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RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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BYP 10-15-11 CO. COMM  
DEL SCAN DC TV

RETURN: ROSS ENGINEERING  
645 'M' Street, Suite 201  
Lincoln NE 68508

VP

## PERMANENT SANITARY SEWER EASEMENT

That **HOWARD D. VANN** herein called "GRANTOR", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of one dollar (\$1.00), duly paid the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee, as hereinafter set out and expressed does hereby GRANT, REMISE, and RELINQUISH unto **ZIMMERMAN-WILHOIT, LLC**, a corporation, its successors and assigns, herein called "GRANTEE", the RIGHT, PRIVILEGE and EASEMENT to construct, reconstruct, maintain, operate, and replace sanitary sewer, and appurtenances thereto belonging, over and through the described property, as indicated on the Exhibit entitled Permanent Sanitary Sewer Easement (referenced on back side), and as follows:

A Legal description of a Permanent Utility Easement, located in part of the East Half of the Northwest Quarter of Section 10, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska and more particularly described by metes and bounds as follows:

Beginning at the Southwesterly Corner of Lot 2, Maple Creek Subdivision to the City of Omaha, a part of the East Half of the Northwest Quarter of Section 10, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska; Thence S 88°46'27" E, (an assumed bearing), and on the Southerly Line of Lot 2 of said Maple Creek Subdivision, a distance of 32.54 feet; Thence S 32°32'20" W, a distance of 15.37 feet; Thence S 03°13'16" W, and parallel to the West Line of the East Half of the Northwest Quarter of said Section 10, a distance of 551.55 feet; Thence N 42°02'46" W, a distance of 35.19 feet to a point on the West Line of the East Half of the Northwest Quarter of said Section 10; Thence N 03°13'16" E, a distance of 539.05 feet to the point of beginning and containing a calculated area of 13,846.13 square feet or 0.318 acres, more or less.

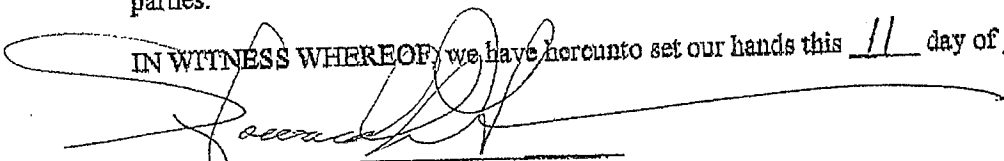
NE NW

SE NW

TO HAVE AND TO HOLD UNTO Zimmerman-Wilhoit, LLC, its successors and assigns, so long as such sanitary sewer shall be maintained, together with the right of ingress and egress to said property from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said sanitary sewer and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

THIS INSTRUMENT, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have herunto set our hands this 11 day of August, 1998

  
Howard D. Vann

STATE OF Nebraska ) ss:

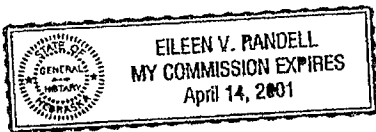
COUNTY OF Douglas

On August 11, 1998, before me, the undersigned a Notary Public duly commissioned for and qualified in said County, personally came Howard D. Vann, to me known to be the identical person (s), whose name (s) is (are) affixed to the foregoing instrument and acknowledged the execution thereof to be his, her, or their voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

Eileen V. Randell  
Notary Public

My Commission Expires: April 14, 2001



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