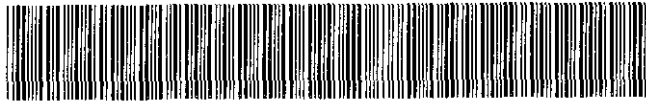


MISC 2006061323



JUN 02 2006 13:28 P 5

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
6/2/2006 13:28:15.12  
  
2006061323

**EASEMENT FOR STORM SEWER AND DRAINAGE**

This indenture is made this 31 day of March, 2006, by ADVANTAGE DEVELOPMENT, INC., a Nebraska corporation (hereinafter referred to as "Grantor") to the CITY OF OMAHA, Nebraska, a municipal corporation and THE MILL AT TIMBER CREEK HOMEOWNERS ASSOCIATION, a Nebraska not-for-profit corporation (hereinafter collectively referred to as "Grantee").

**WITNESSETH:**

That Grantor, in consideration of One and no/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey to Grantee, its successors and assigns, a permanent easement for the construction and maintenance of drainage ways and storm sewers over parts of certain lots in The Mill at Timber Creek Subdivision in Douglas County, Nebraska, as more specifically legally described and depicted on Exhibits 1, 2, 3, and 4 attached hereto, which are hereby incorporated in and made a part of this easement by reference.

To have and to hold said easements and right-of-way unto said Grantee, and their respective successors and assigns, in perpetuity. Grantor, and its successors and assigns, shall be entitled to and do hereby reserve the right, to connect to and make reasonable and customary use of any storm sewer installed and maintained by Grantee under the terms of this easement at no expense whatsoever. The approval of this Easement by Grantor and its successors and assigns shall be shown by recording this document with the Douglas County Register of Deeds. This Easement and the license contained herein is given without any warranty whatsoever.

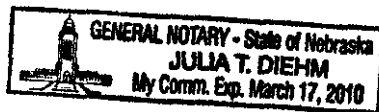
IN WITNESS WHEREOF, the Grantor has caused this Easement to be executed as of the day and year first above written.

ADVANTAGE DEVELOPMENT, INC., a Nebraska corporation

By:   
Alan Hans, President

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 31 day of March, 2006, by Alan Hans, President of ADVANTAGE DEVELOPMENT, INC., a Nebraska corporation, on behalf of the corporation.

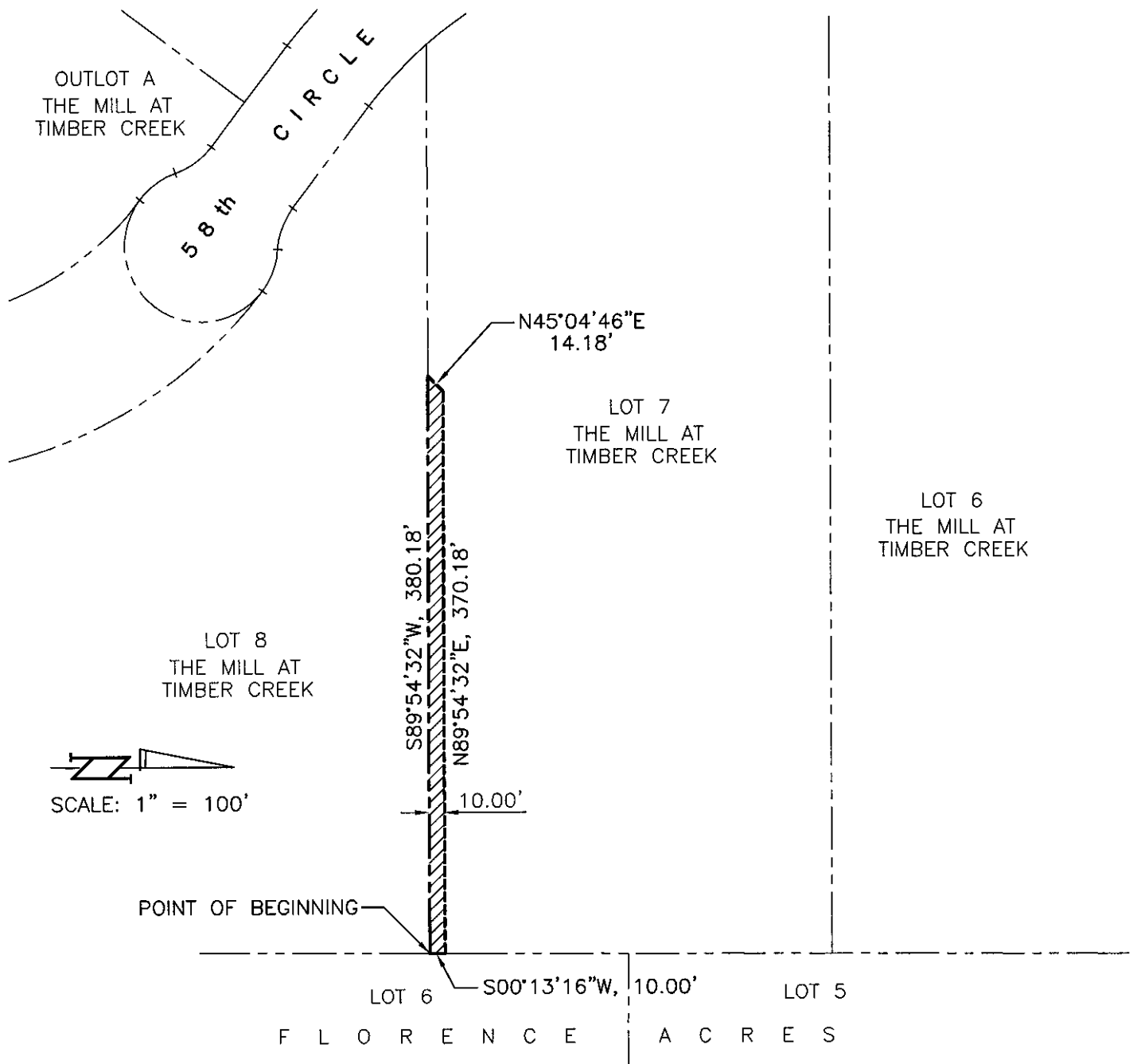


Notary Public

00261190

When recorded return to:  
James D. Buser  
Pansing Hogan Ernst & Bachman, LLP  
10250 Regency Circle, Suite 300  
Omaha, Nebraska 68114

*misc*  
FEE 27.00 FB OF-25573  
B  $\frac{5}{4}$  BKP \_\_\_\_\_ G/O \_\_\_\_\_ COMP BC  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

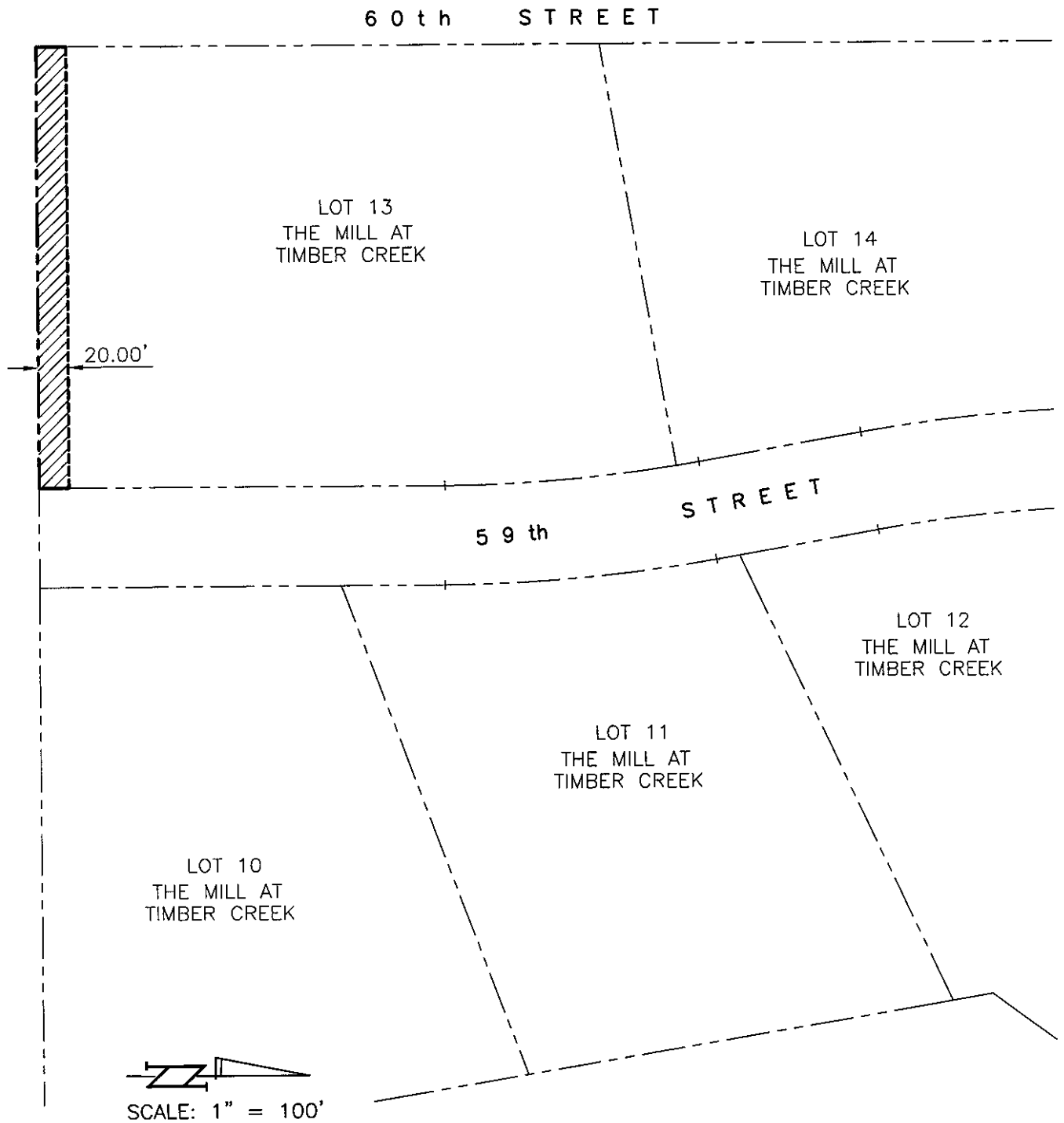


## LEGAL DESCRIPTION

THAT PART OF LOT 7, THE MILL AT TIMBER CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID LOT 7, THENCE S89°54'32"W (ASSUMED BEARING) 380.18 FEET ON THE SOUTH LINE OF SAID LOT 7; THENCE N45°04'46"E 14.18 FEET; THENCE N89°54'32"E 370.18 FEET ON A LINE 10.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 7 TO THE EAST LINE OF SAID LOT 7; THENCE S00°13'16"W 10.00 FEET ON THE EAST LINE OF SAID LOT 7 TO THE POINT OF BEGINNING.

## EXHIBIT 1

ADVANTAGE DEVELOPMENT TD2 FILE NO.: 1408-101-EX7A DATE: JANUARY 9, 2006  
 THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

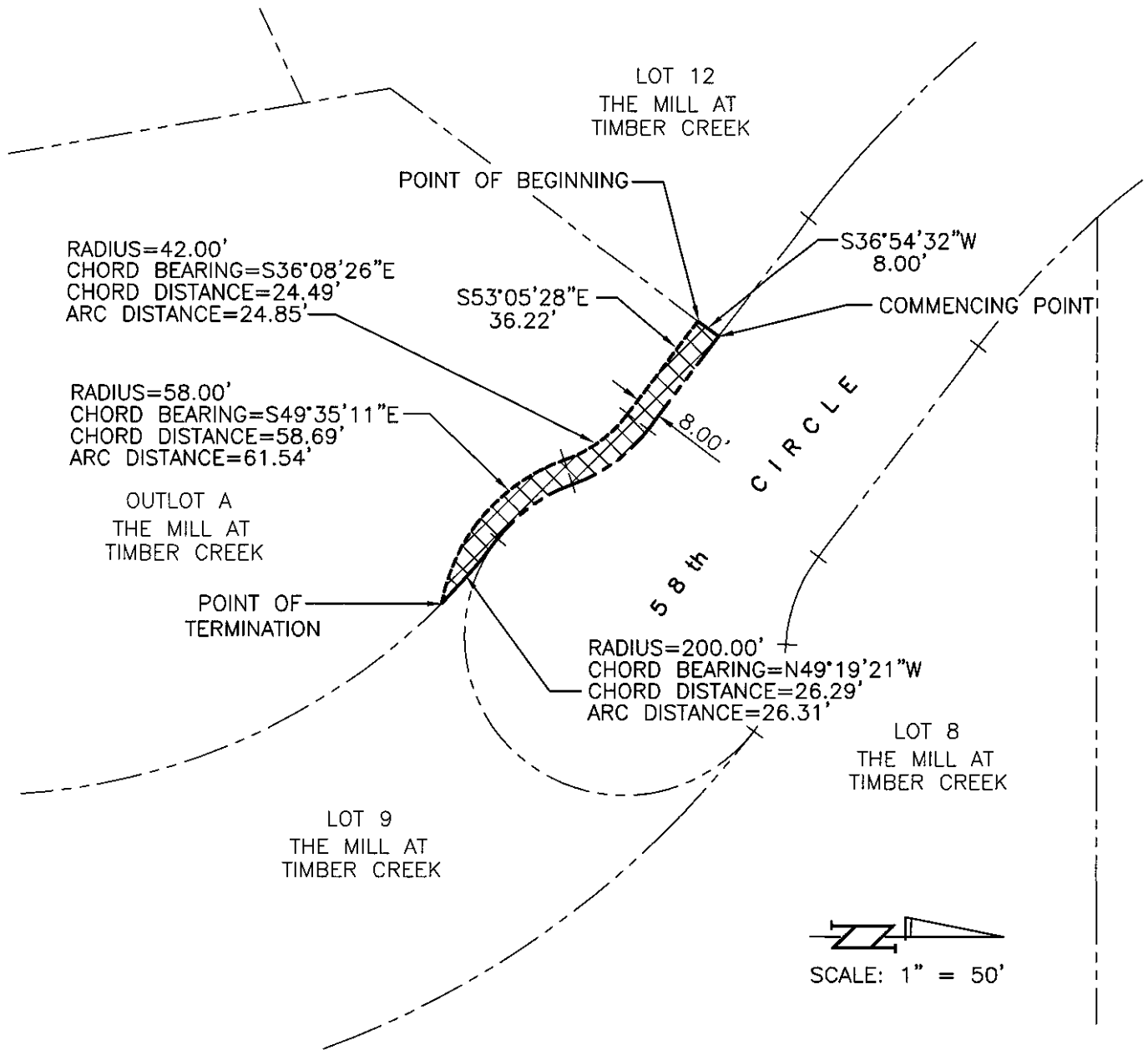


## LEGAL DESCRIPTION

THE SOUTH 20.00 FEET IN WIDTH OF LOT 13, THE MILL AT TIMBER CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA.

## EXHIBIT 2

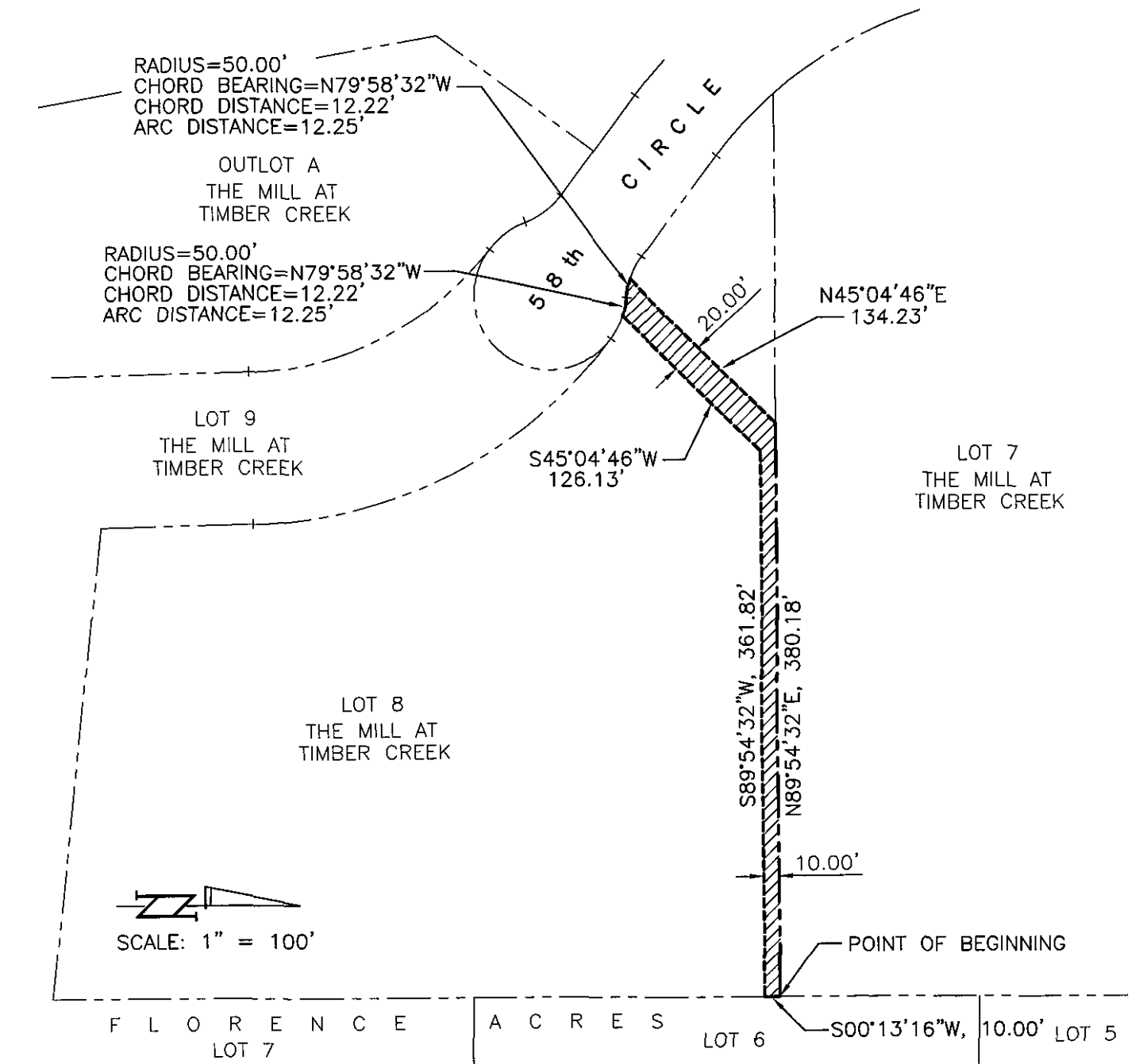
ADVANTAGE DEVELOPMENT TD2 FILE NO.: 1408-101-EX13A DATE: JANUARY 9, 2006  
 THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



## LEGAL DESCRIPTION

AN 8.00 FOOT WIDE STRIP OF LAND LYING WITHIN OUTLOT A, THE MILL AT TIMBER CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, THE SOUTHWEST LINE OF SAID 8.00 FOOT STRIP OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID OUTLOT A; THENCE S36°54'32"W (ASSUMED BEARING) 8.00 FEET ON THE NORTHWEST LINE OF SAID OUTLOT A TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ON A LINE 8.00 FEET SOUTHWEST OF PARALLEL AND CONCENTRIC WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 58TH CIRCLE ON THE FOLLOWING DESCRIBED THREE COURSES: THENCE S53°05'28"E 36.22 FEET; THENCE SOUTHEASTERLY ON A 42.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S36°08'26"E, CHORD DISTANCE 24.49 FEET, AN ARC DISTANCE OF 24.85 FEET; THENCE SOUTHEASTERLY ON A 58.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S49°35'11"E, CHORD DISTANCE 58.69 FEET, AN ARC DISTANCE OF 61.54 FEET TO THE NORTHEASTERLY LINE OF SAID OUTLOT A, AND THE POINT OF TERMINATION.

## EXHIBIT 3



### LEGAL DESCRIPTION

THAT PART OF LOT 8, THE MILL AT TIMBER CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 8, THENCE S00°13'16"W (ASSUMED BEARING) 10.00 FEET ON THE EAST LINE OF SAID LOT 8; THENCE S89°54'32"W 361.82 FEET ON A LINE 10.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 8; THENCE S45°04'46"W 126.13 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 8; THENCE NORTHWESTERLY ON THE WEST LINE OF SAID LOT 8 ON A NON-TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N79°58'32"W, CHORD DISTANCE 12.22 FEET, AN ARC DISTANCE OF 12.25 FEET; THENCE NORTHWESTERLY ON THE WEST LINE OF SAID LOT 8 ON A 50.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N79°58'32"W, CHORD DISTANCE 12.22 FEET, AN ARC DISTANCE OF 12.25 FEET; THENCE N45°04'46"E 134.23 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 8; THENCE N89°54'32"E 380.18 FEET ON THE NORTH LINE OF SAID LOT 8 TO THE POINT OF BEGINNING.

### EXHIBIT 4