



1130 240 MISC



11471 94 240-242



~~Blind 9/15/94~~
~~5316 S. 132nd St.~~
~~Omaha, NE 68137~~

GRANT OF EASEMENT

PERMANENT SANITARY SEWER EASEMENT

This Grant of Easement made this 26th day of September 1994, between AJV Farm Partnership hereinafter referred to as "Grantor", in favor of Sanitary and Improvement District No. 391 of Douglas County, Nebraska, hereinafter referred to as "SID" and its successors and assigns, including but not in limitation of the City of Omaha, Douglas County, Nebraska, a municipal corporation, hereinafter referred to as "City".

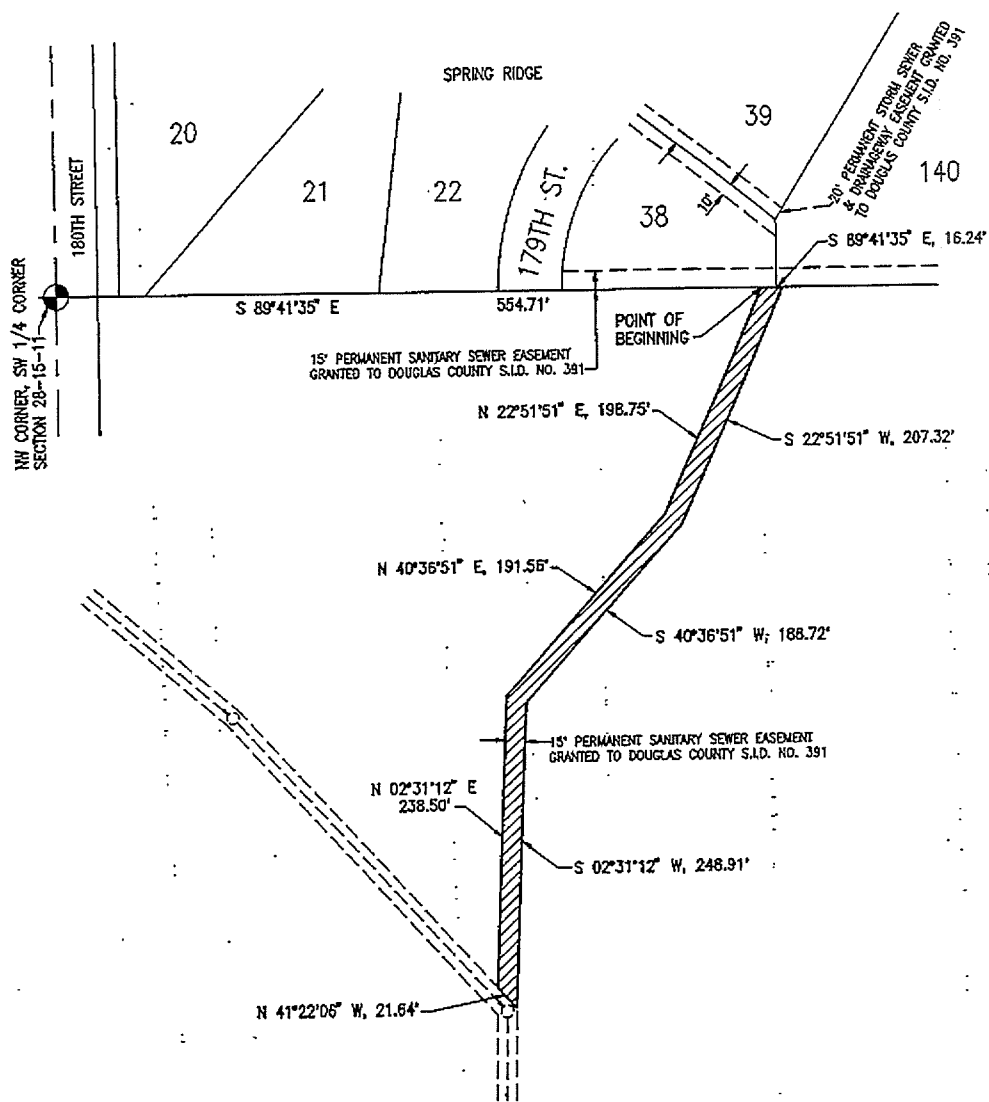
THAT, said Grantor in consideration of the sum of One dollars (\$ 1.00), and other valuable consideration, the following grants and agreements are made:

1. Grantor does hereby grant and confirm unto said SID and its successors and assigns, the right to use the parcel of land described as follows, to-wit:

(See Exhibit "A" attached hereto and made a part hereof for the description of said easement)

2. Grantor does hereby grant and confirm unto said SID, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting and maintaining or operating said sanitary sewer at the will of the SID. The Grantor may following construction of said sewer, continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the SID to use the same for the purposes herein expressed.
3. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures shall be placed in, on, over or across said easement strip by Grantor, his successors and assigns, without express approval of the SID. Improvements which may be approved by SID include landscaping or road, street or parking area surfacing or pavement. These improvements and any trees, grass or shrubbery placed on said easement shall be maintained by Grantor, his successors or assigns.
4. That SID will replace or rebuild any and all damage to improvements caused by SID exercising its rights of inspecting, maintaining or operating said sewer, except that, damage to or loss of trees and shrubbery will not be compensated for by SID.
5. That SID shall cause any trench made on said easement strip to be properly refilled and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee or representative of the SID and any of said construction work.
6. That said Grantor for himself and his successors and assigns, do confirm with the said SID and its assigns, that he the Grantor is well seized in fee of the above-described property and that he has the right to grant and convey this easement in the manner and form aforesaid, and that he will, and his successors and assigns, shall warrant and defend this easement to said SID and its assigns against the lawful claims and demands of all persons. This easement runs with the land.

EXHIBIT
PERMANENT SANITARY SEWER EASEM'



LEGAL DESCRIPTION
PERMANENT SANITARY SEWER EASEMENT

A tract of land located in the SW 1/4 of Section 28, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the NW corner of said SW 1/4 of Section 28, thence S 89°41' 35" E (assumed bearing), along the north line of said SW 1/4 of Section 28 a distance of 554.71 feet to the point of beginning; thence continuing S 89°41'35" E, along said north line of the SW 1/4 of Section 28, a distance of 16.24 feet; thence S 22°51'51"W, a distance of 207.32 feet; thence S 40°36'51" W, a distance of 188.72 feet; thence S 02°31'12" W, a distance of 248.91 feet; thence N 41°22'06" W, a distance of 21.64 feet; thence N 02°31'12" E, a distance of 238.50 feet; thence N 40°36'51" E, a distance of 191.56 feet; thence N 22°51'51" E, a distance of 198.75 feet to the point of beginning.

Said tract of land contains an area of 0.219 acres, more or less.

4/14/94
ELLIOTT & ASSOCIATES
5316 S. 132ND STREET
OMAHA, NE 68137

NW 1/4 SW 1/4

RECEIVED

SEP 27 2 42 PM '94

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

11/4/94 28-15-11-11 Ma
 FEE 15.50 R FB
 DEL 30 COMP mb
 LEGAL PG 321 11 PV