herein accepts the conveyance herein and agrees to abide by the terms herein.

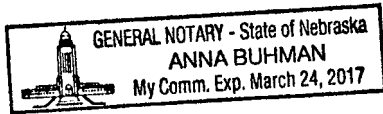
Sanitary and Improvement District No. 299,  
Sarpy Co., Nebraska, Grantee

By: Gerald L. Torczon  
Gerald L. Torczon, Its Chairperson

By: Doris Nicholson  
Doris Nicholson, Its Clerk

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF SARPY     )

The forgoing instrument was acknowledged before me on October 22 2015, by Gerald L. Torczon, as Chairperson, and Doris Nicholson, as Clerk of Sanitary Improvement District No. 299, Sarpy County, Nebraska, on behalf of said entity.



Anna Buhman  
Notary Public

# EASEMENT EXHIBIT

## LEGAL DESCRIPTION

A fifty foot (50.00) wide temporary construction easement over that part of Lot 1, EASY VIEW ADDITION, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Commencing at the northwest corner of said Lot 1;

Thence South 02°49'45" East (bearings referenced to the Final Plat of Aspen Creek, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska) for 52.73 feet along the west line of said Lot 1 to the TRUE POINT OF BEGINNING;

Thence North 77°41'18" East for 149.39 feet;

Thence South 12°18'42" East for 50.00 feet;

Thence South 77°41'18" West for 157.74 feet to the west line of said Lot 1;

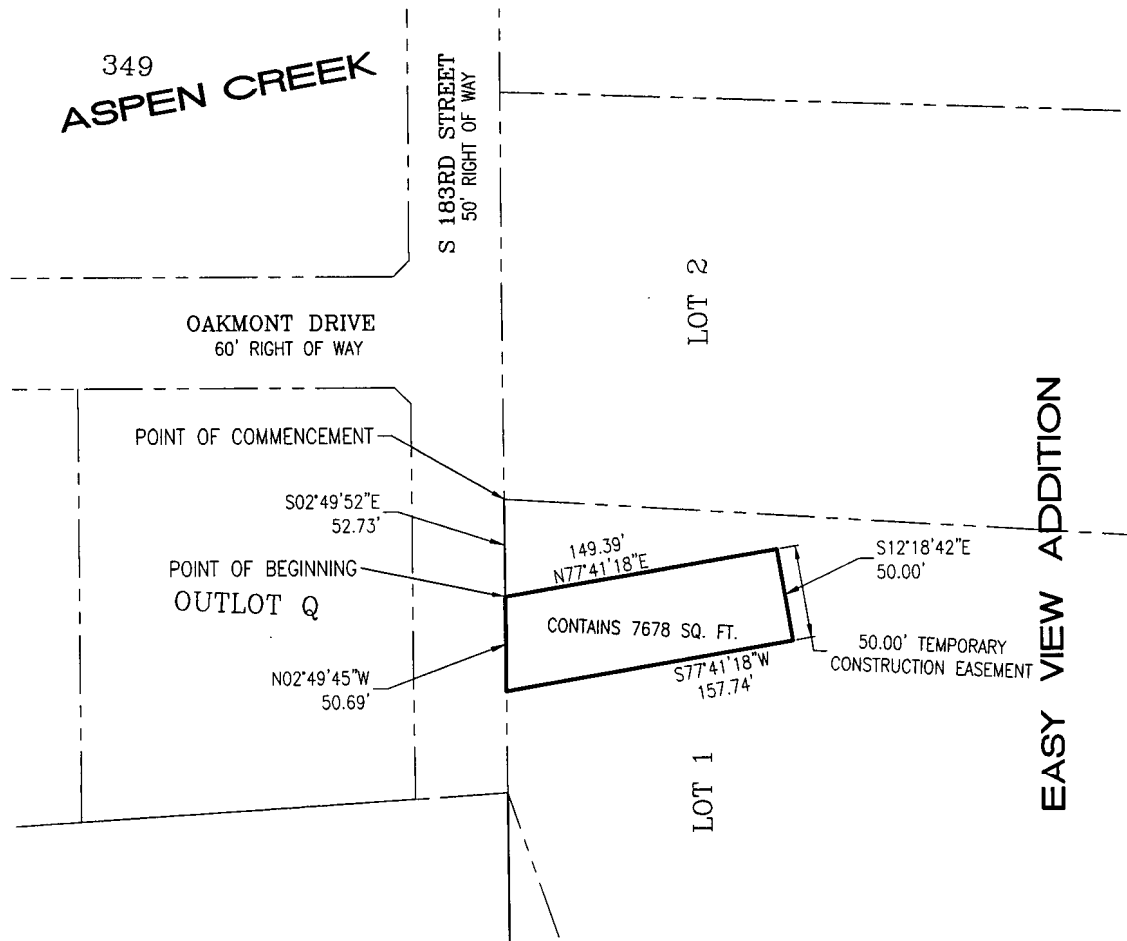
Thence North 02°49'45" West for 50.69 feet Point of Beginning.

Contains 7,678 square feet. Includes 2,771 square feet of permanent easement.



### LEGEND

- PROPERTY LINE
- - - - - EASEMENT LINE



**LAMP RYNEARSON & ASSOCIATES**

14710 West Dodge Road, Suite 100 402.496.2498 | P  
 Omaha, Nebraska 68154-2027 402.496.2730 | F  
[www.LRA-Inc.com](http://www.LRA-Inc.com)

drawn by	designed by	reviewed by	project - task number	date	book and page	revisions
EAM		WEK	0112055.03-003	2-2-15		

path\filename L:\Engineering\0112055\SURVEY\DRAWINGS\RECORD\0112055E317-CONST-TEMP.dwg