

49-470

SANITARY SEWER EASEMENT AND  
MAINTENANCE AGREEMENT

This Agreement made and executed this 15<sup>th</sup> day of July, 1976, by and between FONTENELLE HILLS CO., INC., a Nebraska corporation, herein called "owner", and SANITARY AND IMPROVEMENT DISTRICT NO. 43 OF SARPY COUNTY, NEBRASKA, a municipal corporation, herein called "district".

WITNESSETH THAT:

WHEREAS owner is the holder in fee simple of title to the following described real property, to-wit:

Lots 43, 45, 50, 52, 53, 64, 65, 69, 77, 78, 94, 98, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 162, 163, 167, 168, 170, 171, 173, 174, 175, 176, 177, and 238, in Fontenelle, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; and

WHEREAS district is a municipal corporation charged with the maintenance of capital improvements of the utilitarian nature for the public convenience and necessity within its boundaries, including but not limited to sanitary sewer lines and appurtenances thereto; and

WHEREAS the above described property lies within the boundaries of the aforesaid district; and

WHEREAS owner has installed upon portions of the aforesaid lots a system of sanitary sewer lines and appurtenances thereto for the mutual benefit of said lots and of the lots lying adjacent thereto; and

WHEREAS owner desires to provide for the perpetual maintenance of said system of sanitary sewer lines and appurtenances thereto and to grant the appropriate rights in and to the property containing portions of said sanitary sewer system to the appropriate agency for the benefit of those persons who shall from time to time have interest in such property in order that the said individual lots might be accorded the privilege of using said sewer system, thus rendering said lots marketable by the owner; and

FILED FOR RECORD 8-10-76 AT 8:00<sup>AM</sup> IN BOOK 49 OF MacBee  
Carl L. Hibbeled REGISTER OF DEEDS, SARPY COUNTY, NEB. 134 75 57866

WHEREAS the district, realizing the benefits it shall derive from the marketing and improvement of said lots through the generation of additional tax revenue based upon the increase in assessed valuation of said lots, is desirous of accomodating the owner in accepting such easement grant and agreeing to maintain said system;

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein and the mutual benefits to be gained thereby, the parties hereto agree as follows:

I

Grant of Easements

Owner hereby grants to district, for the mutual benefit of those persons who shall from time to time be the owners of one or more of the following described parcels of ground or lots adjacent thereto, and the district does hereby accept from the owner, a perpetual easement for purposes of use, maintenance, replacement, repair and reconstruction of a sanitary sewer line and appurtenances thereto, over, under and upon the following described portions of the following described lots in Fontenelle, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska:

<u>Lot No.</u>	<u>Legal Description of Easement Tract and Plat Showing Location</u>
43	See Exhibit "A" attached.
45	See Exhibit "B" attached.
50	See Exhibit "C" attached.
52	See Exhibit "D" attached.
53	See Exhibit "E" attached.
64	See Exhibit "F" attached.
65	See Exhibit "G" attached.
69	See Exhibit "H" attached.
77	See Exhibit "I" attached.
78	See Exhibit "J" attached.
94	See Exhibit "K" attached.
98	See Exhibit "L" attached.
150	See Exhibit "M" attached.
151	See Exhibit "N" attached.
152	See Fxhibit "O" attached.
153	See Exhibit "P" attached.
154	See Exhibit "Q" attached.
155	See Exhibit "R" attached.
156	See Exhibit "S" attached.
157	See Exhibit "T" attached.

<u>Lot No.</u>	<u>Legal Description of Easement Tract and Plat Showing Location</u>
158	See Exhibit "U" attached.
159	See Exhibit "V" attached.
160	See Exhibit "W" attached.
162	See Exhibit "X" attached.
163	See Exhibit "Y" attached.
167	See Exhibit "Z" attached.
168	See Exhibit "AA" attached.
170	See Exhibit "BB" attached.
171	See Exhibit "CC" attached.
173	See Exhibit "DD" attached.
174	See Exhibit "EE" attached.
175	See Exhibit "FF" attached.
176	See Exhibit "GG" attached.
177	See Exhibit "HH" attached.
238	See Exhibit "II" attached.
238	See Exhibit "JJ" attached.

## II

### Covenant to Improve Lots

Owner shall henceforth commence construction of dwelling units and related improvements upon the aforesaid lots as conditions in the detached single family housing market dictate. The parties acknowledge that, absent such an easement agreement, the aforesaid lots would for all intents and purposes remain unmarketable due to the lack of a definitive right to sewer services, and the parties further acknowledge that the evaluation of the lots in an improved state shall be significantly increased as compared to valuation of the lots in their natural state, and that the district, through its taxation powers, shall enjoy greatly increased revenues from said lots as a result of the improvement thereof.

## III

### Covenant to Maintain Sewer System

The district hereby covenants to maintain the aforesaid sewer system and to do any and all things reasonably required in order to continue the said system in a proper operating condition so as to provide a viable means of water and waste removal from the lots subject to the easement and lots adjacent thereto.

IV

Rights of Owners of Lots  
Subjected to Easements

It is understood that those persons who shall from time to time, as successors and assigns of the owner herein, be the owners of individual lots subjected to the easements described above, shall have the right to the use and enjoyment of the surface area of said easement ways, subject to the right of the district to invade said surface area for purposes of maintenance and reconstruction of the sewer line as aforesaid. The owner of the lots subject to said easements may cause grass or shallow-rooted shrubbery to be placed within said easement way, may place paving for sidewalks or driveways therein and may place moveable items of the decorative or recreational nature within said easement way, provided that no permanent structures shall be placed therein.

V

Duty of Care

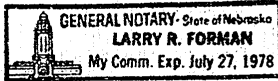
The district shall be solely responsible for, and shall indemnify and hold harmless the owner, its successors and assigns, from liability with respect to any action taken on the part of the district, its contractors, agents or employees, to maintain the said sewer system in proper operating condition. Indemnification shall extend to court costs and attorneys' fees as well as money judgments rendered. The district shall cause any trench or hole created to facilitate maintenance or replacement of said sewer line to be left open for a minimum amount of time and shall, upon completion of maintenance or replacement work, cause said trench or hole to be properly refilled, tamped and compacted and the condition of the surface to be placed in the same condition as was enjoyed prior to the commencement of said work, including, but not limited to, re-sodding, replacement of bushes and shrubs, replacement of damaged portions of driveways and sidewalks and general cleanup of the area.



STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF SARPY     )

Before me, a notary public qualified in said county personally came R. Joe Dennis, President of FONTENELLE HILLS CO., INC., a Nebraska corporation, known to me to be the President and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

WITNESS my hand and notarial seal on this 15<sup>th</sup> day of July, 1976.

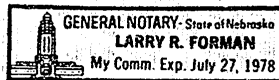


Larry Forman  
Notary Public

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF SARPY     )

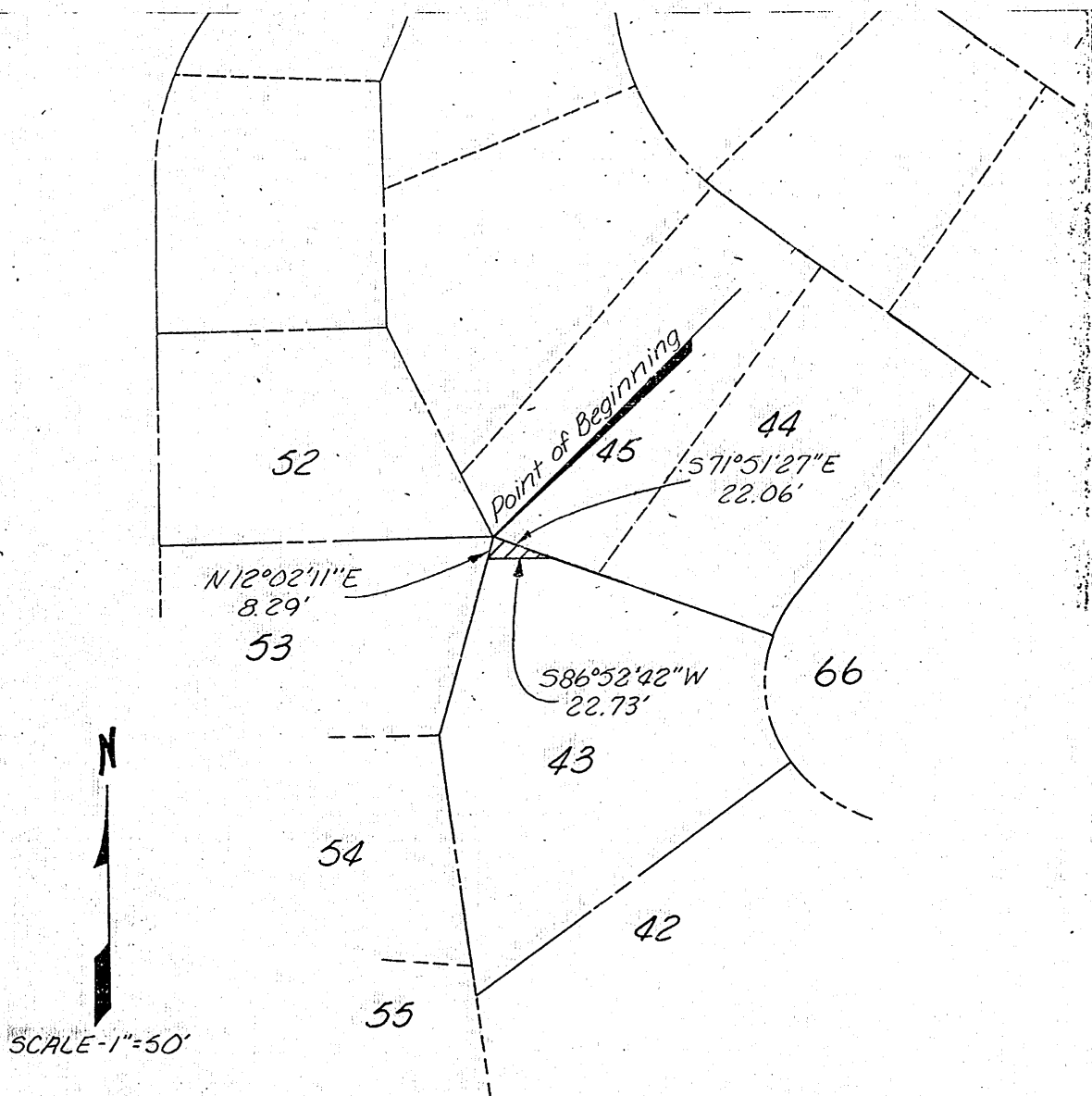
Before me, a notary public qualified in said county personally came William H. Fitzpatrick, Chairman of SANITARY AND IMPROVEMENT DISTRICT NO. 43 OF SARPY COUNTY, NEBRASKA, a municipal corporation, known to me to be the Chairman and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

WITNESS my hand and notarial seal on this 15<sup>th</sup> day of July, 1976.



Larry Forman  
Notary Public

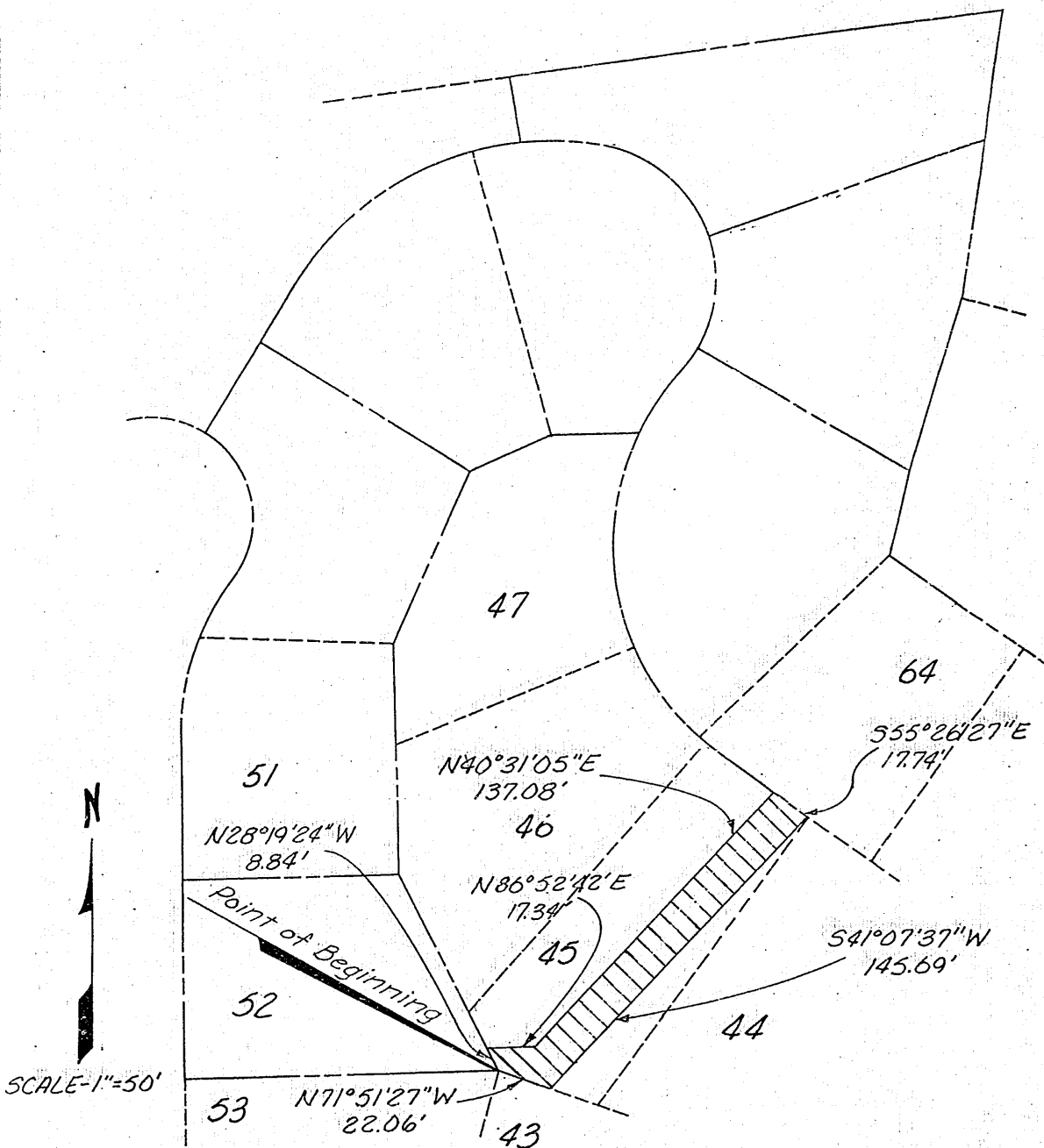
44-4901



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 43, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northernmost common corner of lots 43 and 53; thence south 71°51'27" East, along the northerly line of lot 43, a distance of 22.06 feet; thence South 86°52'42" West, a distance of 22.73 feet to the westerly line of lot 43; thence North 12°02'11" East, a distance of 8.29 feet to the point of beginning.



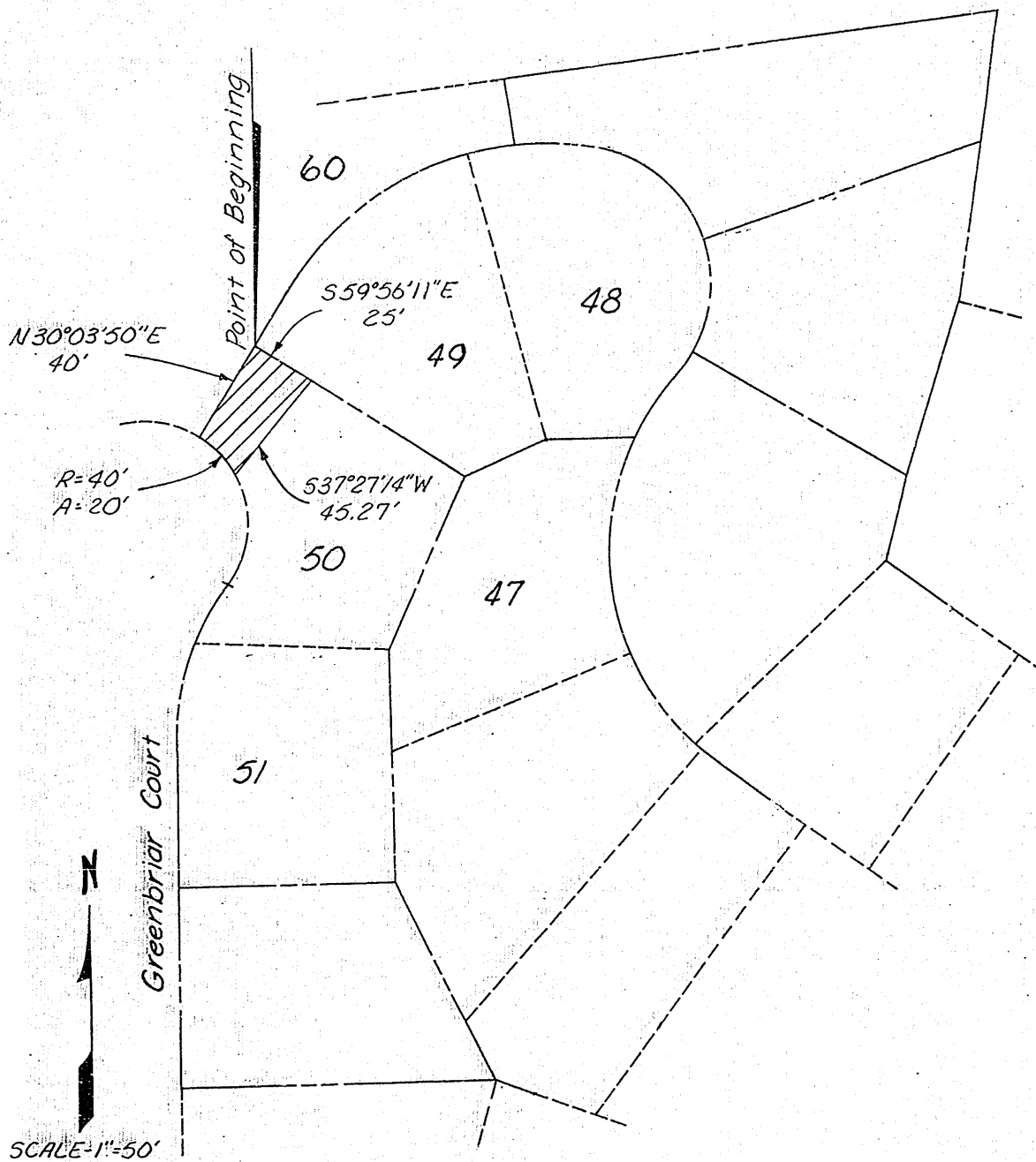
SCALE-1"=50'

LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 45, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the easternmost common corner of lots 52 and 53; thence North 28°19'24" West along the southwesterly line of lot 45, a distance of 8.84 feet; thence North 86°52'42" East, a distance of 17.34 feet; thence North 40°31'05" East, a distance of 137.08 feet to the northeasterly line of lot 45; thence South 55°26'27" East along said line, a distance of 17.74 feet to the northeasterly corner of lot 45; thence South 41°07'37" West, a distance of 145.69 feet to the southerly line of lot 45; thence North 71°51'27" West, along said line, a distance of 22.06 feet to the point of beginning.





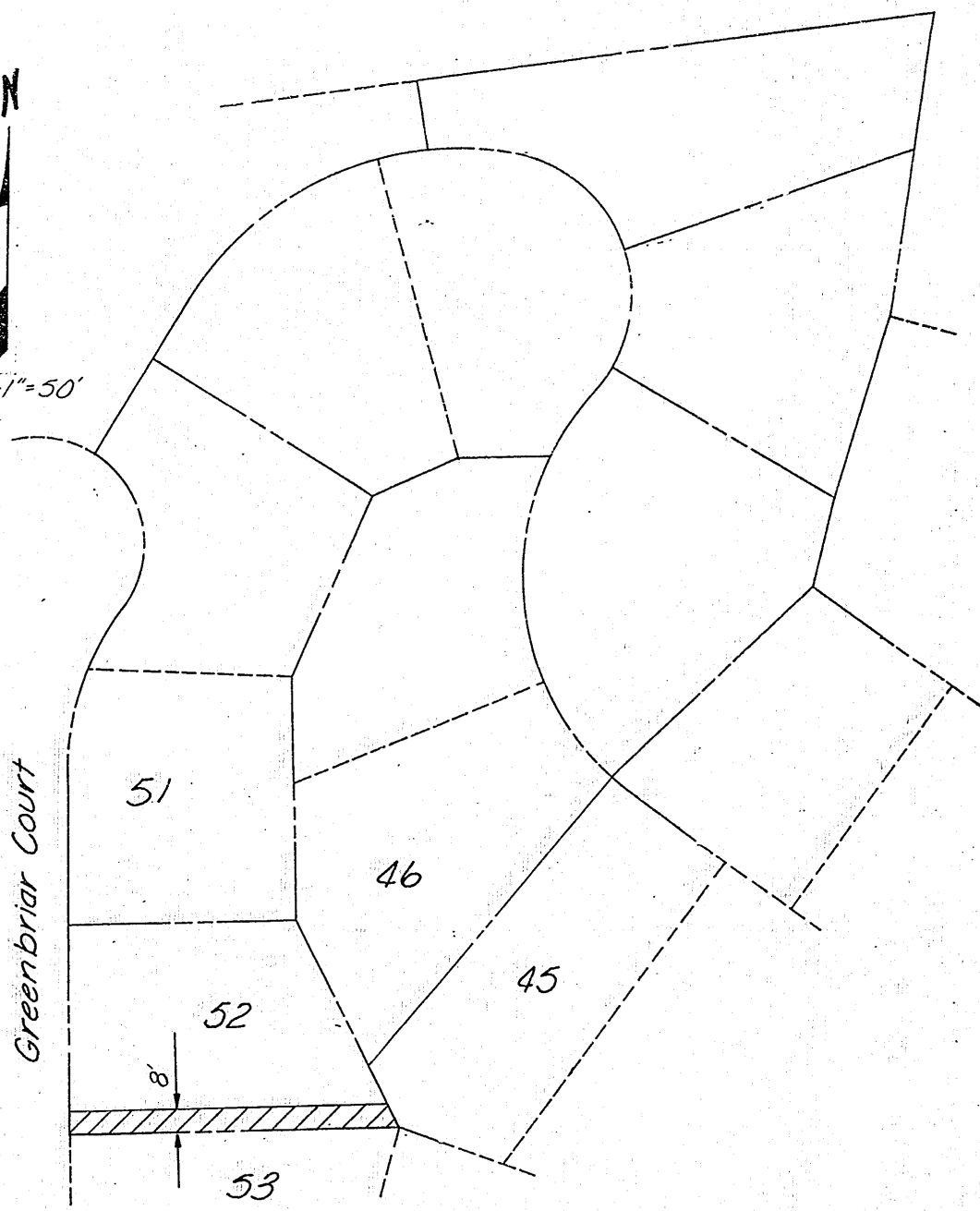
LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 50, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northerlymost corner of lot 50; thence South  $59^{\circ}56'11''$  East, along the northeasterly line of said lot, a distance of 25.00 feet; thence South  $37^{\circ}27'14''$  West, a distance of 45.27 feet to a point on a curve; thence northwesterly along a 40.00 foot radius curve to the left an arc distance of 20.00 feet to the westerlymost corner of lot 50; thence North  $30^{\circ}03'50''$  East, along the northwesterly line of said lot, a distance of 40.00 feet to the point of beginning.



SCALE-1"=50'

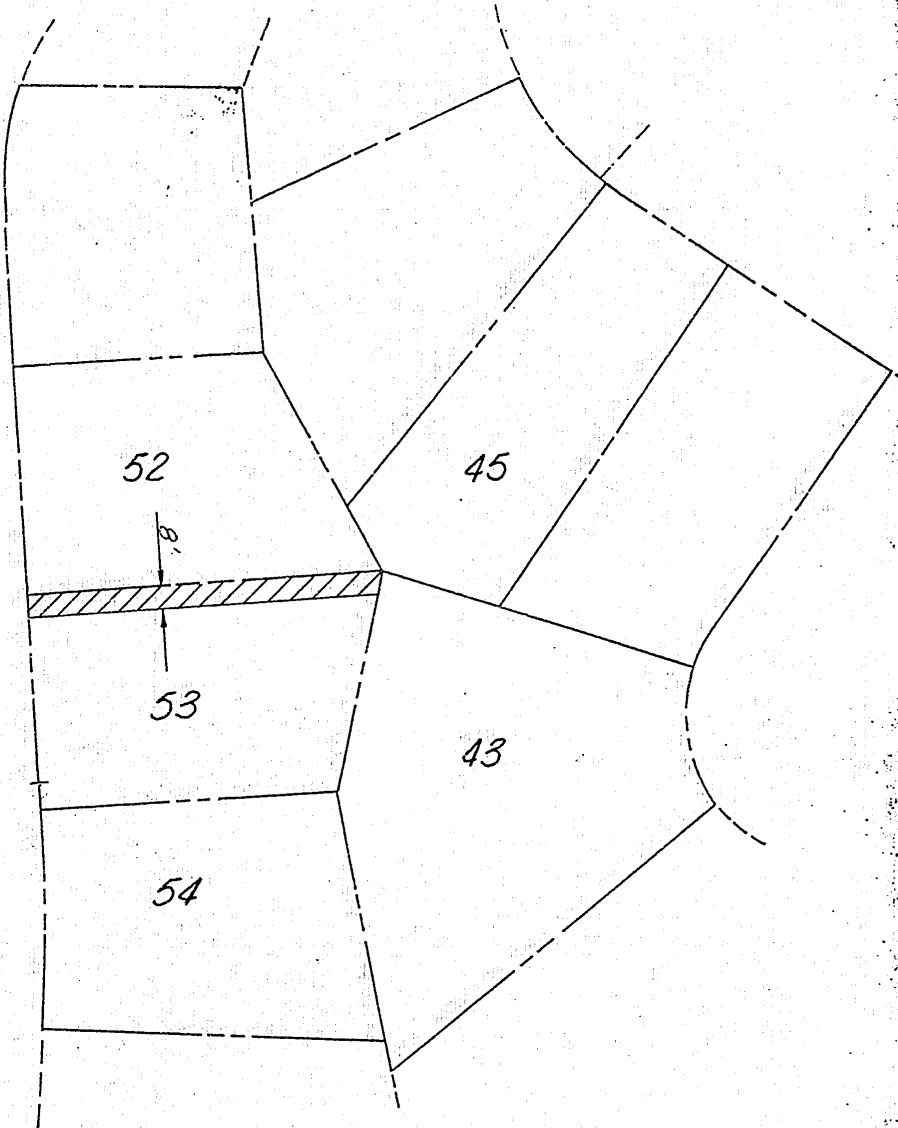


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 52, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The southerly 8.00 feet of lot 52, abutting and parallel to the common line of lots 52 and 53.

Greenbriar Court



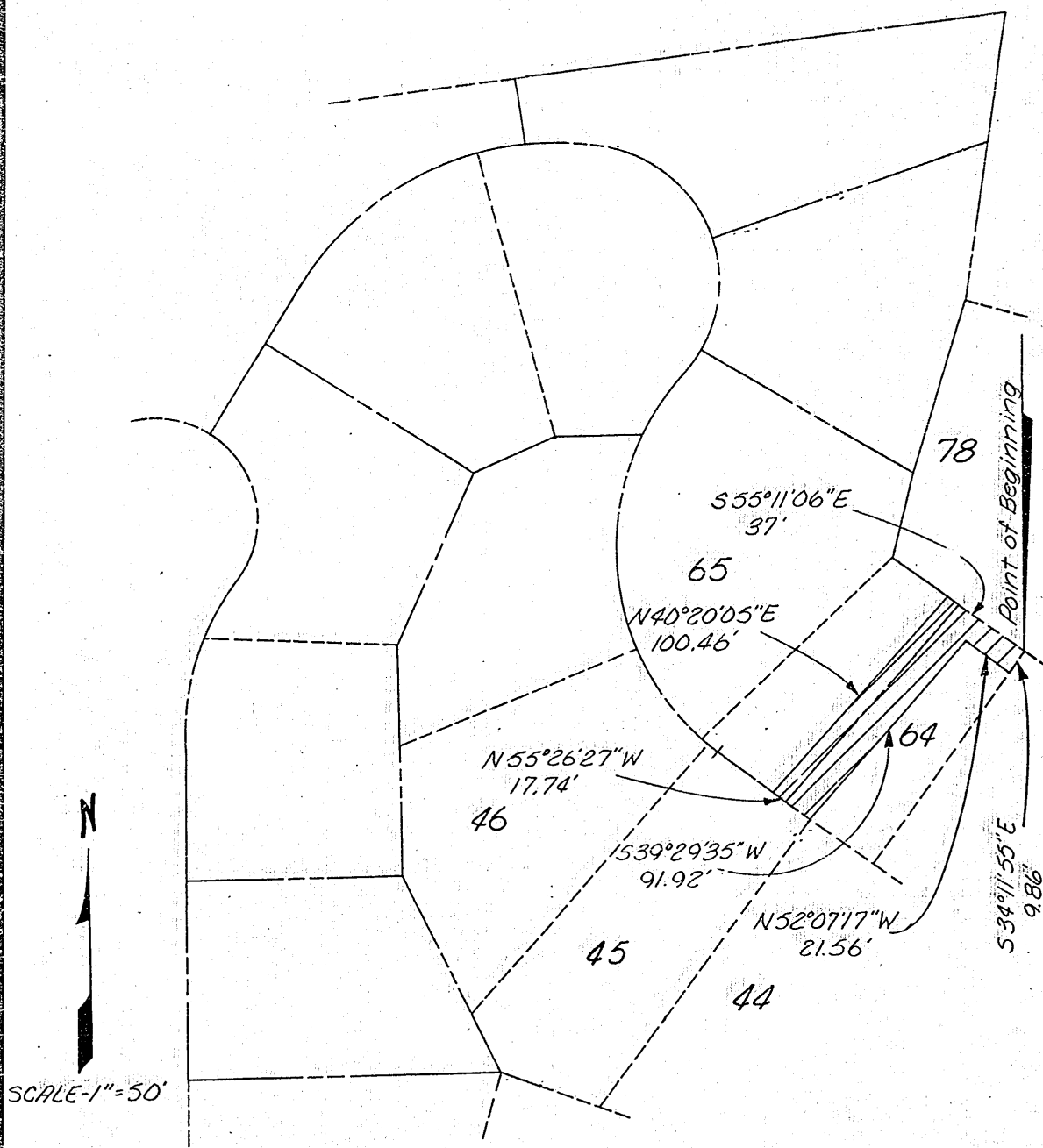
SCALE-1"=50'

LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 53, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The northerly 8.00 feet of lot 53, abutting and parallel to the common line of lots 52 and 53.

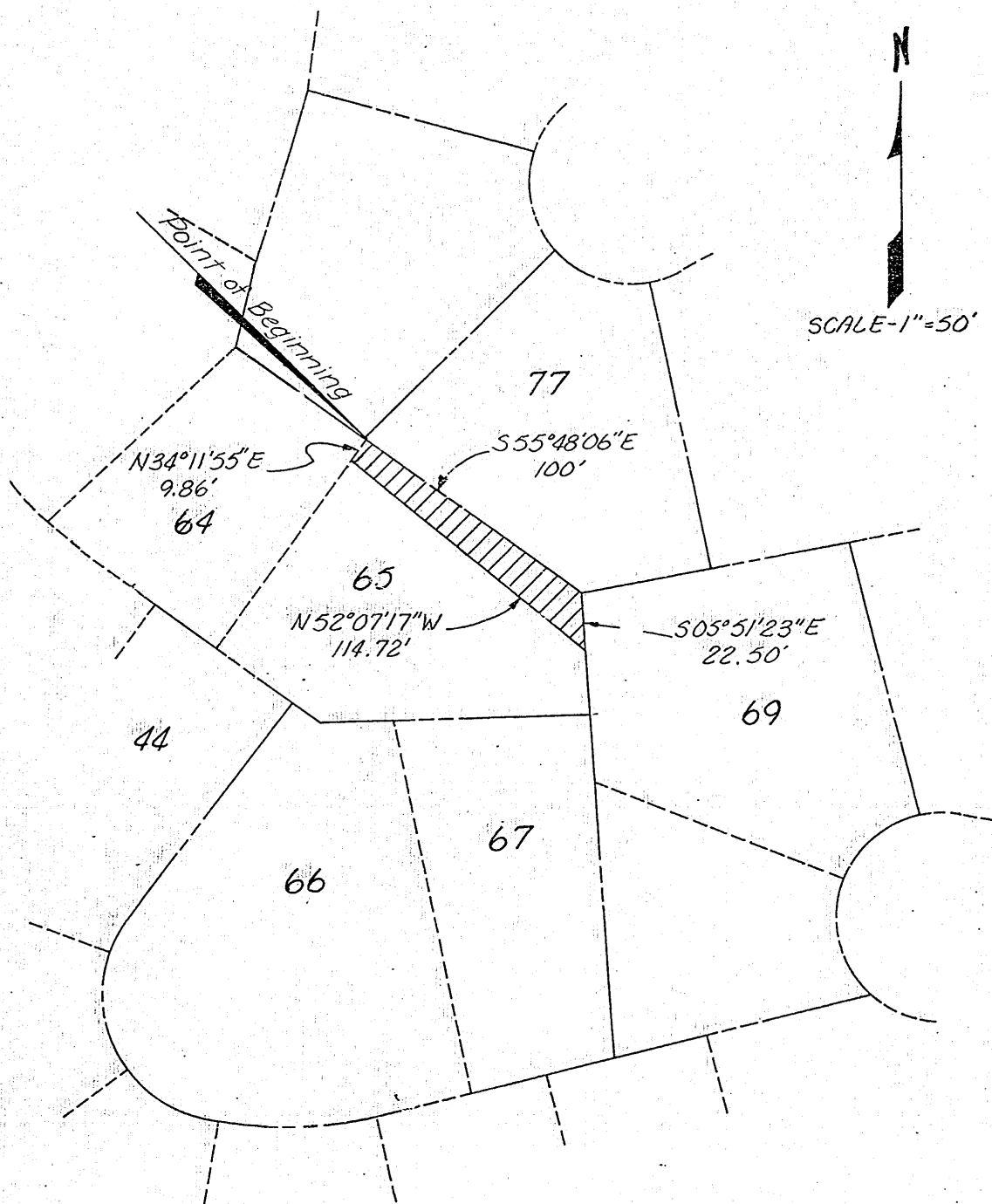
EXHIBIT "E"



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 64, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

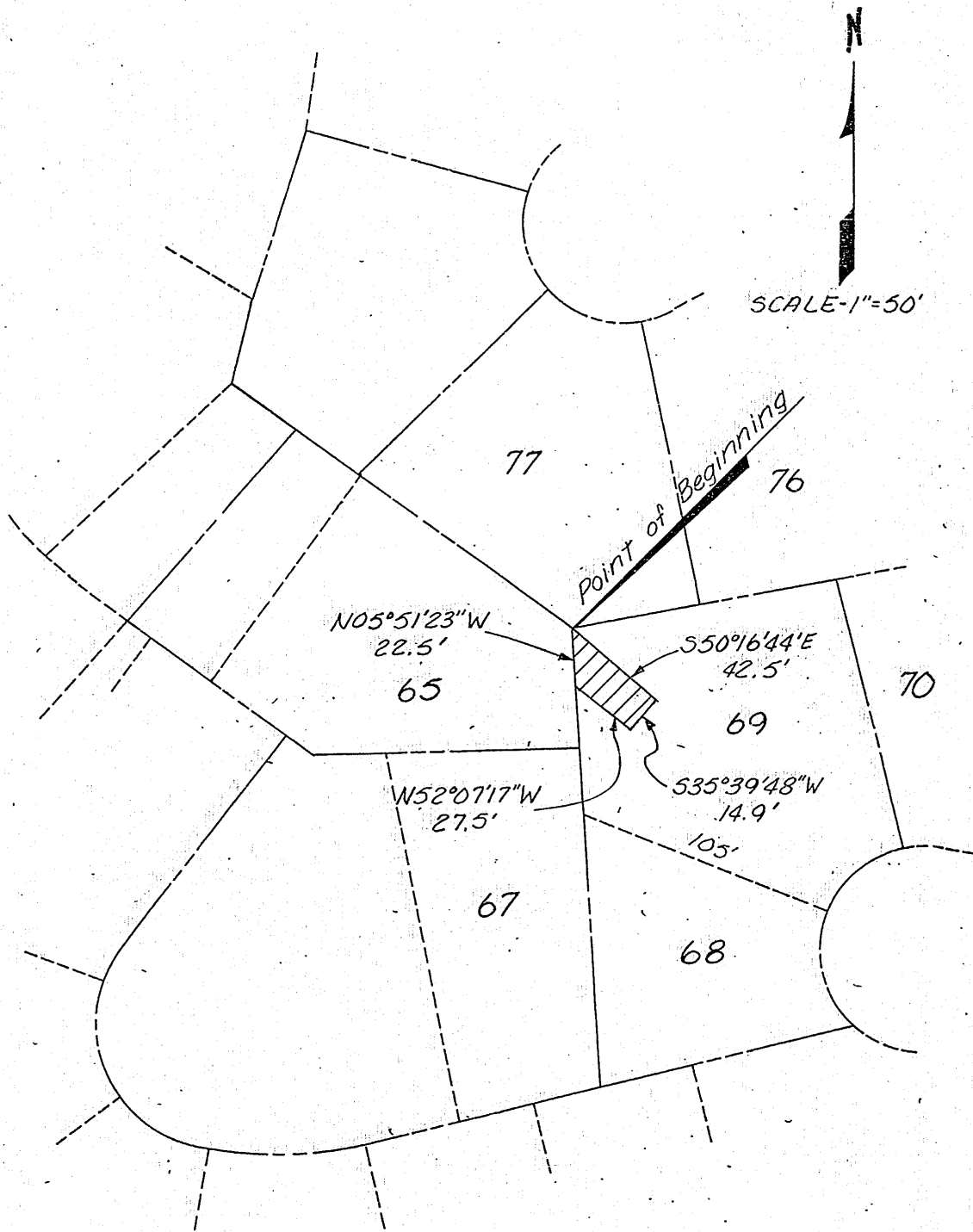
Beginning at the northeasterly corner of lot 64; thence South 34°11'55" East, along the easterly line of said lot, a distance of 9.86 feet; thence North 52°07'17" West, a distance of 21.56 feet; thence South 39°29'35" West, a distance of 91.92 feet to the southwesterly line of lot 64; thence North 55°26'27" West, along said line, a distance of 17.74 feet; thence North 40°20'05" East, a distance of 100.46 feet to the northeasterly line of lot 64; thence South 55°11'06" East, a distance of 37.00 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 65, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

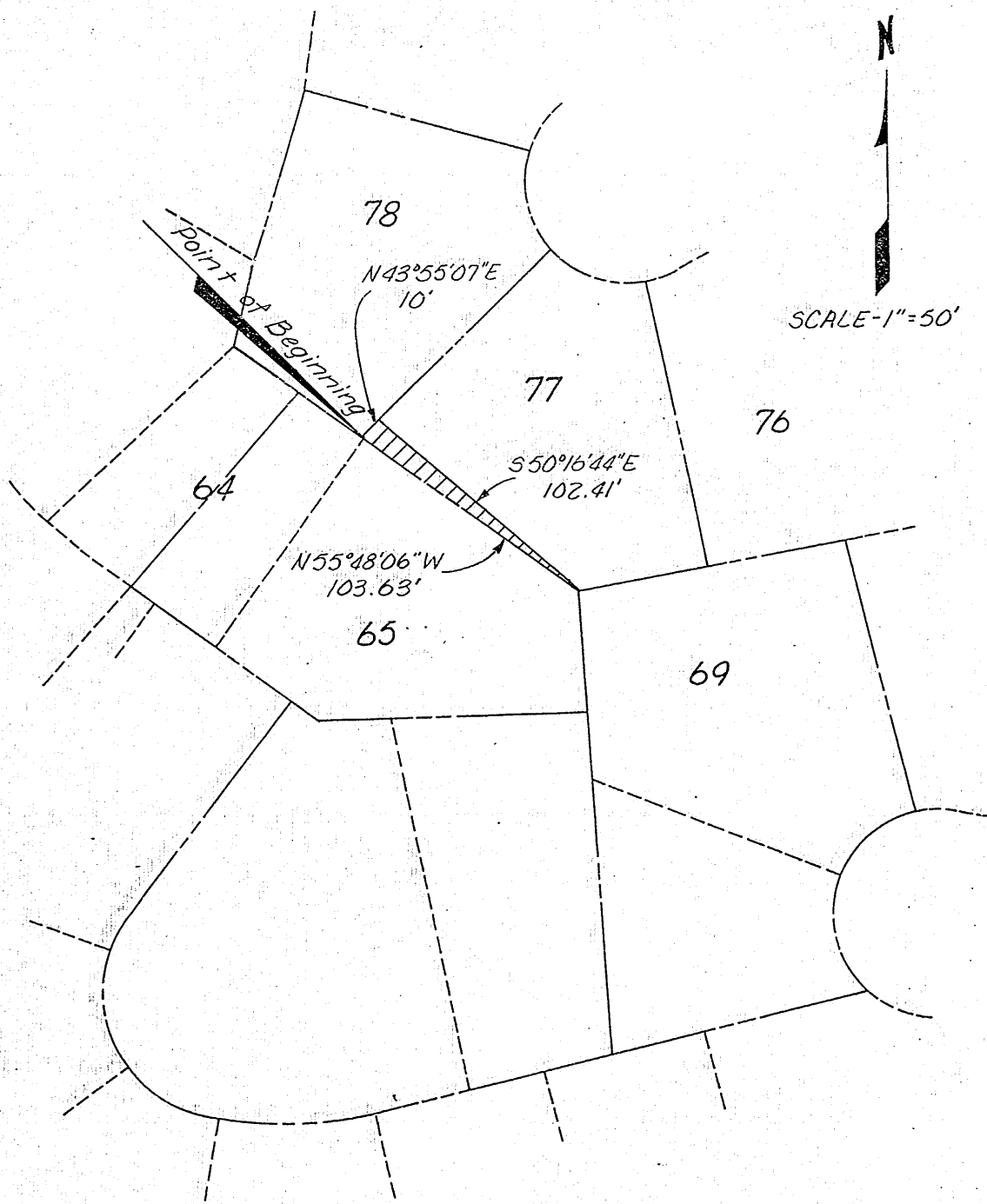
Beginning at the northerlymost corner of lot 65; thence South 55°48'06" East, along the northeasterly line of said lot, a distance of 100.00 feet to the common corner of lots 65, 69 and 77; thence South 05°51'23" East, along the easterly line of lot 65, a distance of 22.50 feet; thence North 52°07'17" West, a distance of 114.72 feet to the northwesterly line of lot 65; thence North 34°11'55" East, along said line, a distance of 9.86 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 69, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska being more particularly described as follows:

Beginning at the common corner of lots 69, 65 and 77; thence South 50°16'44" East, a distance of 42.50 feet; thence South 35°39'48" West, a distance of 14.90 feet; thence North 52°07'17" West, a distance of 27.50 feet to the westerly line of lot 69; thence North 05°51'23" West along said line, a distance of 22.50 feet to the point of beginning.

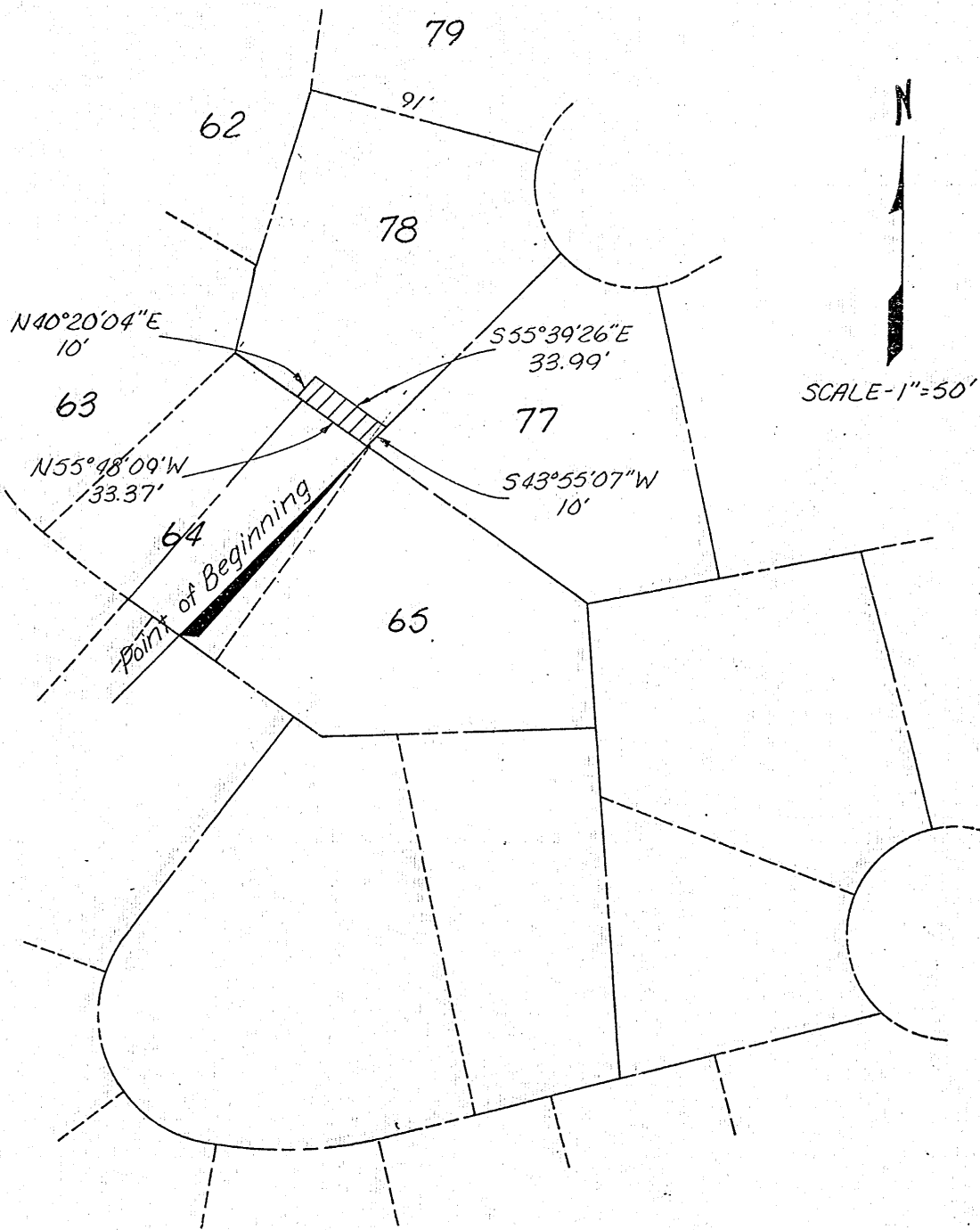


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 77, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southwesterly corner of lot 77; thence North 43°55'07" East along the northwesterly line of said lot, a distance of 10.00 feet; thence South 50°16'44" East, a distance of 102.41 feet to the southerlymost corner of lot 77; thence North 55°48'06" West along the southwesterly line of said lot, a distance of 103.63 feet to the point of beginning.

EXHIBIT "I"

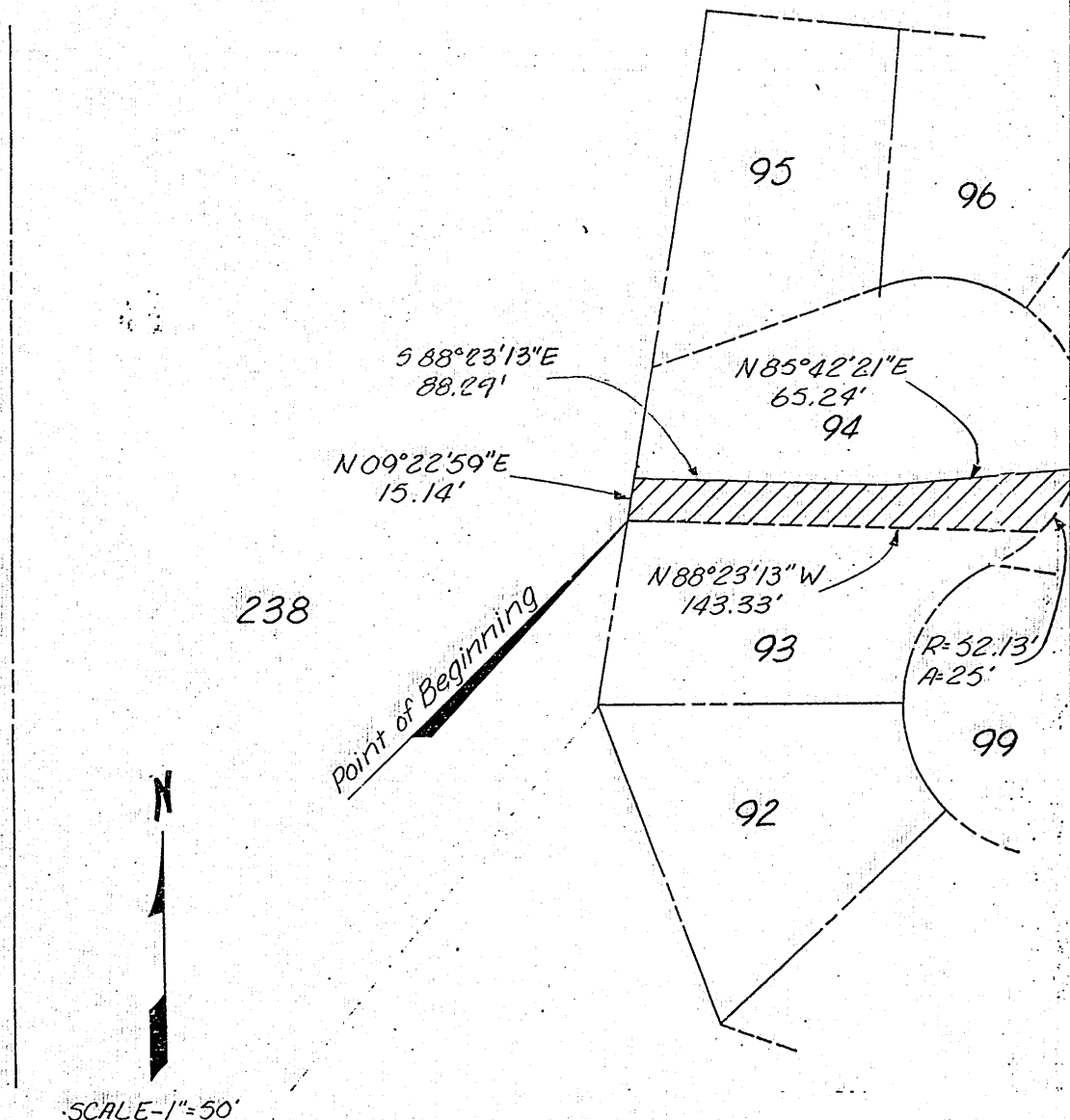


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 78, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southerlymost corner of lot 78; thence North 55°48'09" West, along the southwesterly line of said lot, a distance of 33.37 feet; thence North 40°20'04" East, a distance of 10:00 feet; thence South 55°39'26" East, a distance of 33.99 feet to the southeasterly line of lot 78; thence South 43°55'07" West, along said line, a distance of 10.00 feet to the point of beginning.

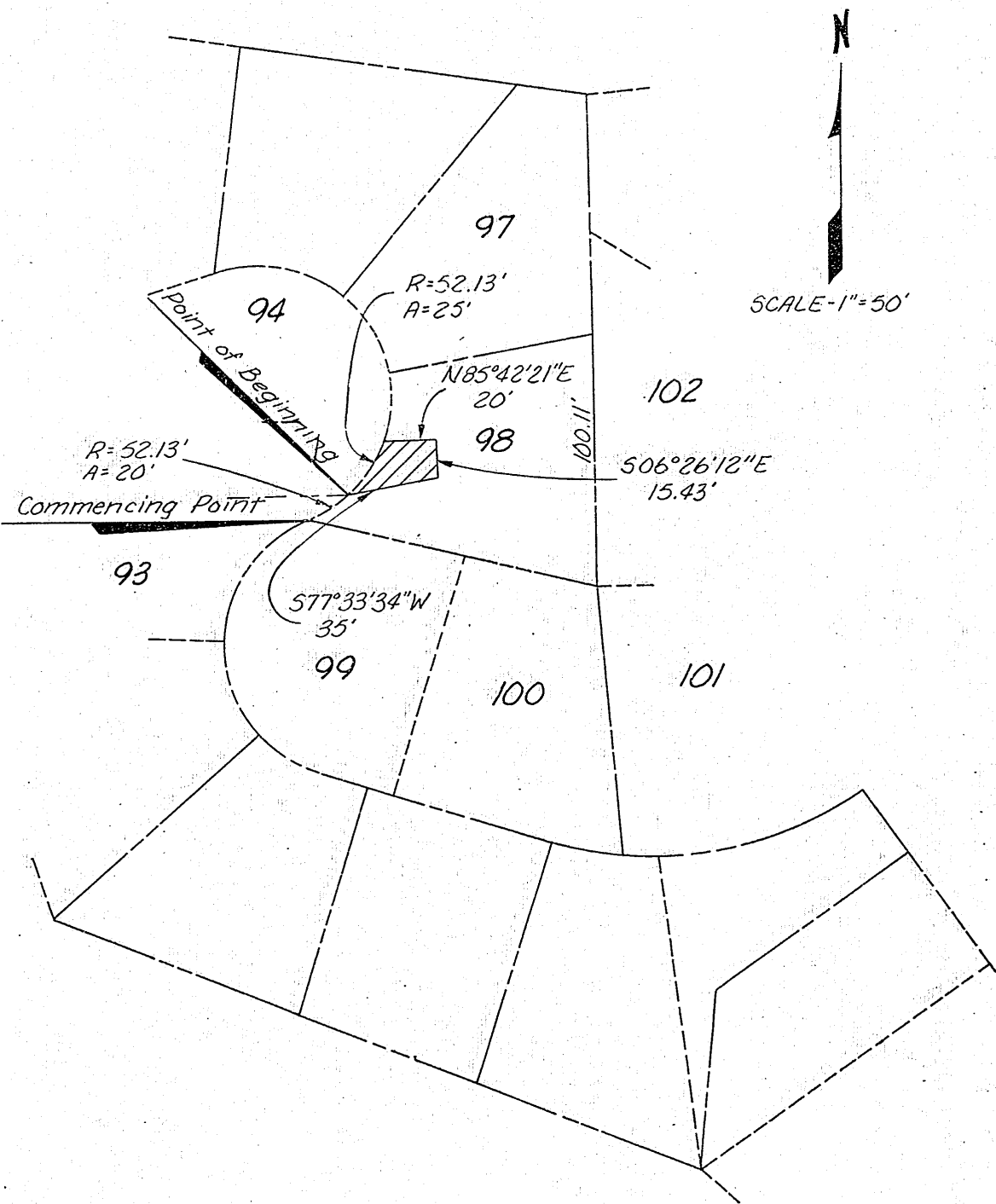




LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 94, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southwesterly corner of lot 94; thence North 09°22'59" East, along the westerly line of lot 94, a distance of 15.14 feet; thence South 88°23'13" East, a distance of 88.29 feet; thence North 85°42'21" East, a distance of 65.24 feet to a point on a curve; thence southwesterly along a 52.13 foot radius curve to the right, an arc distance of 25.00 feet to the southeasterly corner of lot 94; thence North 88°23'13" West, along the southerly line of said lot, a distance of 143.33 feet to the point of beginning.

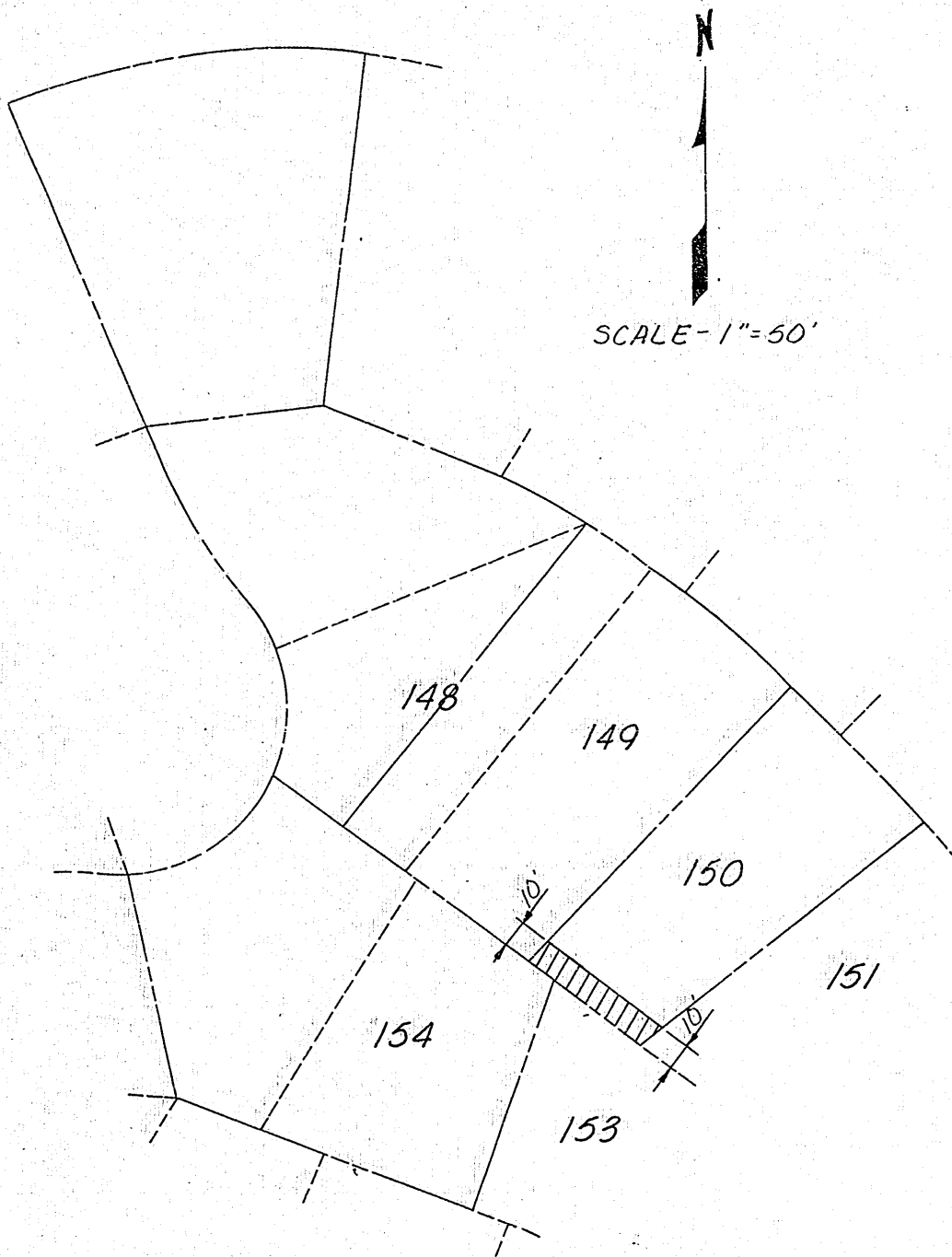


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 98, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Commencing at the southwesterly corner of lot 98; thence northeasterly on a 52.13 foot radius curve to the left, an arc distance of 20.00 feet to the point of beginning; thence continuing northeasterly on said curve, an arc distance of 25.00 feet; thence North 85°42'21" East, a distance of 20.00 feet; thence South 06°26'12" East, a distance of 15.43 feet; thence South 77°33'34" West, a distance of 35.00 feet to the point of beginning.

EXHIBIT "L"

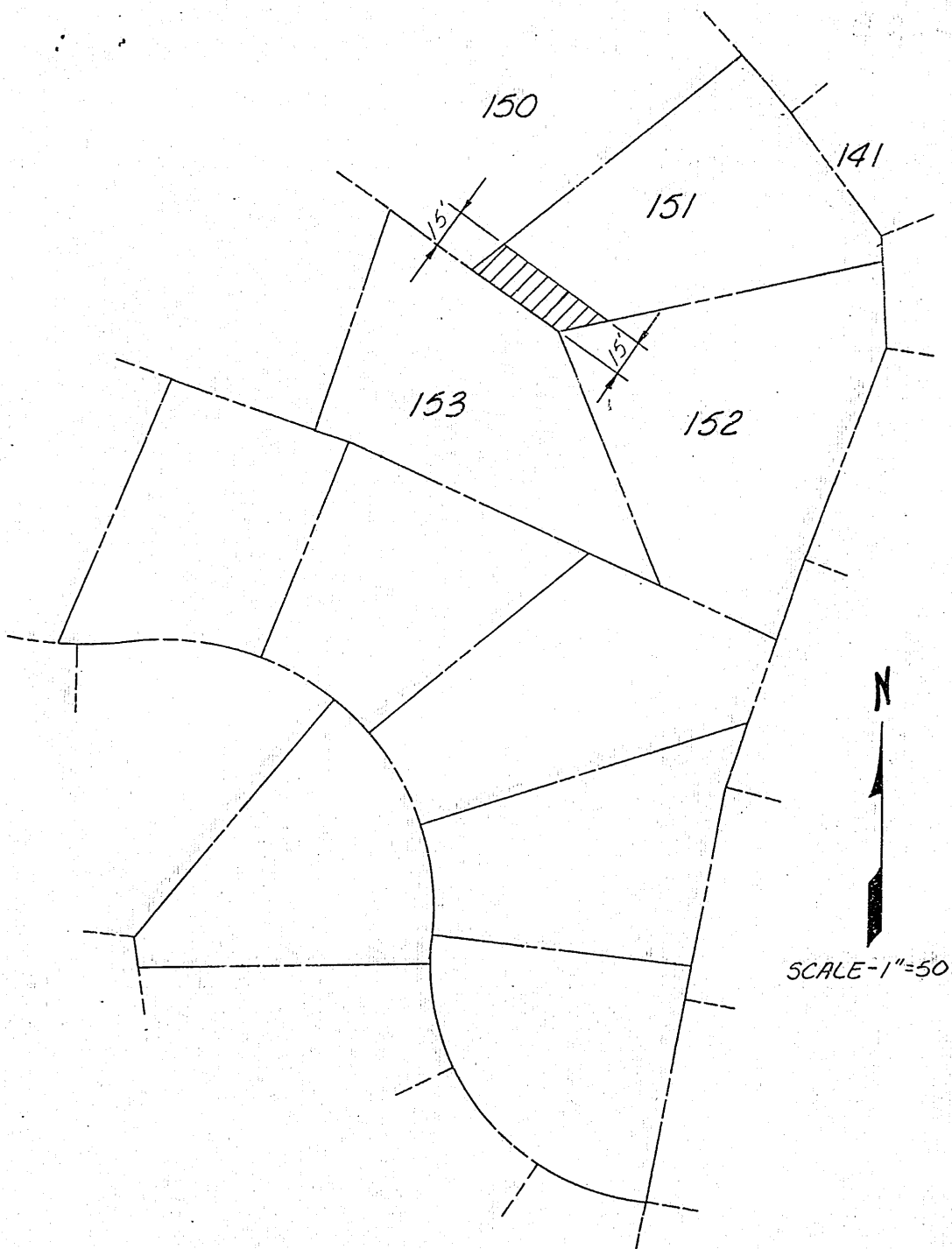


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 150, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The southwesterly 10 feet of lot 150 parallel to the southwesterly lot line.

EXHIBIT "M"

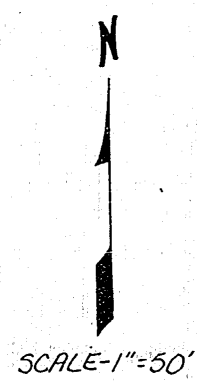
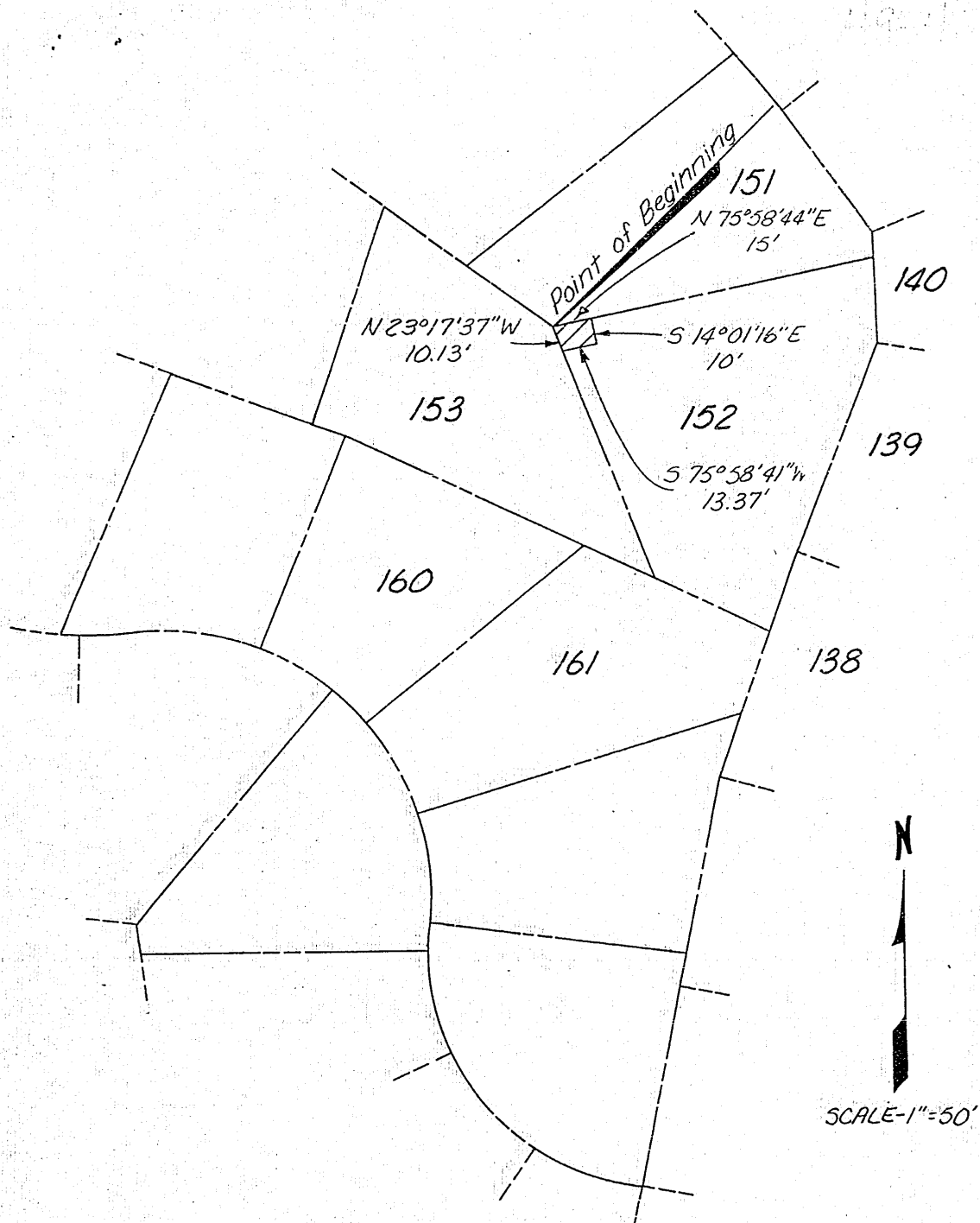


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement, located in lot 151, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The southwesterly 15 feet of Lot 151, parallel to the southwesterly lot line.

EXHIBIT "N"

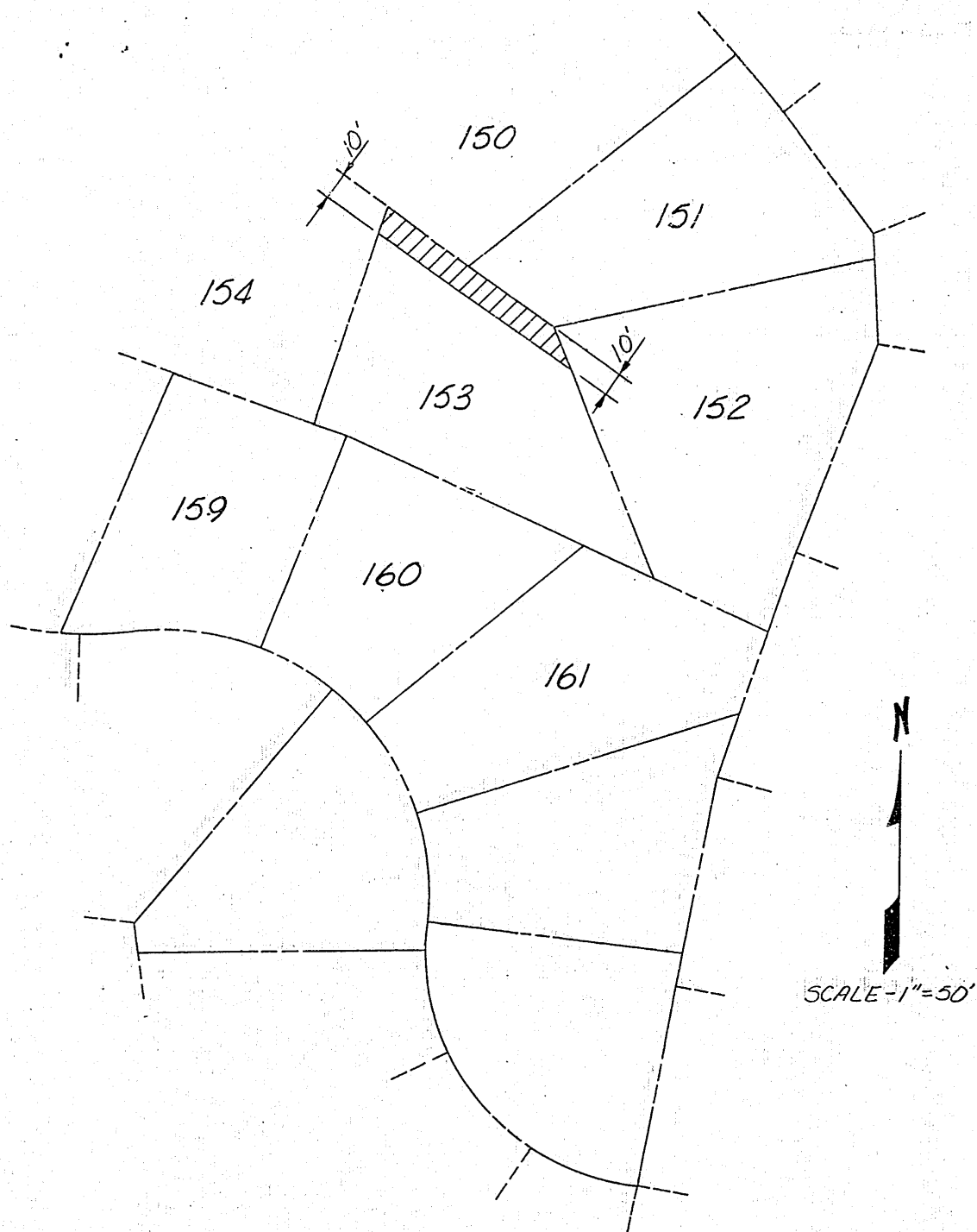


**LEGAL DESCRIPTION**

The following is a legal description of a permanent sewer and drainage easement located in lot 152, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northwesternmost corner of lot 152; thence North 75°58'44" East a distance of 15 feet; thence South 14°01'16" East a distance of 10 feet; thence South 75°58'41" West a distance of 13.37 feet; thence North 23°17'37" West a distance of 10.13 feet to the point of beginning.

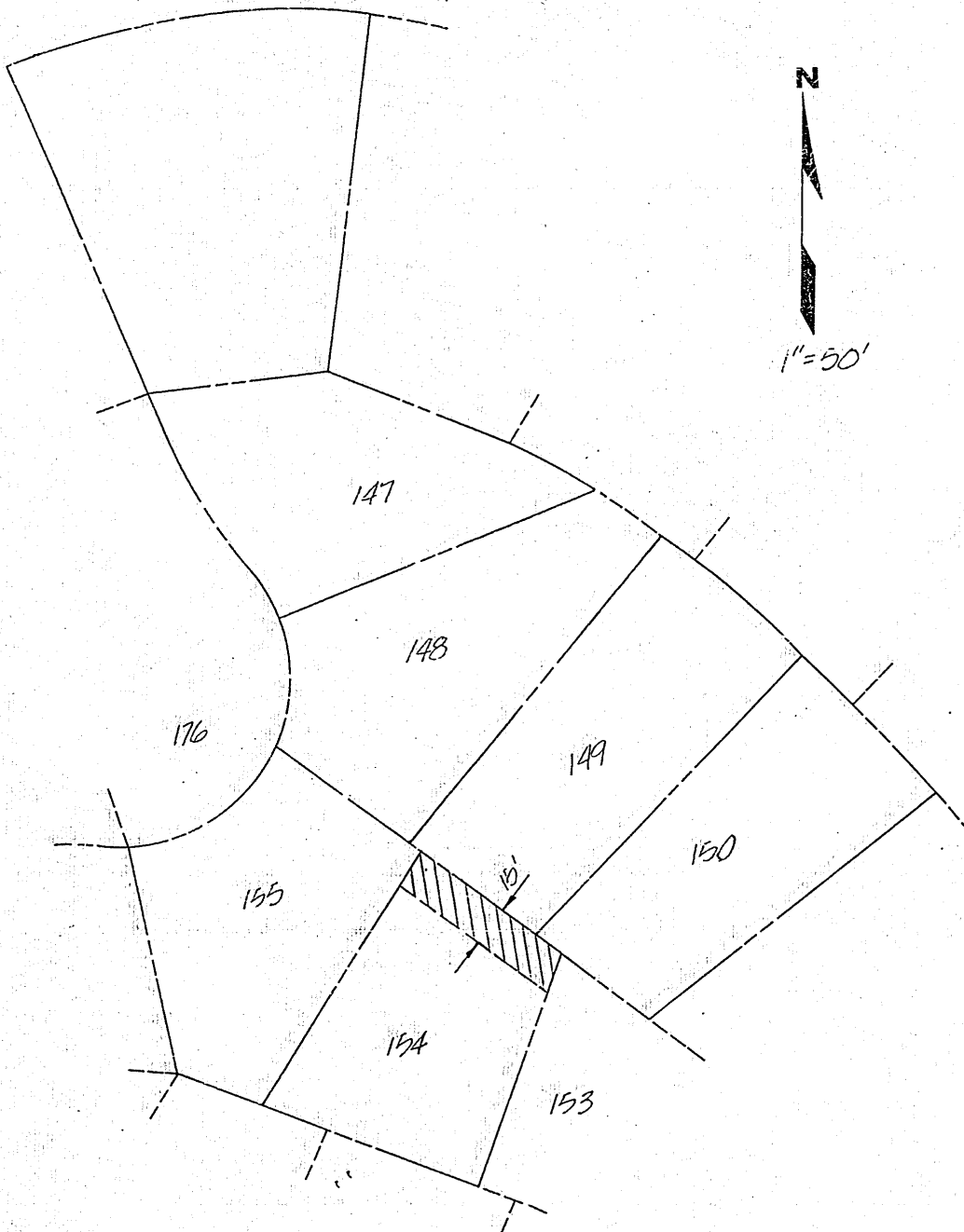
EXHIBIT "O"



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 153, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

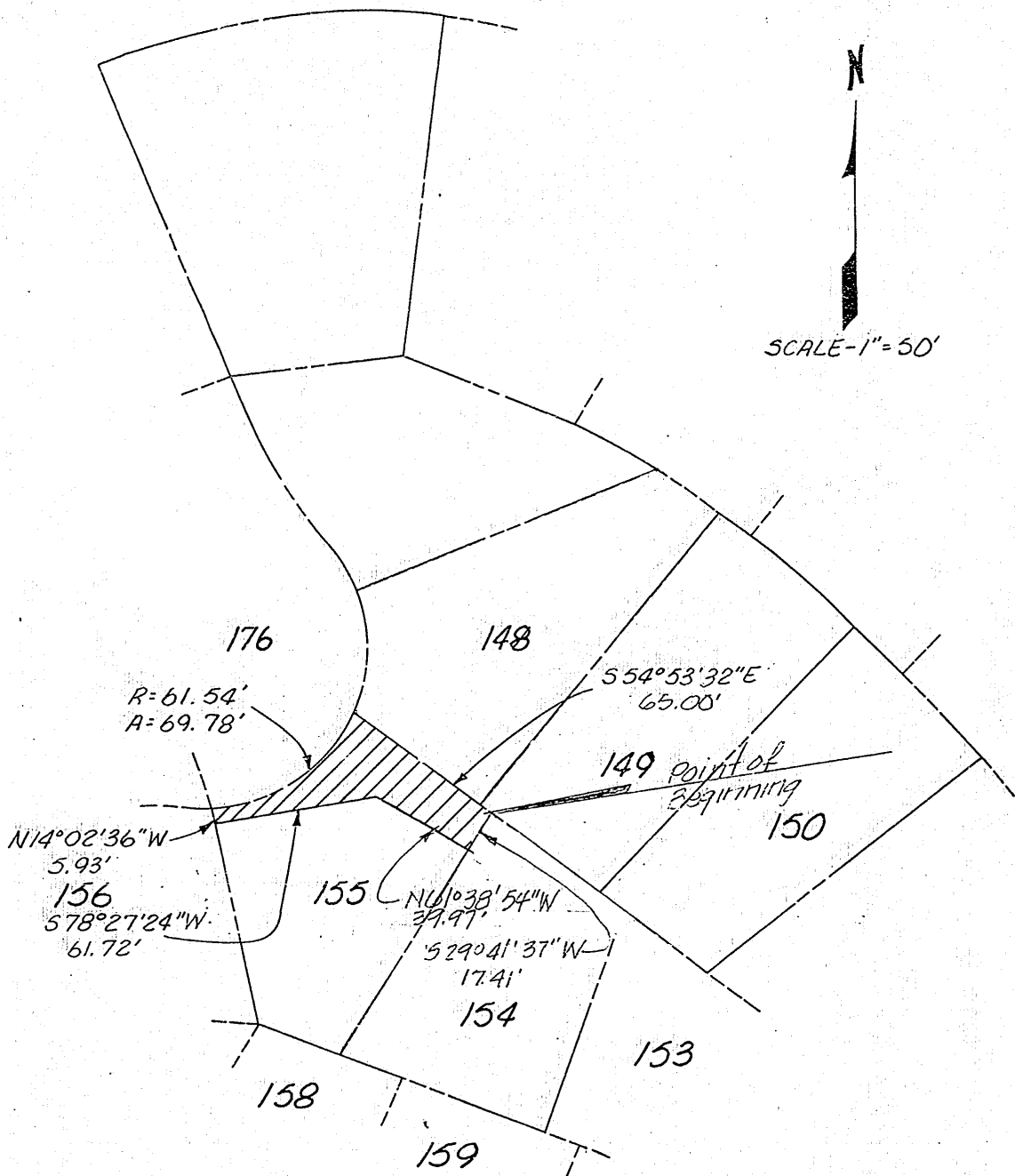
The northerly 10 feet of Lot 153 parallel to the northerly lot line.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 154, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The northernmost 15 feet of said lot 154 parallel to the northernmost lot line.



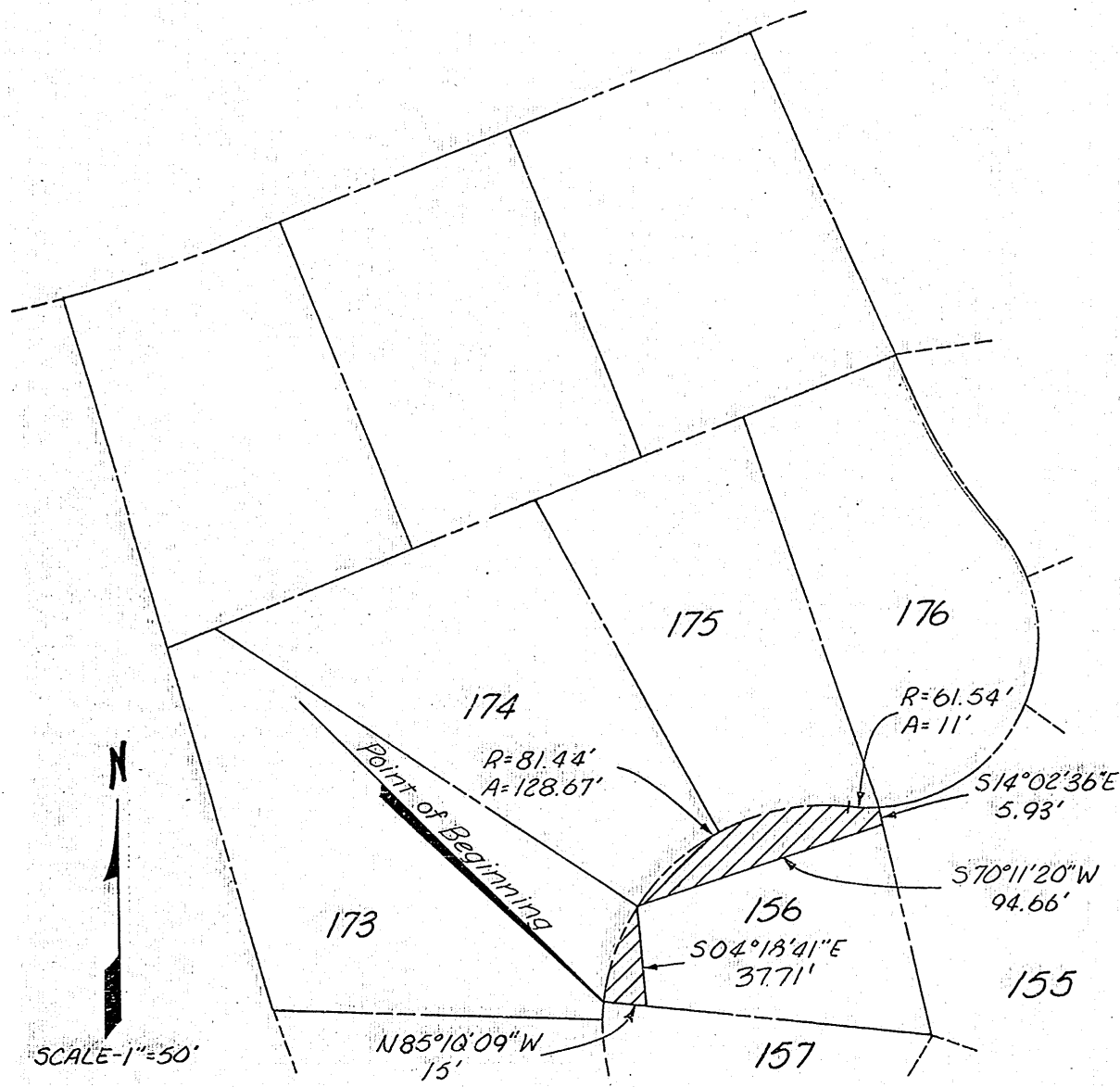
N  
 SCALE-1"=50'

LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 155, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northernmost common corner of lots 154 and 155; thence South 29°41'37" West along the common line of said lots 154 and 155 a distance of 17.41 feet; thence North 61°38'54" West a distance of 39.97 feet; thence South 78°27'24" West to the common line of lots 155 and 156 a distance of 61.72 feet; thence North 14°02'36" West along said common line of lots 155 and 156 to the northernmost common corner of said lots 155 and 156 a distance of 5.93 feet; thence on a 61.54 foot radius curve to the left to the westernmost common corner of lots 148 and 155 an arc distance of 69.78 feet; thence South 54°53'32" East along the common line of lots 148 and 155 a distance of 65.00 feet to the point of beginning.

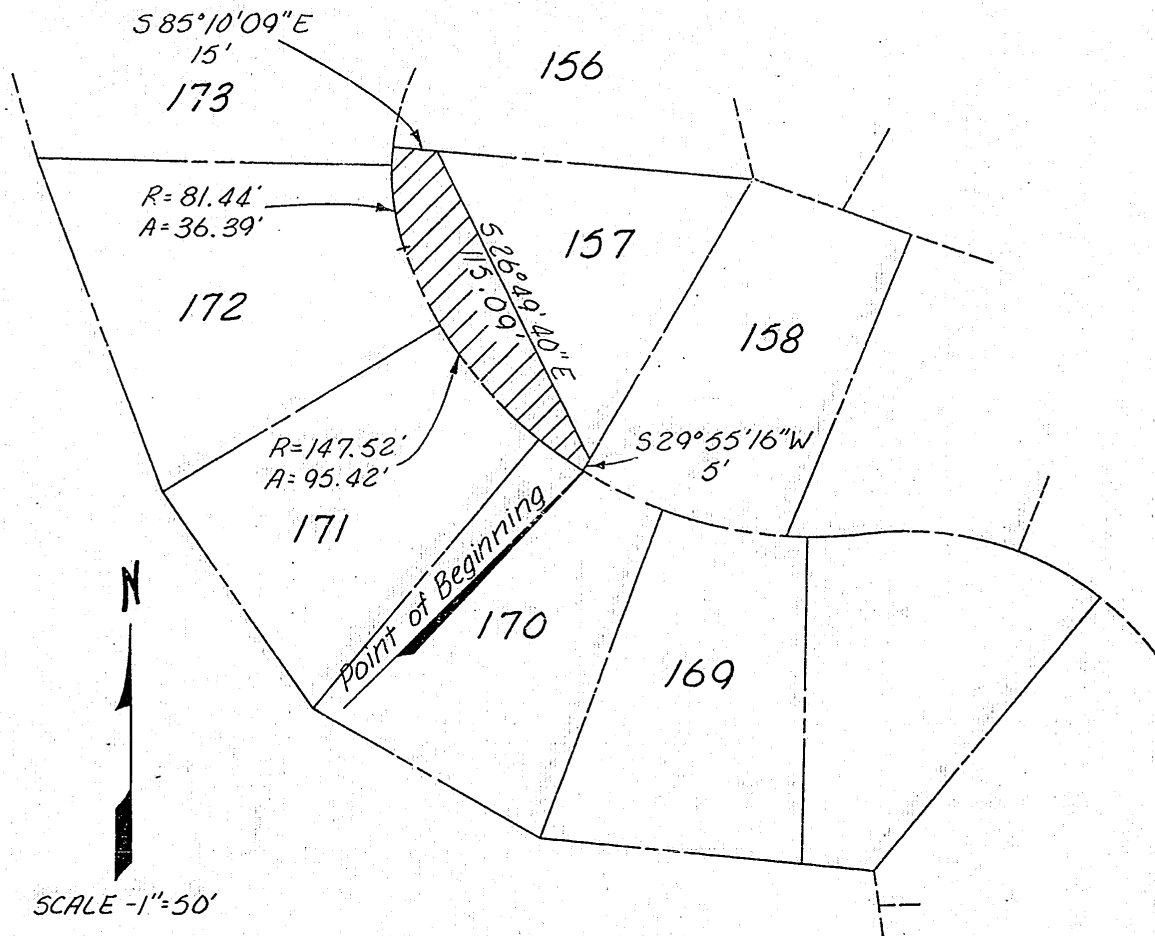




LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 156, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

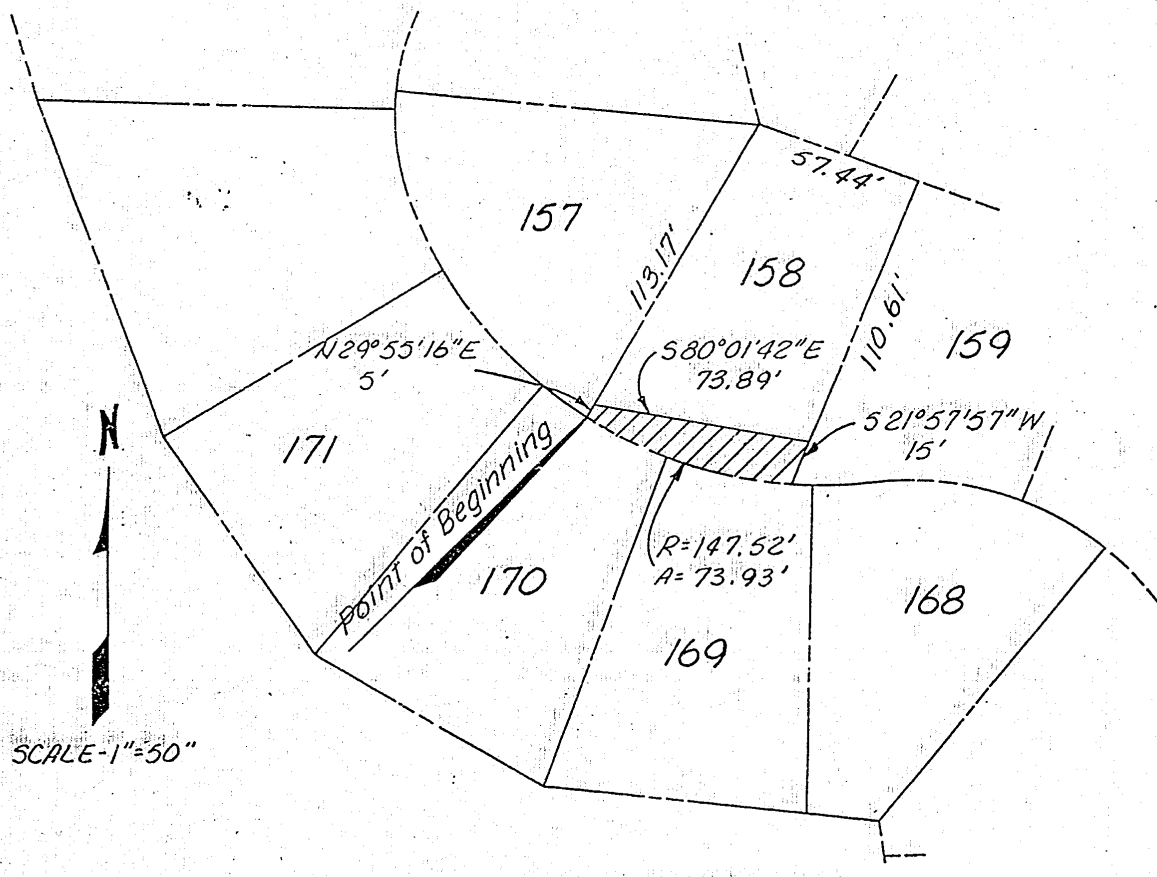
Beginning at the westernmost corner of lot 156; thence northeasterly along an 81.44 foot radius curve to the right, an arc distance of 128.67 feet to a point of reverse curvature; thence easterly along a 61.54 foot radius curve to the left, an arc distance of 11 feet to a point on the curve; thence South 14°02'36" East a distance of 5.93 feet; thence South 70°11'20" West a distance of 94.66 feet; thence South 04°18'41" East a distance of 37.71 feet; thence North 85°10'09" West a distance of 15 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 157, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

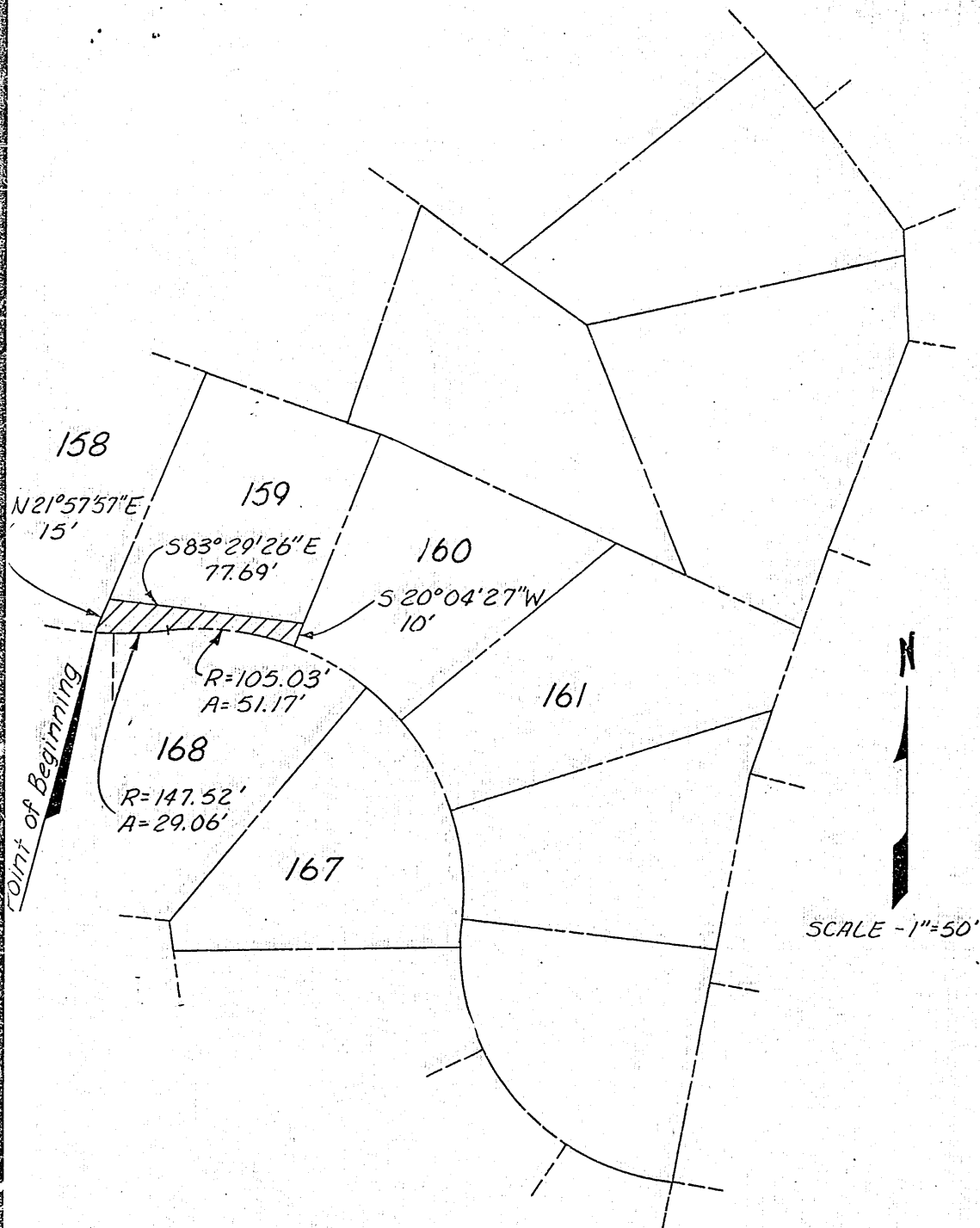
Beginning at the southernmost corner of lot 157; thence northwesterly along a 147.52 foot radius curve to the right, an arc distance of 95.42 feet to a point of compound curvature; thence northerly along an 81.44 foot radius curve to the right, an arc distance of 36.39 feet to a point on the curve; thence South 85°10'09" East a distance of 15 feet; thence South 26°49'40" East a distance of 115.09 feet; thence South 29°55'16" West a distance of 5 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 158, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

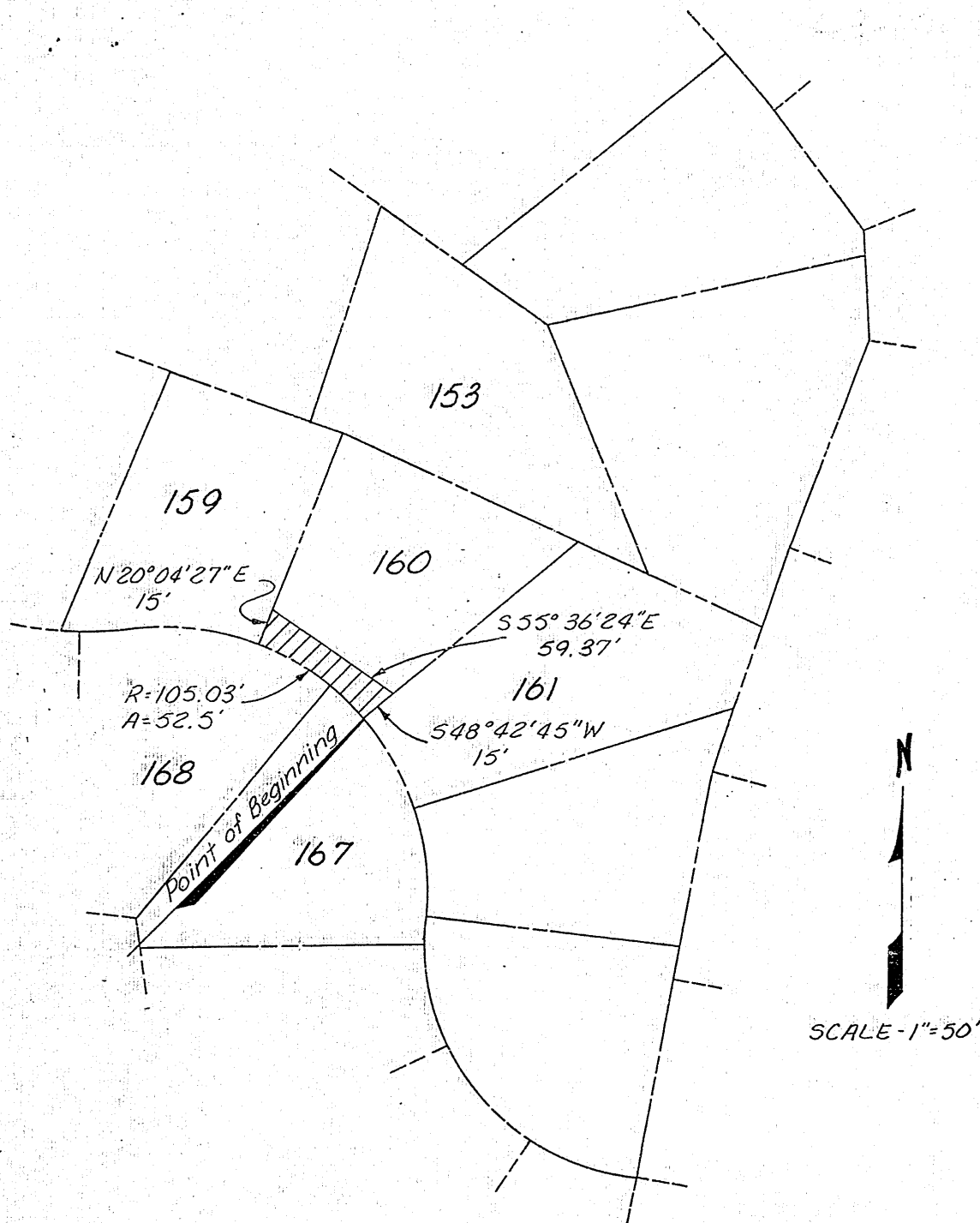
Beginning at the southernmost common corner of lots 157 and 158; thence North  $29^{\circ}55'16''$  East a distance of 5 feet; thence South  $80^{\circ}01'42''$  East a distance of 73.89 feet; thence South  $21^{\circ}57'57''$  West a distance of 15 feet to a point on a curve; thence northwesterly along a 147.52 foot radius curve to the right, an arc distance of 73.93 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 159, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

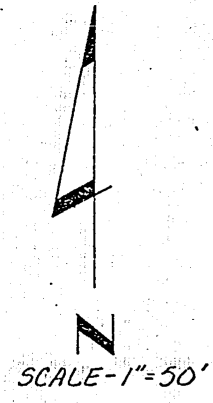
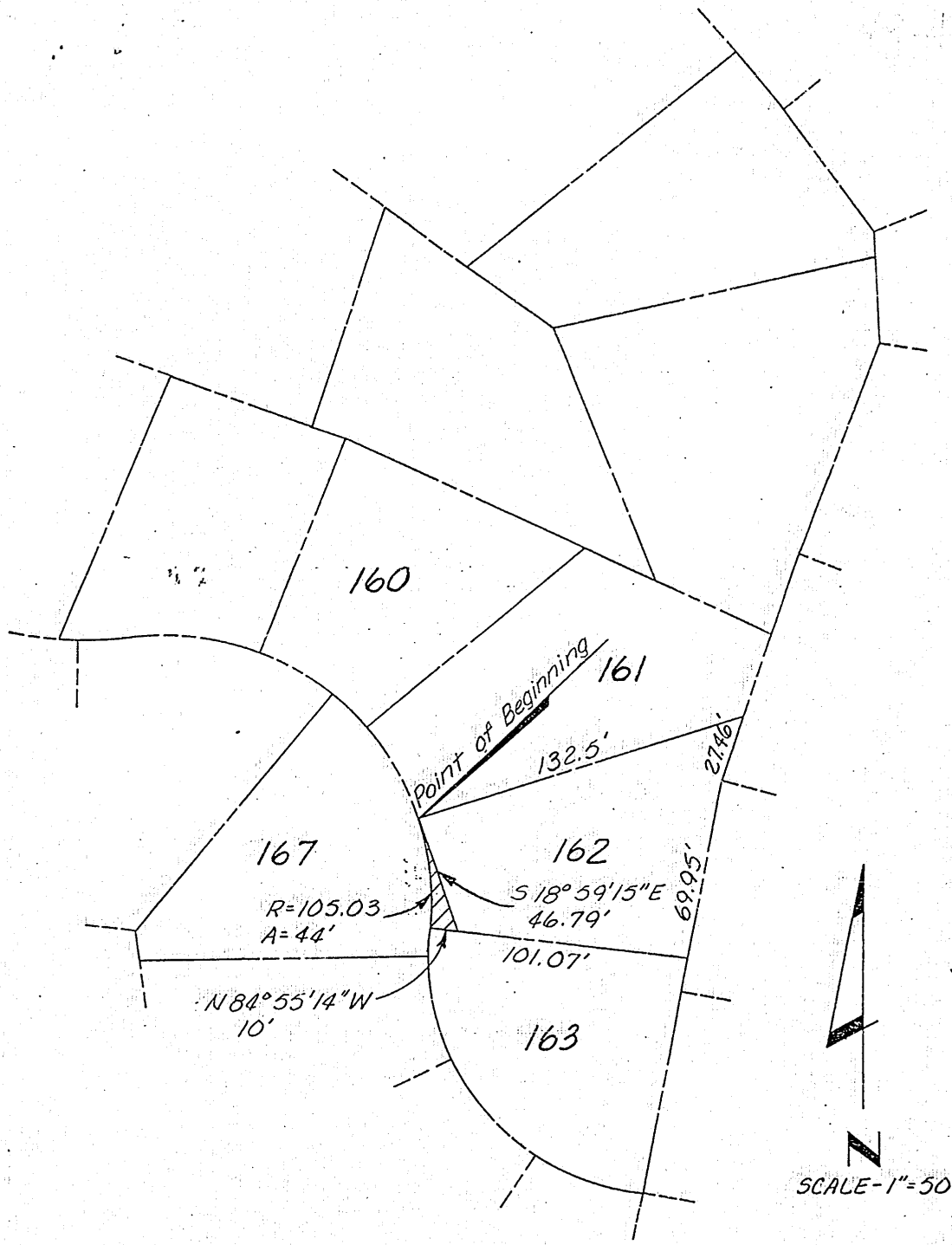
Beginning at the southernmost common corner of lots 158 and 159; thence North 21°57'57" East a distance of 15 feet; thence South 83°29'26" East a distance of 77.69 feet; thence South 20°04'27" West a distance of 10 feet to a point on a curve; thence northwesterly along a 105.03 foot radius curve to the left, an arc distance of 51.17 feet to a point of reverse curvature; thence westerly along a 147.52 foot radius curve to the right, an arc distance of 29.06 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 160, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

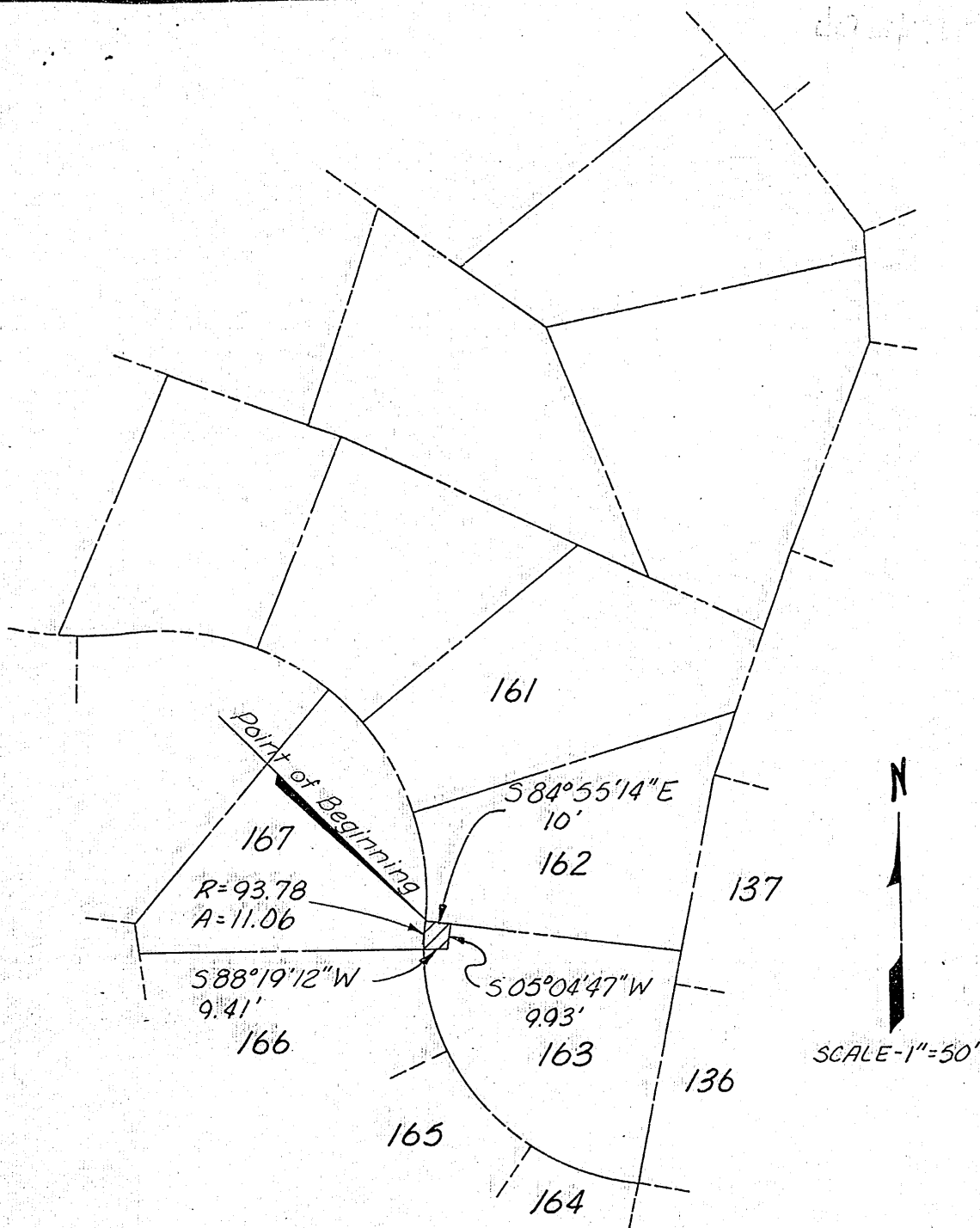
Beginning at the southernmost corner of lot 160; thence northwesterly along a 105.03 foot radius curve to the left, an arc distance of 52.5 feet to a point on the curve; thence North 20°04'27" East a distance of 15 feet; thence South 55°36'24" East a distance of 59.37 feet; thence South 48°42'45" West a distance of 15 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 162, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

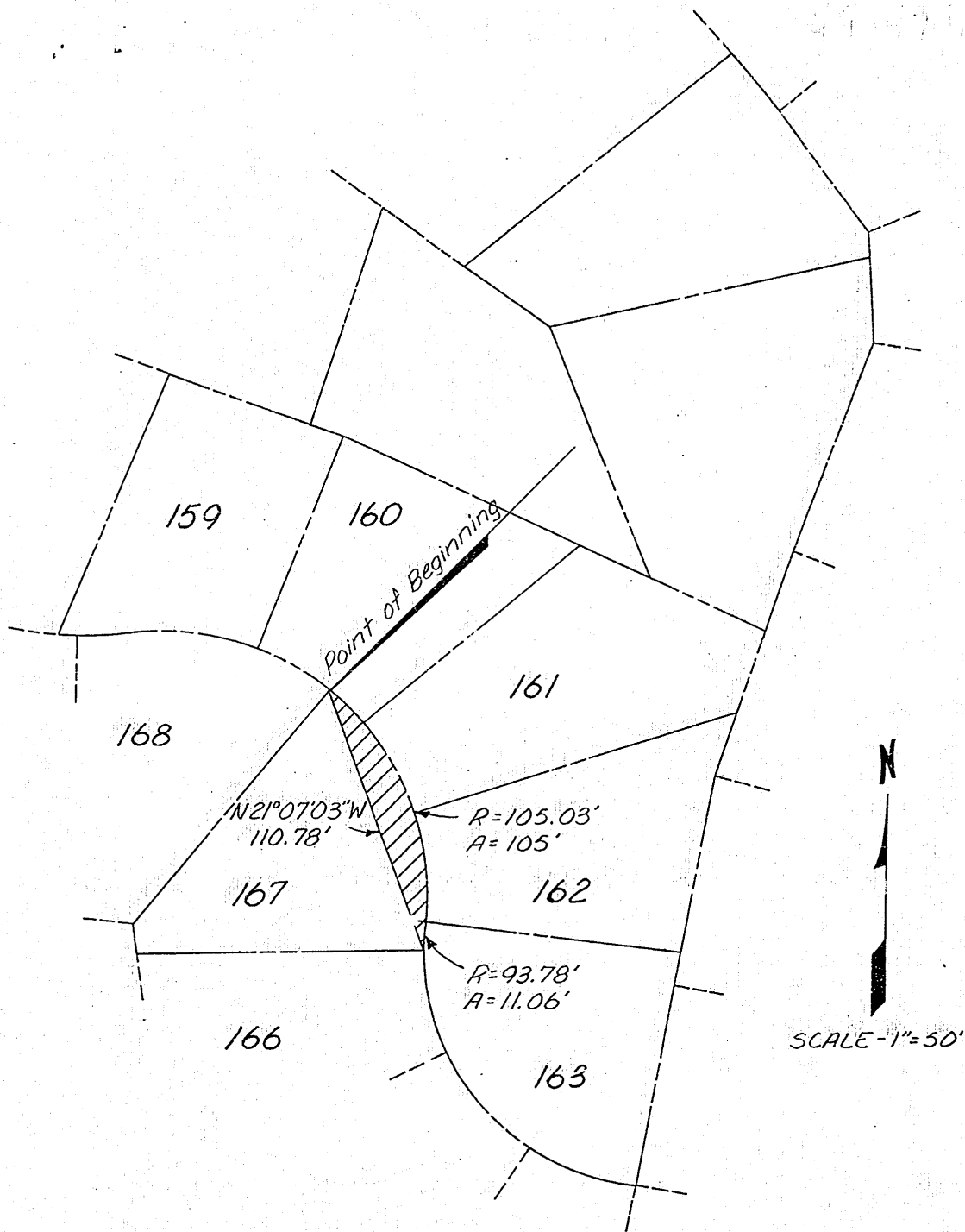
Beginning at the northwesternmost corner of lot 162; thence South 18°59'15" East a distance of 46.79 feet; thence North 84°55'14" West a distance of 10 feet to a point on a curve; thence northwesterly along a 105.03 foot radius curve to the right an arc distance of 44 feet to the point of beginning.



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 163, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northwesternmost corner of lot 163; thence South 84°55'14" East a distance of 10 feet; thence South 05°04'47" West a distance of 9.93 feet; thence South 88°19'12" West a distance of 9.41 feet to a point on a curve; thence northerly along a 93.78 foot radius curve to the right, an arc distance of 11.06 feet to the point of beginning.



LEGAL DESCRIPTION

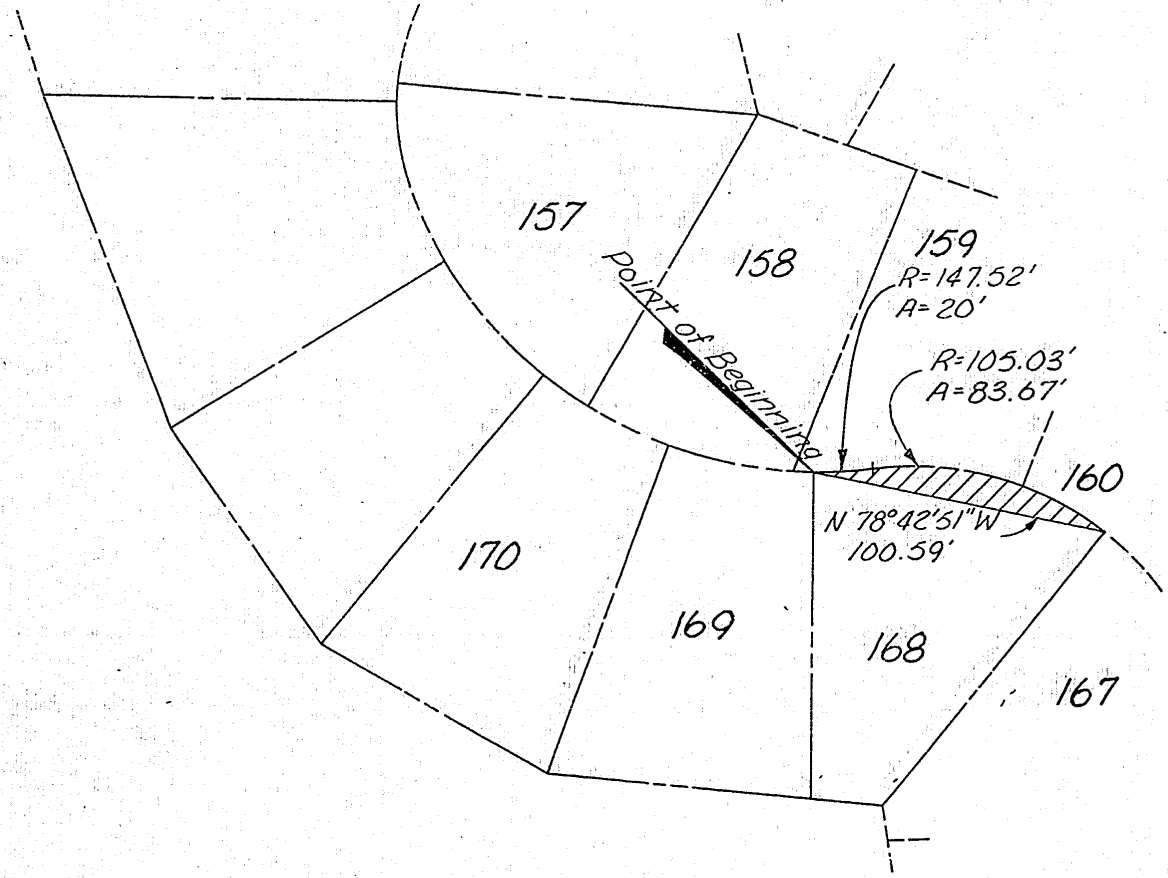
The following is a legal description of a permanent sewer and drainage easement located in lot 167, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northernmost corner of lot 167; thence southerly along a 105.03 foot radius curve to the right, an arc distance of 105 feet to a point of reverse curvature; thence southerly along a 93.78 foot radius curve to the left, an arc distance of 11.06 feet to a point on the curve; thence North 21°07'03" West a distance of 110.78 to the point of beginning.





SCALE - 1" = 50'



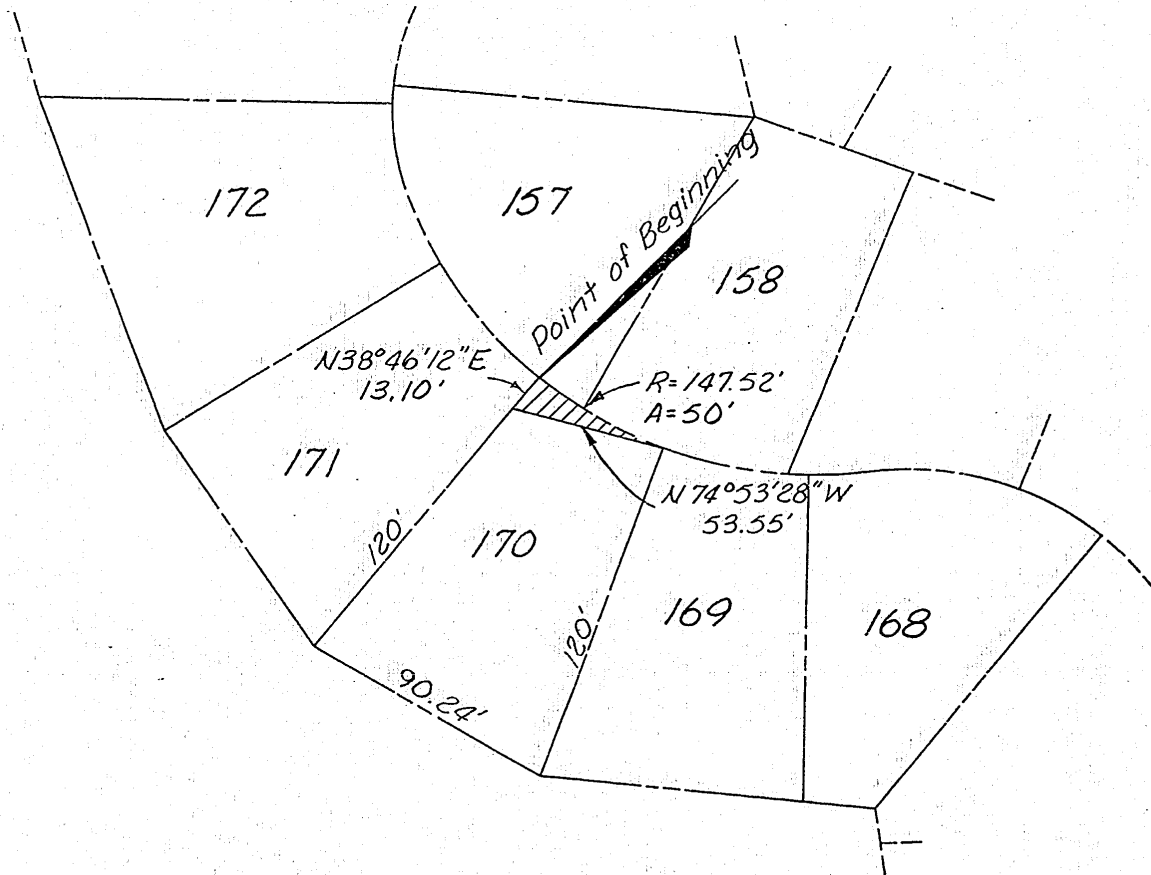
LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 168, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northwesternmost corner of lot 168; thence easterly along a 147.52 foot radius curve to the left, an arc distance of 20 feet to a point of reverse curvature; thence southeasterly along a 105.03 foot radius curve to the right, an arc distance of 83.67 feet to a point on the curve; thence North 78° 42' 51" West a distance of 100.59 feet to the point of beginning.



SCALE-1"=50'



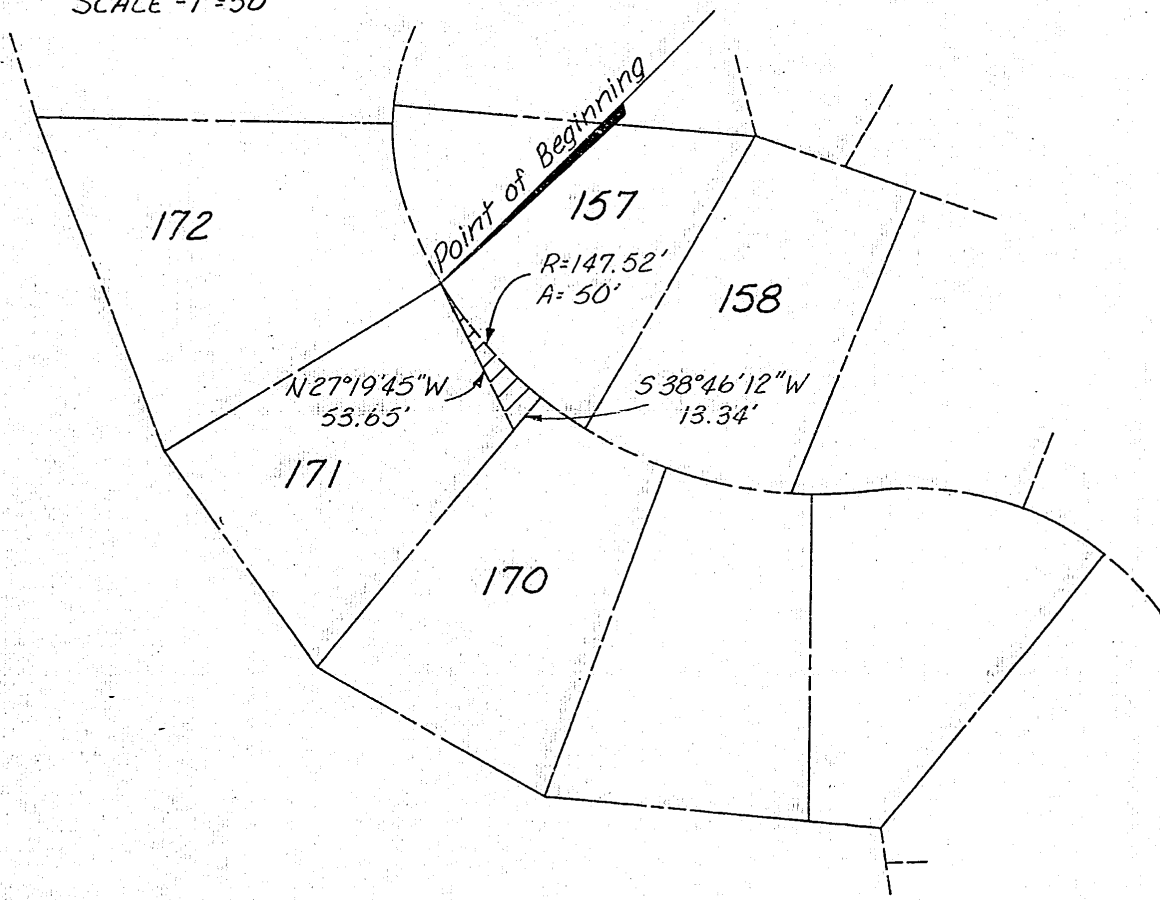
#### LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 170, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northerlymost corner of lot 170; thence southeasterly along a 147.52 foot radius curve to the left, an arc distance of 50 feet to a point on the curve; thence North 74°53'28" West a distance of 53.55 feet; thence North 38°46'12" East a distance of 13.10 feet to the point of beginning.

N

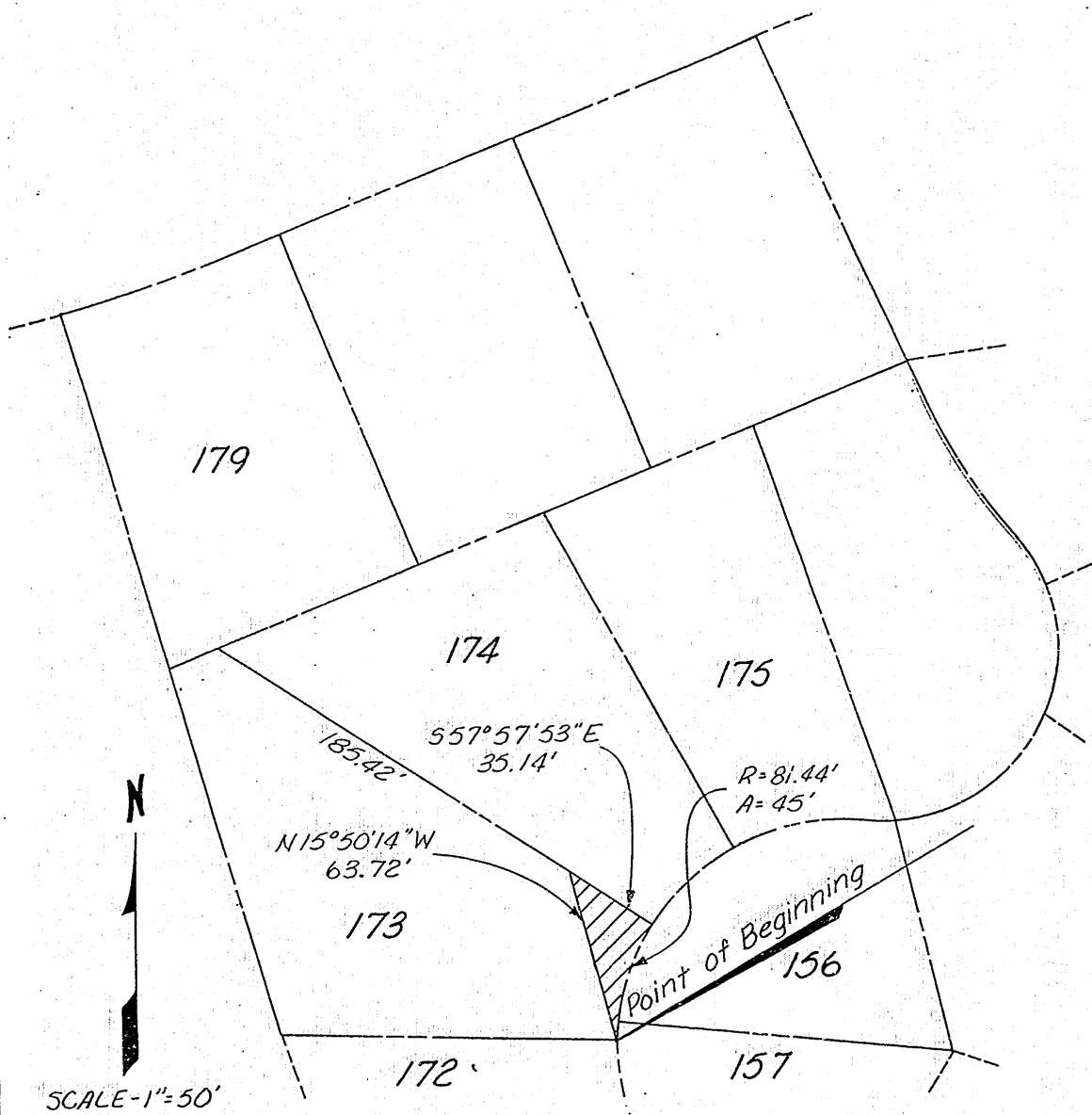
SCALE - 1" = 50'



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 171, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the northerlymost corner of lot 171; thence southeasterly along a 147.52 foot radius curve to the left, an arc distance of 50 feet to a point on the curve; thence South 38°46'12" West a distance of 13.34 feet; thence North 27°19'45" West a distance of 53.65 feet to the point of beginning.

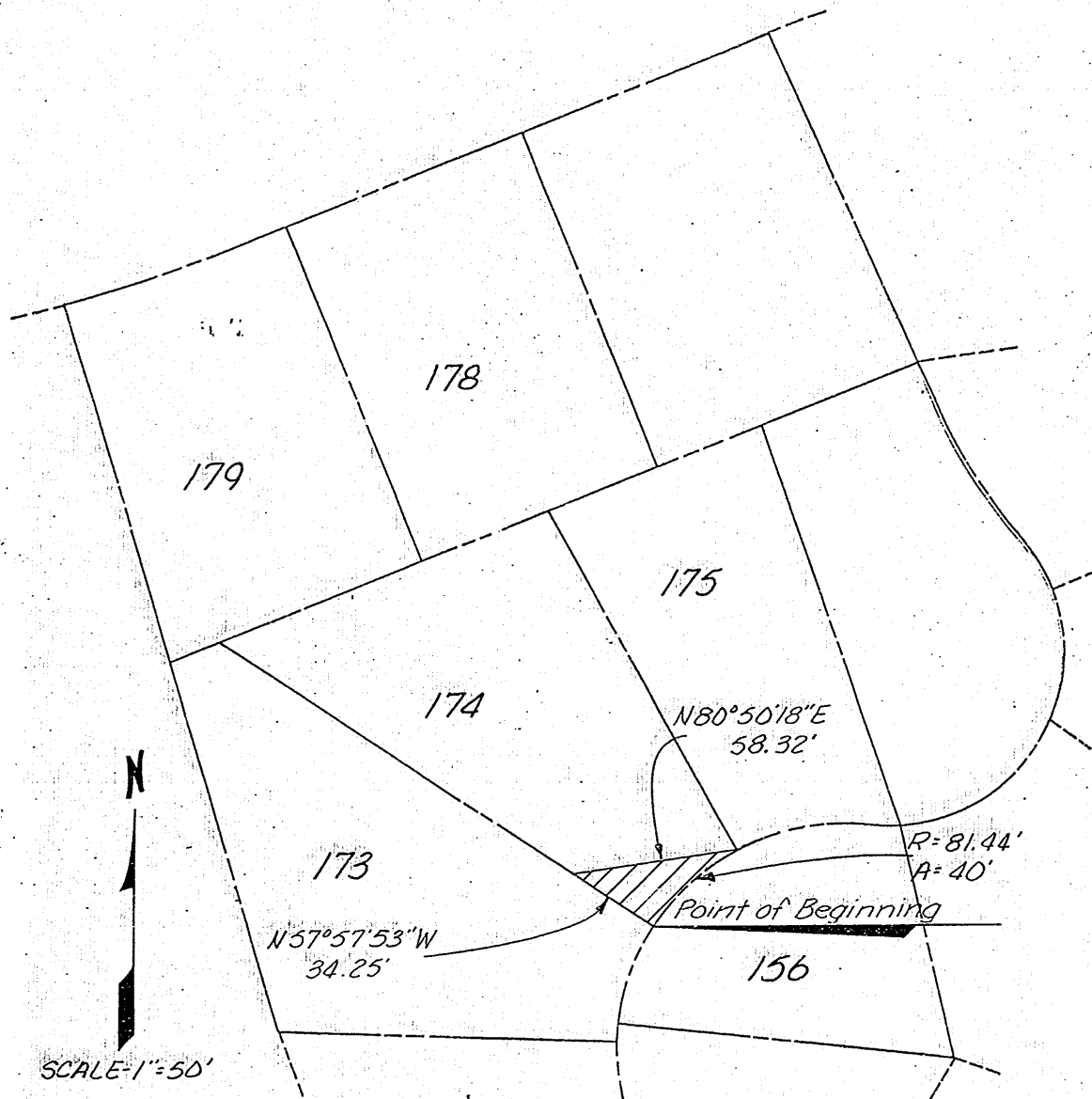


SCALE-1"=50'

LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 173, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

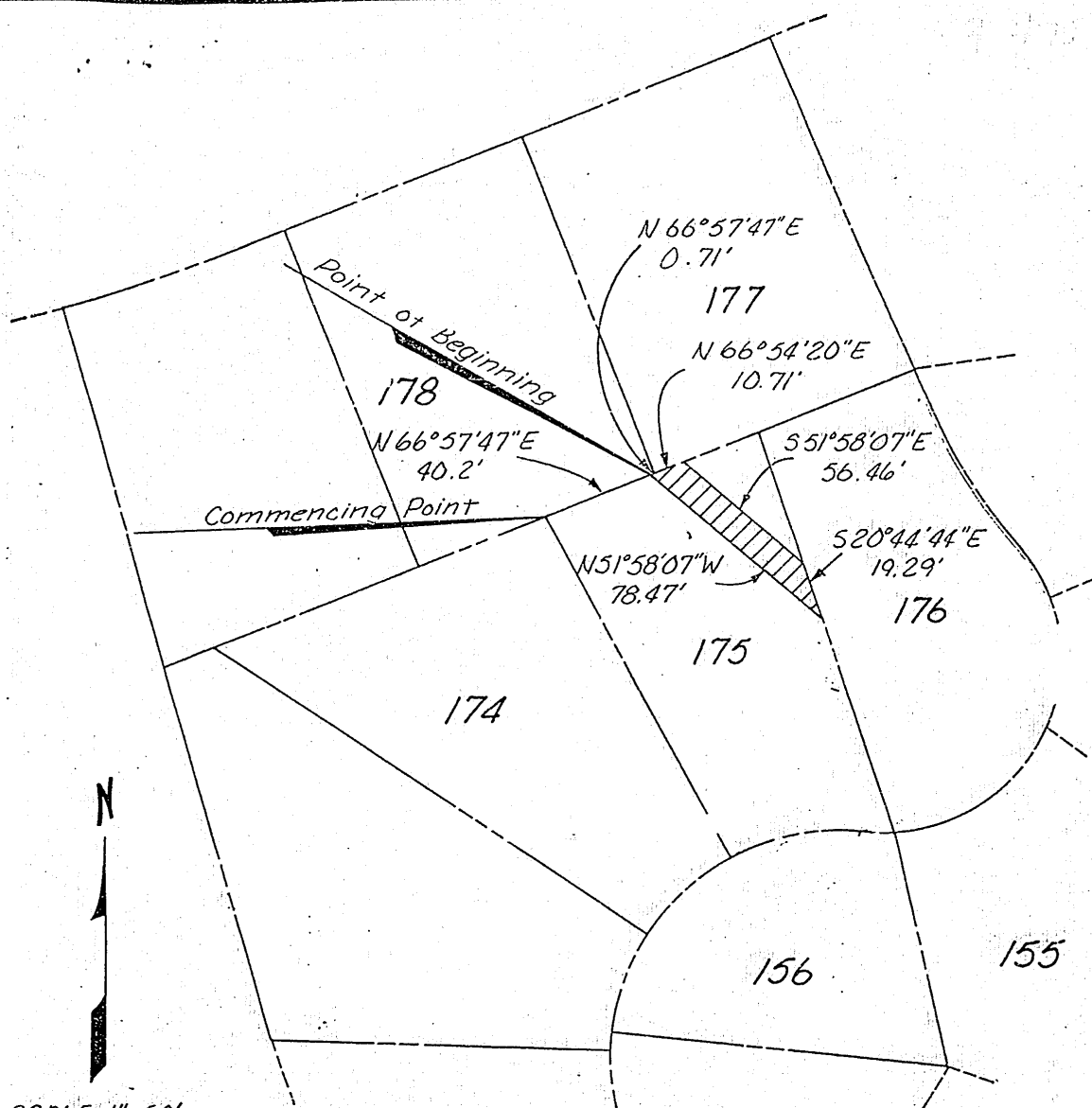
Beginning at the southeastermost corner of Lot 173; thence North 15°50'14" West a distance of 63.72 feet; thence South 57°57'53" East a distance of 35.14 feet to a point on a curve; thence southerly along an 81.44 foot radius curve to the left, an arc distance of 45 feet to the point of beginning.



Legal Description

The following is a legal description of a permanent sewer and drainage easement located in lot 174, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southernmost common corner of lots 174 and 173; thence North 57° 57' 53" West, a distance of 34.25 feet; thence North 80° 50' 18" East, a distance of 58.32 feet to a point on a curve; thence southwesterly along an 81.44 foot radius curve to the left, an arc distance of 40 feet to the point of beginning.

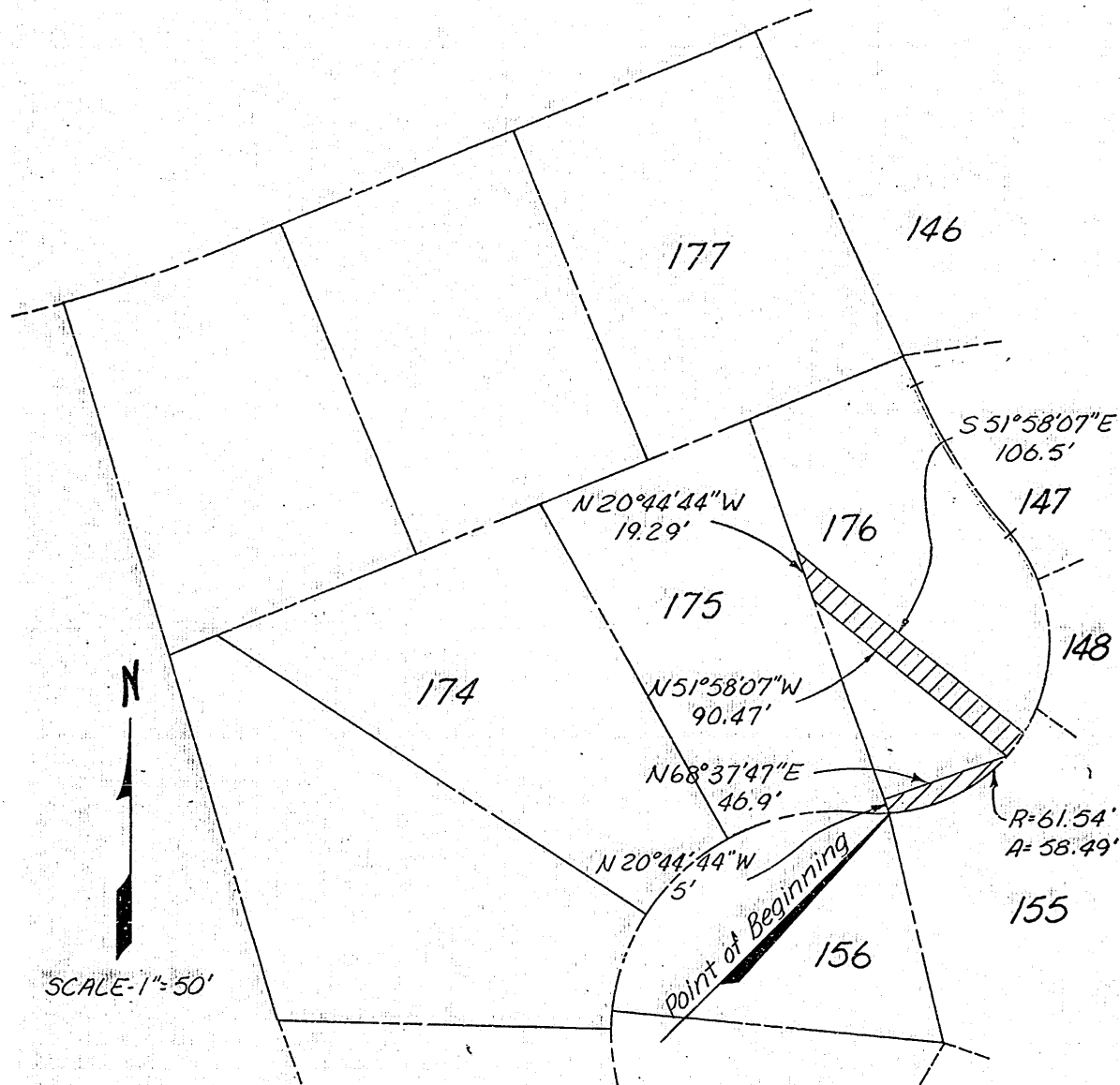


SCALE-1"=50'

LEGAL DESCRIPTION.

The following is a legal description of a permanent sewer and drainage easement located in lot 175, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Commencing at the northwesternmost corner of lot 175; thence North 66°57'47" East a distance of 40.20 feet to the point of beginning; thence North 66°57'47" East a distance of 0.71 feet; thence North 66°54'20" East a distance of 10.71 feet; thence South 51°58'07" East a distance of 56.46 feet; thence South 20°44'44" East a distance of 19.29 feet; thence North 51°58'07" West a distance of 78.47 feet to the point of beginning.

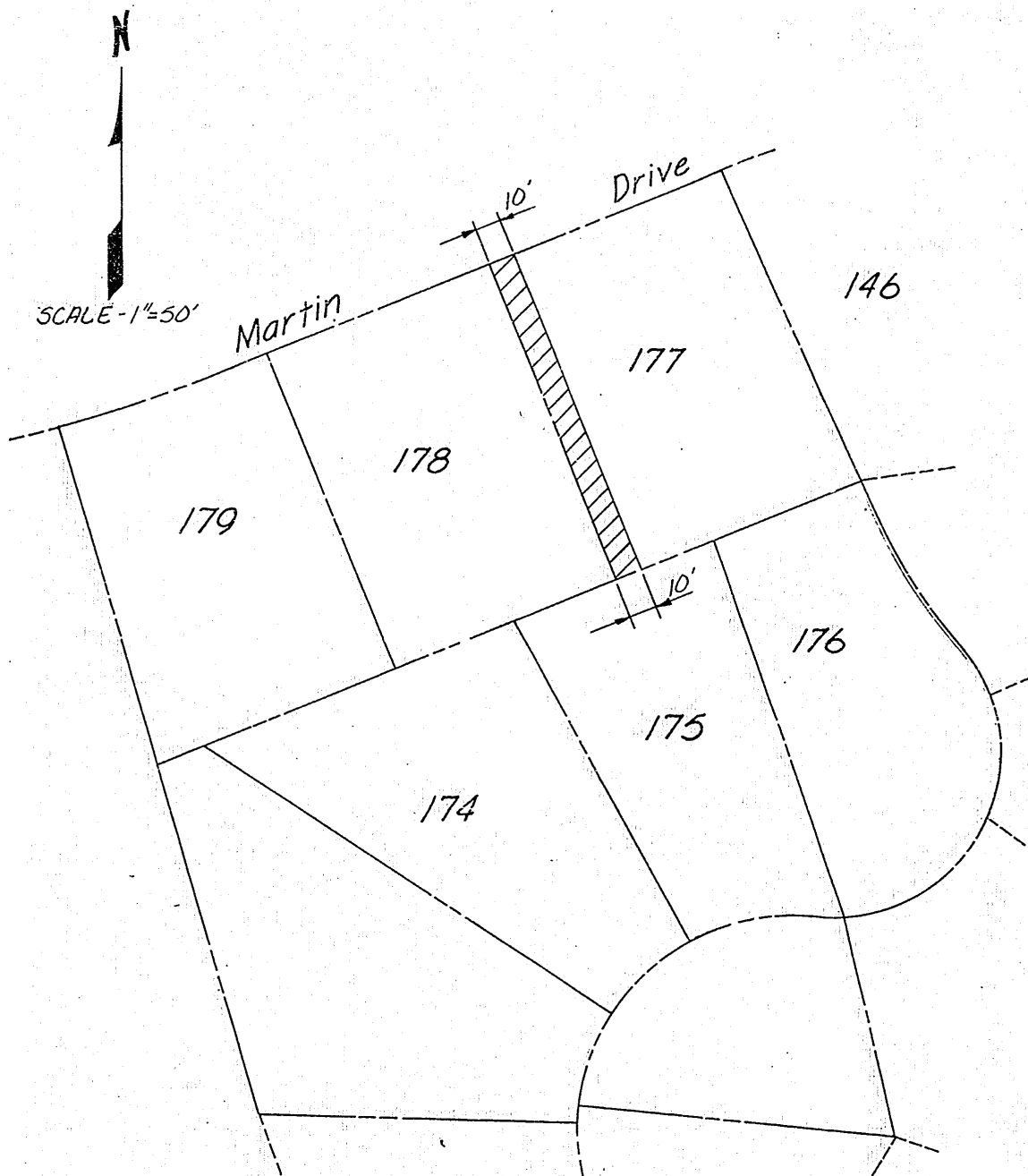


SCALE-1"=50'

LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 176, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southwesternmost corner of lot 176; thence North 20°44'44" West a distance of 5 feet; thence North 68°37'47" East a distance of 46.9 feet; thence North 51°58'07" West a distance of 90.47 feet; thence North 20°44'44" West a distance of 19.29 feet; thence South 51°58'07" East a distance of 106.5 feet to a point on a curve; thence southwesterly along a 61.54 foot radius curve to the right, an arc distance of 58.49 feet to the point of beginning.

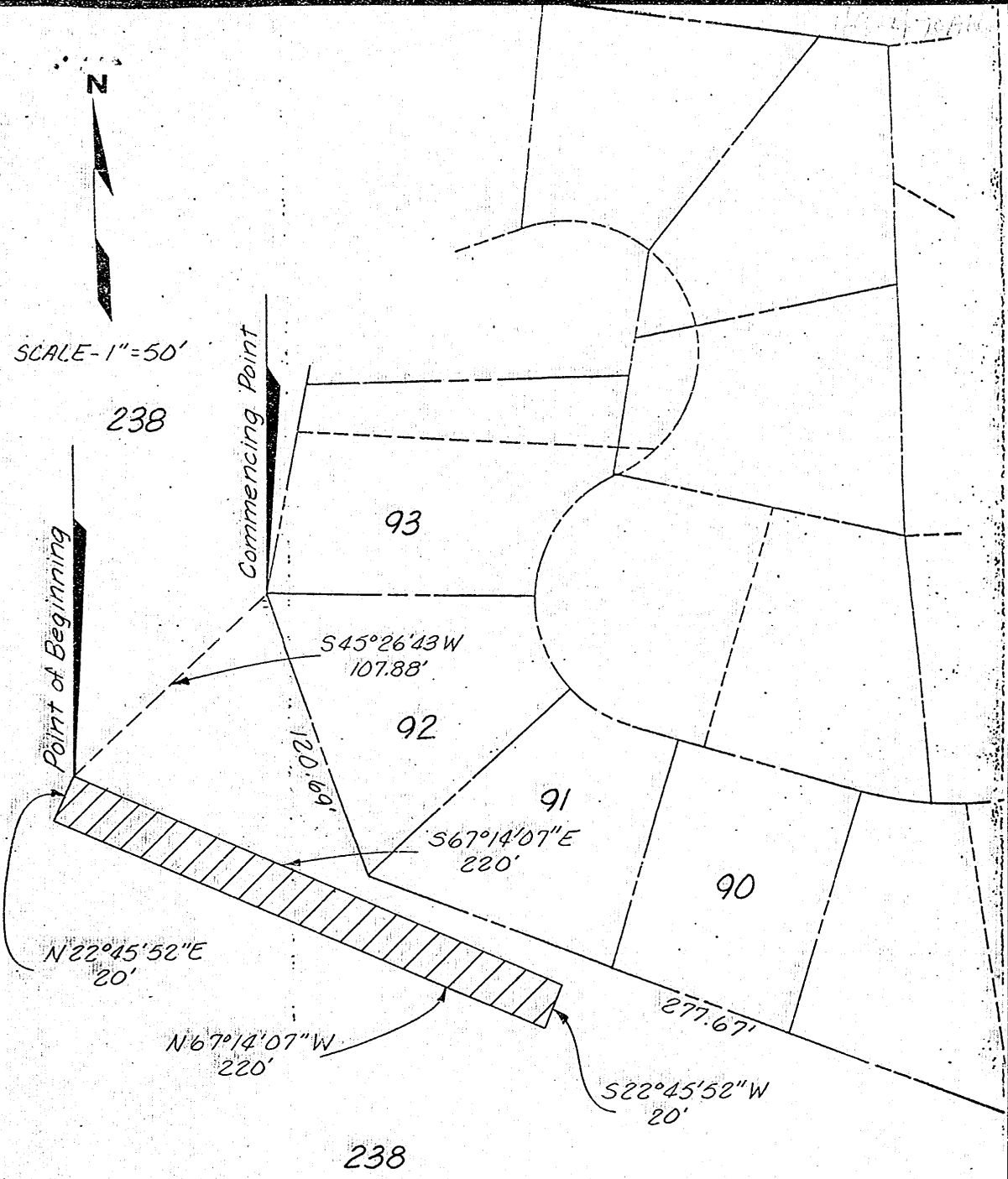


LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 177, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

The westerly 10 feet of lot 177, parallel to the westerly lot line.



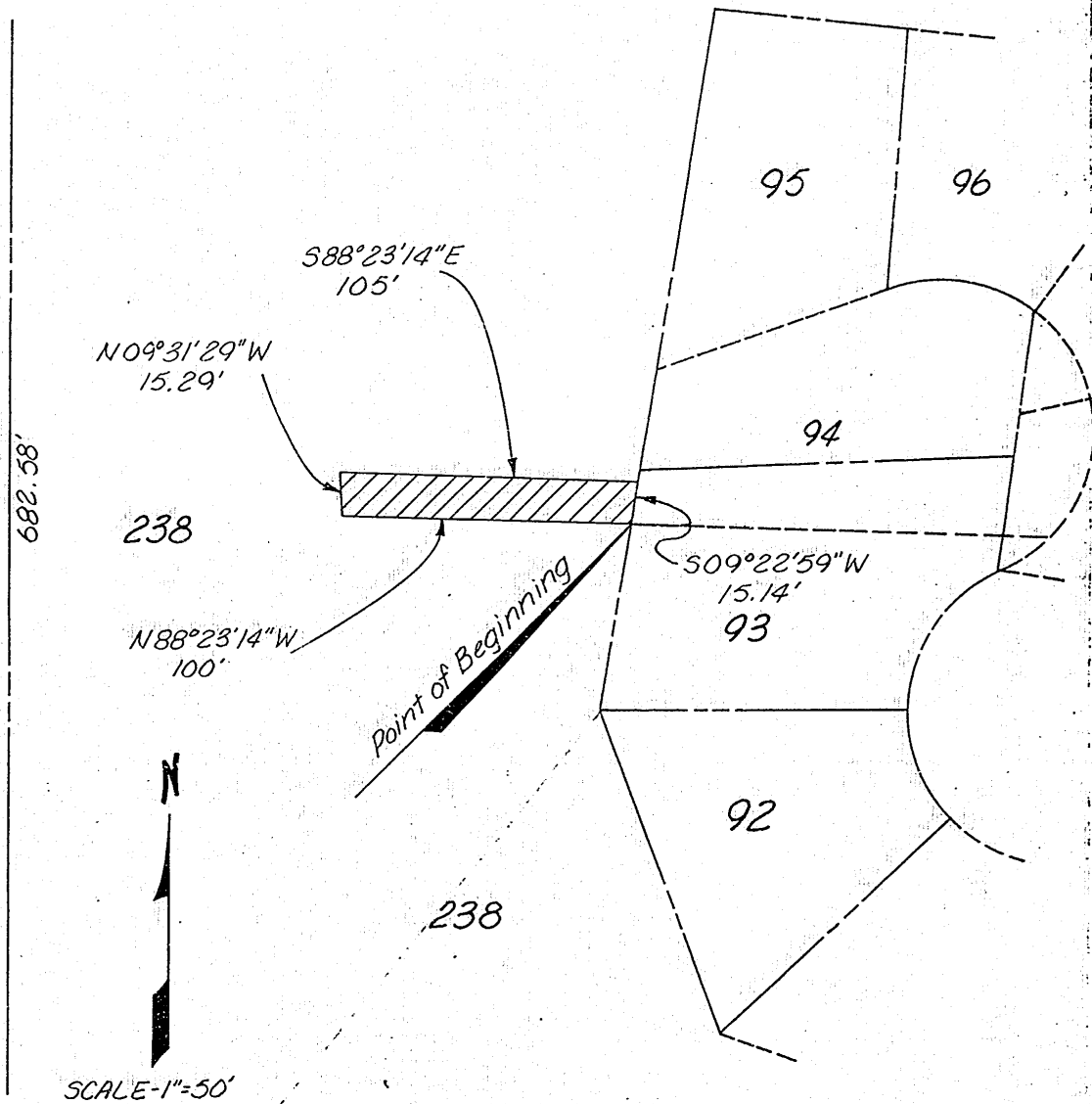


**LEGAL DESCRIPTION**

The following is a legal description of a permanent sewer and drainage easement located in lot 238, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Commencing at the common westerly corner of lots 92 and 93, Fontenelle Subdivision; thence South 45°26'43" West, a distance of 107.88 feet to the point of beginning; thence South 67°14'07" East, a distance of 220.00 feet; thence South 22°45'52" West, a distance of 20.00 feet; thence North 67°14'07" West, a distance of 220.00 feet; thence North 22°45'52" East, a distance of 20.00 feet to the point of beginning.

49-470A0



LEGAL DESCRIPTION

The following is a legal description of a permanent sewer and drainage easement located in lot 238, Fontenelle, a platted and recorded subdivision in Sarpy County, Nebraska, being more particularly described as follows:

Beginning at the southwesterly corner of lot 94, Fontenelle subdivision; thence North 88° 23' 14" West, a distance of 100.00 feet; thence North 09° 31' 29" West, a distance of 15.29 feet; thence South 88° 23' 14" East, a distance of 105.00 feet; thence South 09° 22' 59" West, a distance of 15.14 feet to the point of beginning.