

50-905

E A S E M E N T

THIS INDENTURE, made this \_\_\_\_ day of June, 1977, between FALCON FOREST, INC., a corporation (hereinafter sometimes referred to as "Owner") and SANITARY AND IMPROVEMENT DISTRICT NO. 106 OF SARPY COUNTY, NEBRASKA, (hereinafter sometimes referred to as "District").

WITNESSETH:

That said Owner, in consideration of the sum of One Dollar (\$1.00) in hand paid by District, the receipt of which is hereby acknowledged, does hereby grant, sell, convey and confirm unto said District and its assigns, perpetually and forever, the right to construct, build, lay and maintain storm sewer lines, sanitary sewer lines and all utility services, including water, gas, electrical and telephone, in, through, over and under a parcel of land designated as Permanent Sewer Easement, more particularly described and delineated in Exhibits A and B attached hereto, and by this reference made a part hereof.

Said permanent easement is granted upon the express condition that if any changes, repairs or alterations are necessary to be made at any time, or if any portion of said sewers or utilities need to be reconstructed, the District shall make good to the owner or owners of such land, and any lot or lots under which the same may be platted henceforth, any and all damage that may be done by said changes, alterations, repairs or reconstruction, in the way of damage to trees, grounds, buildings or other improvements thereon, including crops, vines, gardens and lawns, during construction and thereafter.

Said District agrees to pay all costs of construction of said sewers and utilities.

FILED FOR RECORD 11-17-77 4:20 P. M. IN BOOK 58 OF DISTRICT REC. 15  
NO. 905 Carl L. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB.

73313

The exact location of the sewer and utility lines within the permanent easement conveyed herein shall be fixed by the engineers for the District.

Said owner, for itself and its successors in title does hereby confirm with said District and its assigns that Owner is well seized in fee of the premises aforesaid, and that Owner has the right to grant and convey this permanent easement in the manner and form aforesaid, and that Owner will, and Owner's assigns and successors in title shall warrant and defend this easement to the said District and its assigns and successors against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the parties hereto have executed this Easement or have caused this Easement to be executed by their duly authorized officers on the day and year first above written.

ATTEST:

FALCON FOREST, INC.

Willard Trustin  
Secretary

By Yale F. Trustin  
Yale F. Trustin, President

ATTEST:

SANITARY AND IMPROVEMENT DISTRICT  
NO. 106 OF SARPY COUNTY, NEBRASKA

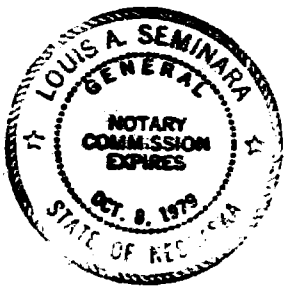
Yale F. Trustin  
Clerk

By Glen R. Palmer  
Glen R. Palmer, Chairman

50-905B

STATE OF NEBRASKA)  
: ss.  
COUNTY OF DOUGLAS)

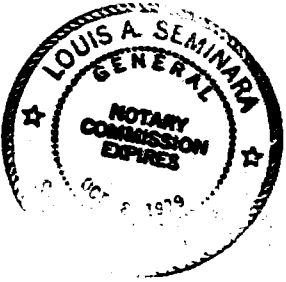
On this \_\_\_\_ day of July, 1977, before me, a Notary Public in and for said County, personally appeared Yale F. Trustin, President of Falcon Forest, Inc., a corporation, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.



*[Signature]*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA)  
: ss.  
COUNTY OF DOUGLAS)

On this \_\_\_\_ day of July, 1977, before me, a Notary Public in and for said County, personally appeared Glen R. Palmer, Chairman of the Board of Trustees of Sanitary and Improvement District No. 106 of Sarpy County, Nebraska, to me known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said Sanitary and Improvement District No. 106 of Sarpy County, Nebraska.



*[Signature]*  
\_\_\_\_\_  
Notary Public

LAND SURVEYOR'S CERTIFICATE

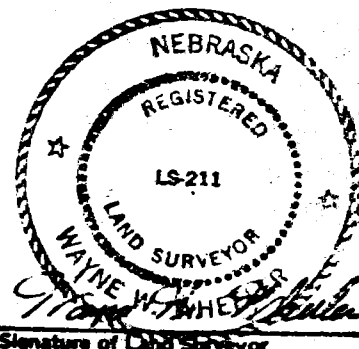
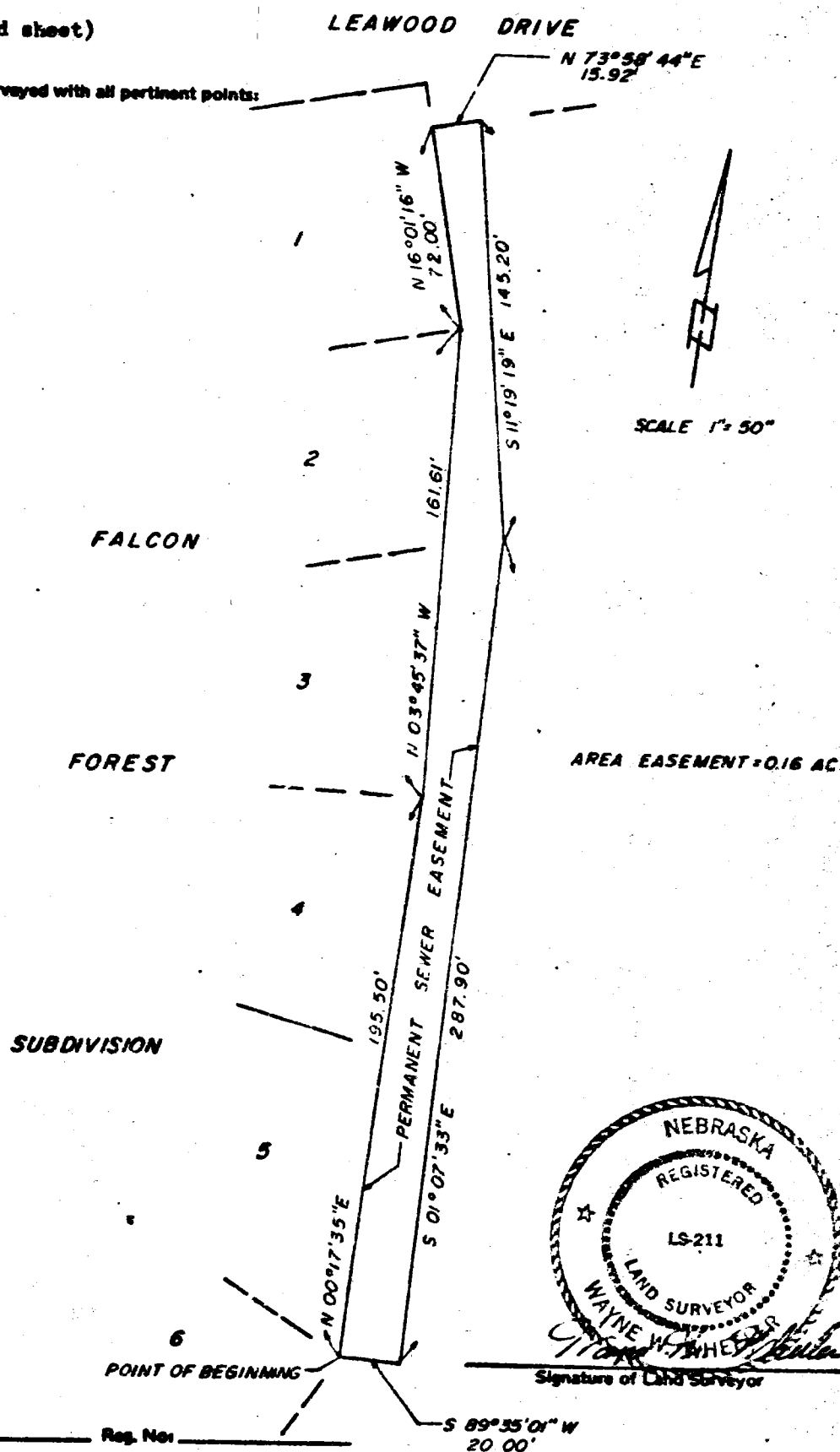
50-905C

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description:

(See attached sheet)

Plat to scale showing tract surveyed with all pertinent points:



Signature of Land Surveyor

Pins Found  
 Pins Set  
 Date Received: \_\_\_\_\_ Reg. No: \_\_\_\_\_  
 Div. Permit No: \_\_\_\_\_ Date: March 16, 1977  
 Book \_\_\_\_\_ Page \_\_\_\_\_ Job No: \_\_\_\_\_  
 Official Address: \_\_\_\_\_

**PRECISION ENGINEERING & SURVEYING CO.**  
Civil Engineering - Land Planning

Ford Professional Plaza  
8111 W. Center Road - Suite 309  
Omaha, Nebraska 68124

50-905D

LEGAL DESCRIPTION

A Permanent Sewer Easement located in the Northeast quarter of Section 8, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, and being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of Falcon Forest Subdivision, a subdivision located in said Section 8 in Sarpy County, Nebraska; thence, along the East line of Falcon Forest subdivision, the following bearings and distances:  $N00^{\circ} 17' 35'' E$  195.50 feet,  $N03^{\circ} 45' 37'' W$  161.61 feet, and  $N16^{\circ} 01' 11'' E$  172.00 feet to a point on the South right-of-way line of Leewood Drive; thence  $E73^{\circ} 58' 44'' E$ , along said South right-of-way line of Leewood Drive, 13.2 feet; thence  $S11^{\circ} 19' 10'' E$  145.20 feet; thence  $S01^{\circ} 07' 33'' E$  200.00 feet; thence  $S89^{\circ} 35' 01'' W$  20.00 feet to the point of beginning and containing 0.16 acres.

*Wayne W. Wheeler*  
Wayne W. Wheeler Sr. L.S. 211

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