

83-5967
81-663
664

E A S E M E N T

THIS INDENTURE, made this 21st day of April, 1976, between MILLARD HIGHLANDS, INC., a corporation, sometimes hereinafter referred to as "Owner", and SANITARY AND IMPROVEMENT DISTRICT NO. 233 OF DOUGLAS COUNTY, NEBRASKA, hereinafter referred to as "District".

W I T N E S S E T H:

That said Owner, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to it 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 use, construct, build, lay and maintain a sanitary and storm sewer lines for the passage of sewer and drainage water, in, through, over and under parts of Lots 350 and 351, Millard Highlands, a platted and recorded Subdivision in Douglas County, Nebraska, and Lots 551, 552, 553, 554, 560, 562, 563, 576, 577, 578, 579, 580, 587, 611, 612, 613, 614, 619, 620, 621, 622, 623, and 624, in Millard Highlands Replat III, a platted and recorded Subdivision in Douglas County, Nebraska, all as shown and more particularly described in Exhibits "A" through "Y" inclusive, attached hereto, which by reference herein are made a part hereof.

Said 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 sewer needs to be reconstructed, the District shall make good to the owner or owners of such land, any and all damage that may be done in the way of damage to trees, grounds, buildings or other improvements thereon, including crops, vines, gardens and lawns, during construction and thereafter.

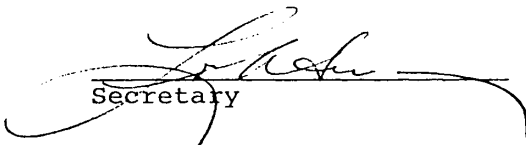
Said District agrees to pay all costs of construction of said sanitary sewer and storm sewers, and fill in the trench with mechanically compacted material and sow grass seed over said trench and generally leave the premises in a neat and orderly condition.

The exact location of the sewers within the permanent easement conveyed herein shall be fixed by the engineers for the District.

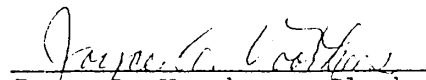
Said Owner for itself and its successors in title, does confirm with the said District and its assigns, that it, the said Owner, is well seized in fee of the premises aforesaid and that it has the right to grant and convey this permanent easement in the manner and form aforesaid, and that it will, and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

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

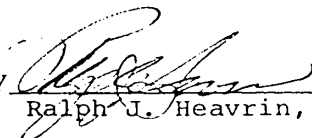
ATTEST:


Secretary

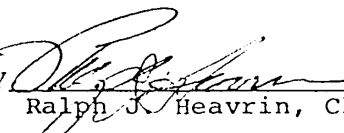
ATTEST:


Joyce A. Voorhees, Clerk

MILLARD HIGHLANDS, INC.,
A Corporation

By 
Ralph J. Heavrin, President

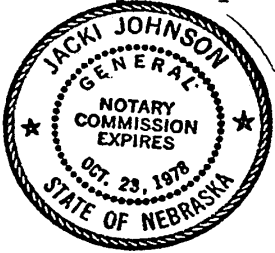
SANITARY AND IMPROVEMENT DISTRICT
NO. 233 OF DOUGLAS COUNTY, NEBRASKA

By 
Ralph J. Heavrin, Chairman

STATE OF NEBRASKA)
: ss.
COUNTY OF DOUGLAS)

On this 21st day of April, 1976, before me, a Notary Public in and for said county, personally came Ralph J. Heavrin, President of Millard Highlands, Inc., a corporation, to me known 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 hadn and Notarial Seal at Omaha in said County the day and year last above written.



Jacki Johnson
Notary Public

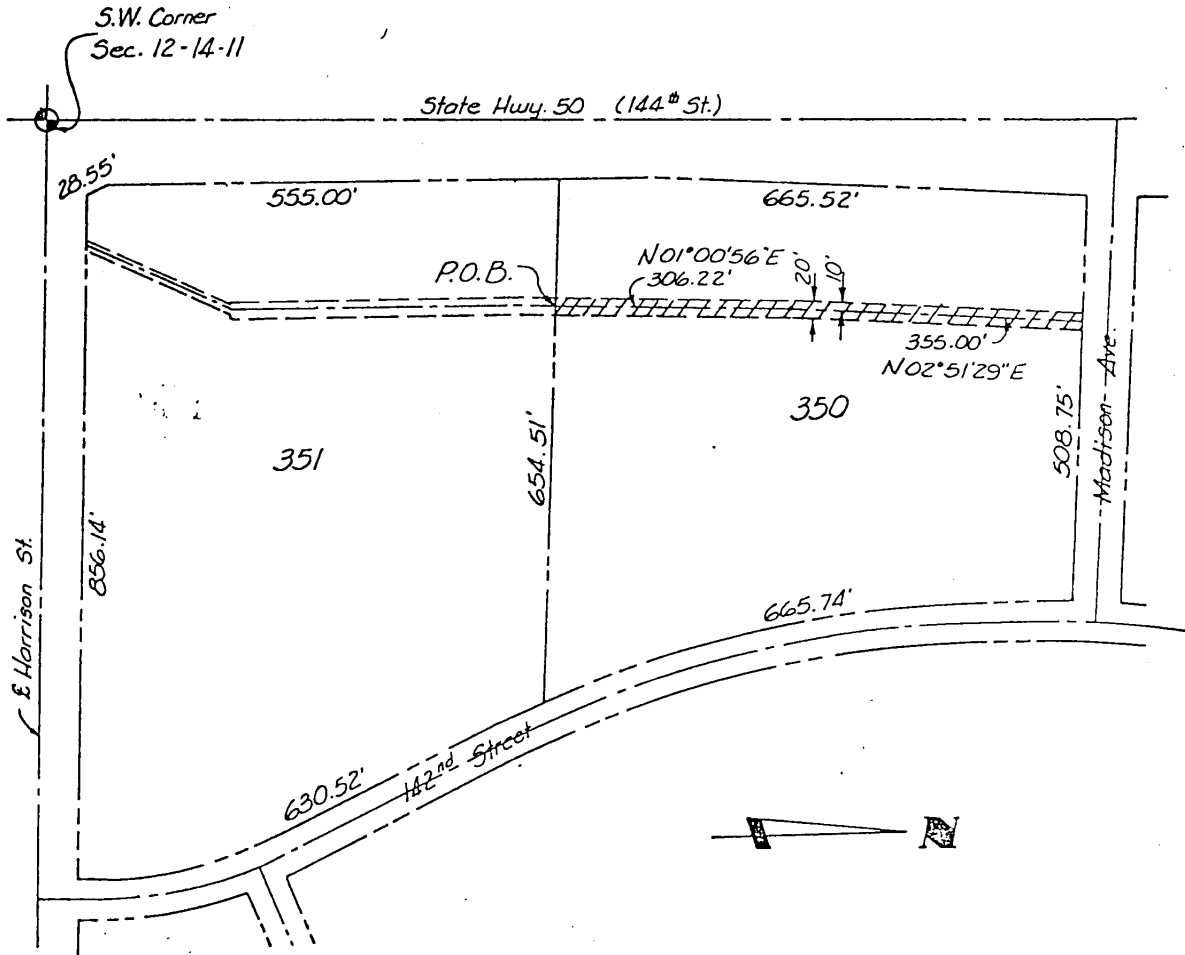
STATE OF NEBRASKA)
: ss.
COUNTY OF DOUGLAS)

On this 21st day of April, 1976, before me, a Notary Public in and for said County, personally came Ralph J. Heavrin, Chairman of Sanitary and Improvement District No. 233 of Douglas County, Nebraska, and Joyce A. Voorhees, Clerk of said District, to me known personally to be the Chairman and Clerk respectively of said District, and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their voluntary act and deed as such officers and the voluntary act and deed of said District, and that the seal of said District was thereto affixed by its authority.

WITNESS my hand and Notarial Seal at Omaha in said County the day and year last above written.



Jacki Johnson
Notary Public

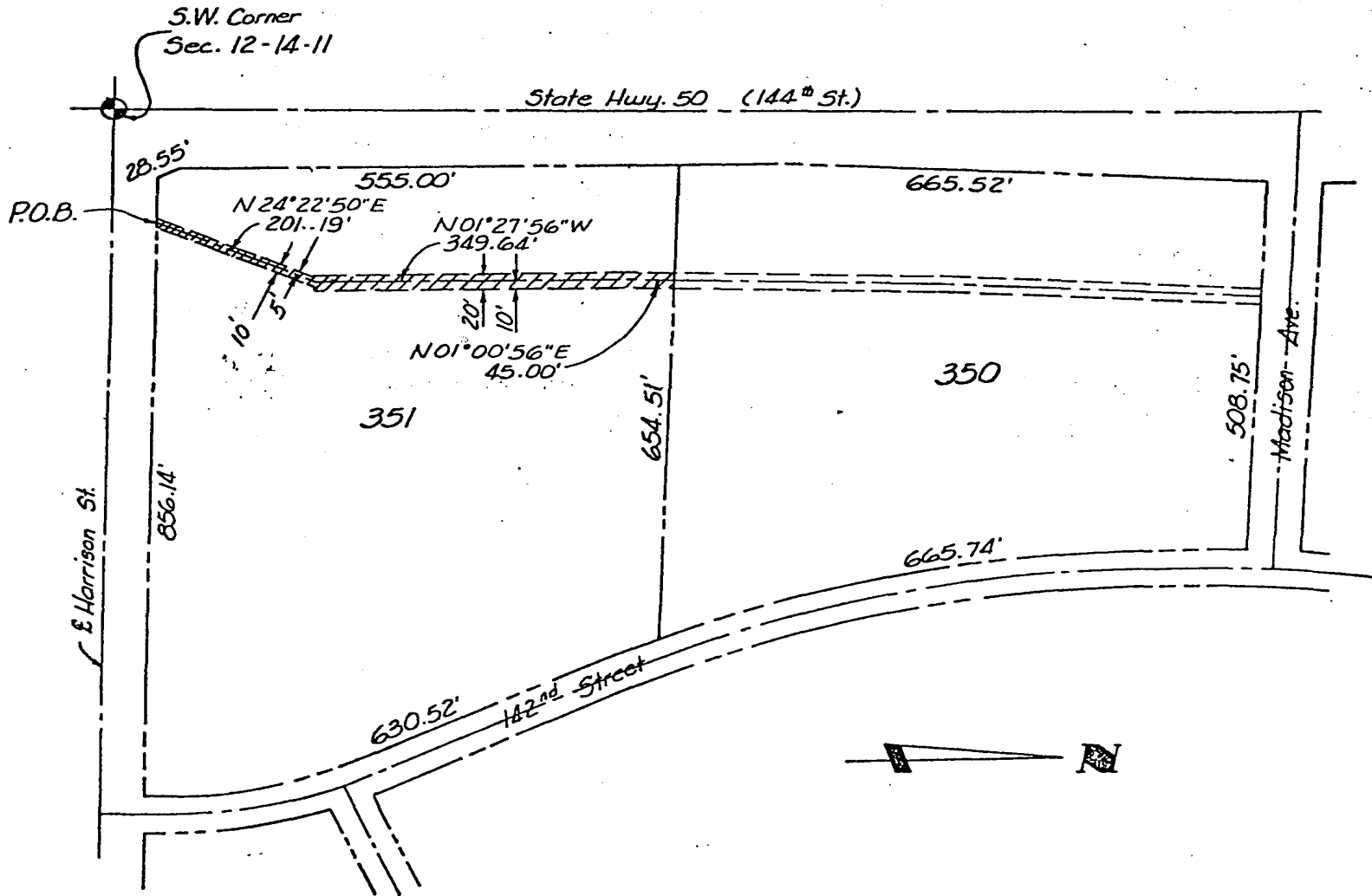


LEGAL DESCRIPTION

PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 350, Millard Highlands, a platted and recorded subdivision in Douglas County, Nebraska, the centerline of which being more particularly described as follows:

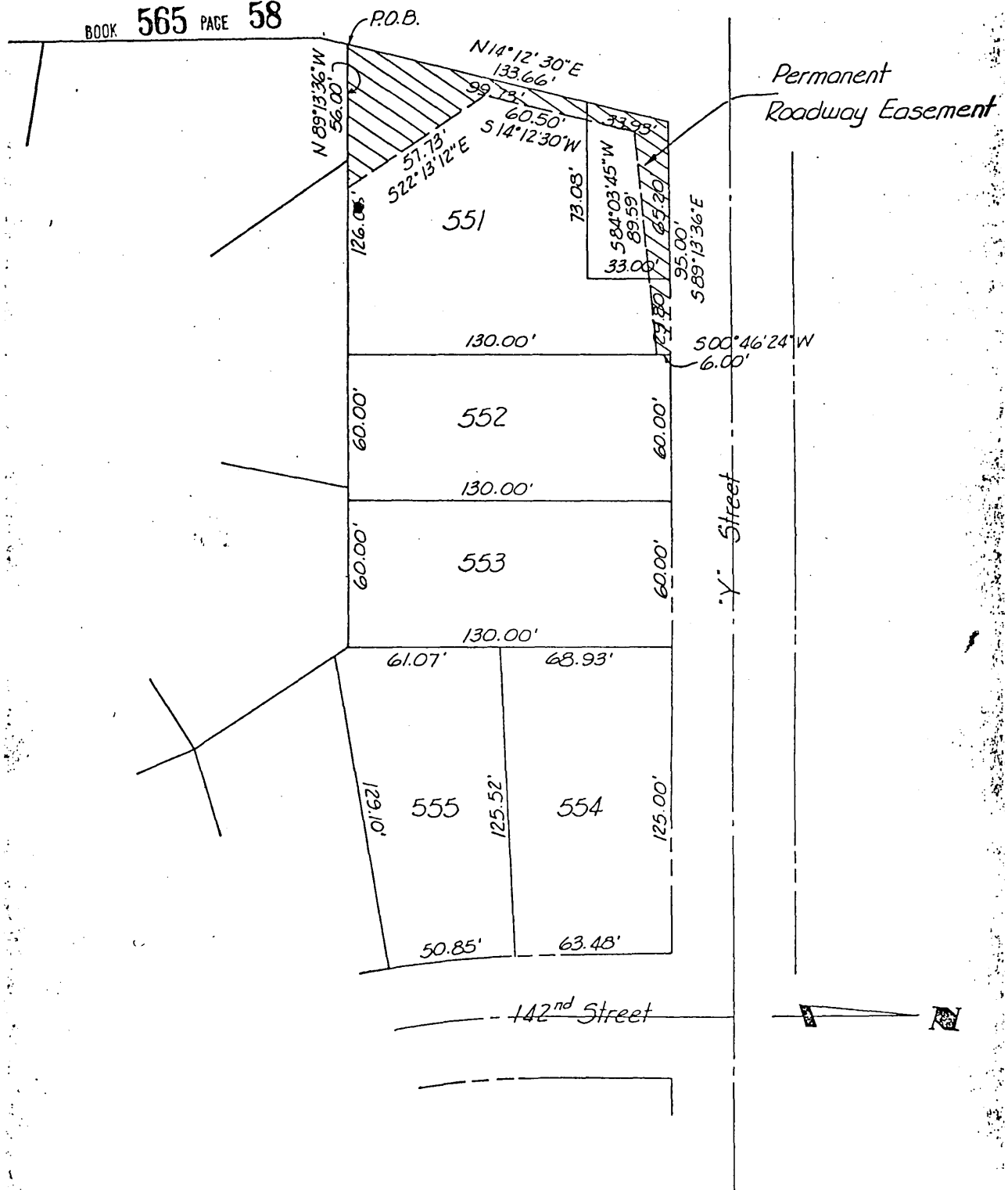
Beginning at a point on the south line of lot 350, 156.5 feet easterly of the westerly common corner of lots 350 and 351; thence 10 feet on either side of and parallel to a line bearing North 01°00'56" East, a distance of 306.22 feet; thence North 02°51'29" East, a distance of 355.00 feet to the northerly line of lot 350.



LEGAL DESCRIPTION
PERMANENT SEWER AND
DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 351, Millard highlands, a platted and recorded subdivision in Douglas County, Nebraska, the centerline of which being more particularly described as follows:

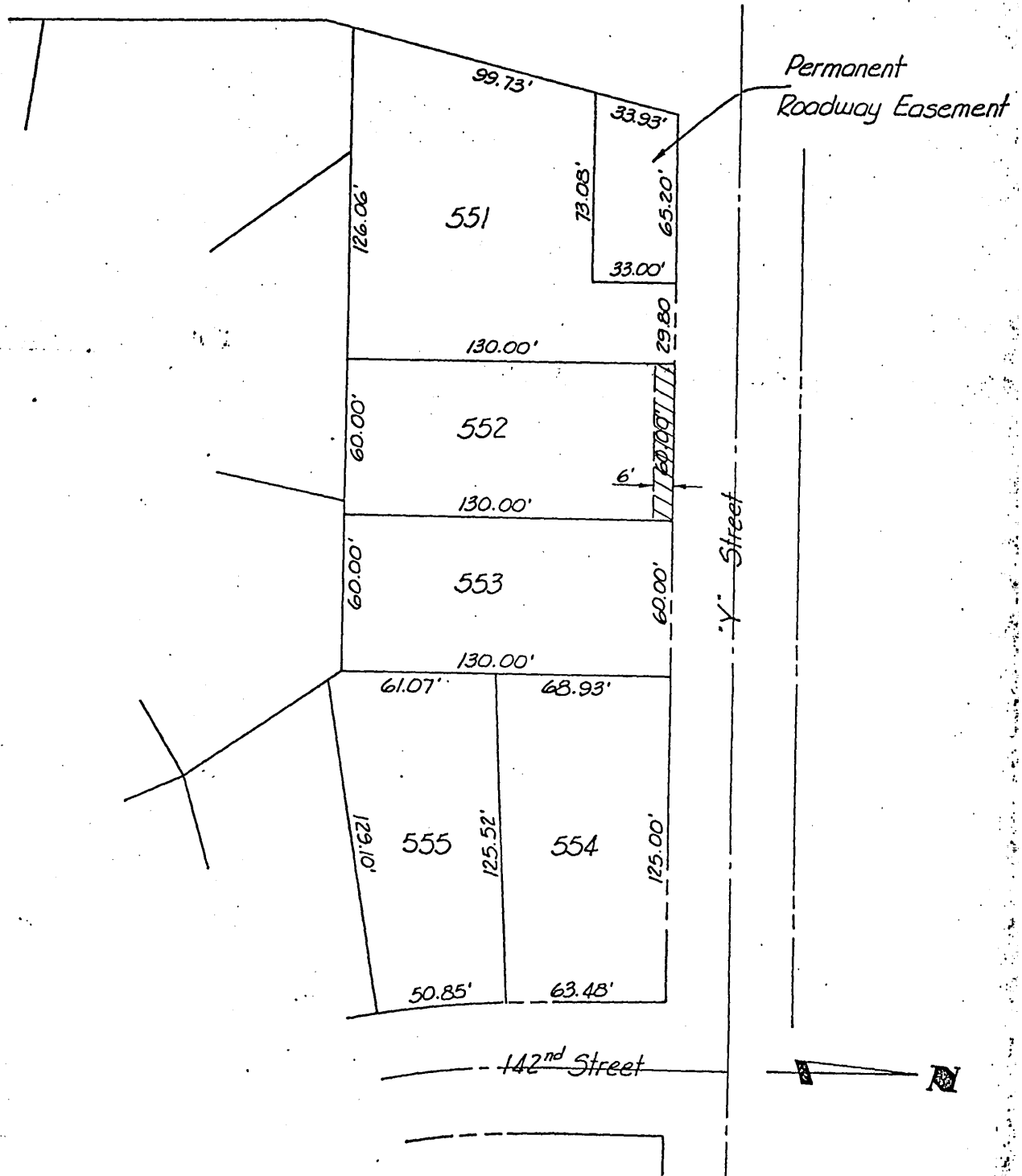
Beginning at a point on the south line of lot 351, 61.99 feet easterly of the southwest corner of lot 351; thence 5 feet on either side of and parallel to a line bearing North 24°22'50" East (assumed bearing) a distance of 201.19 feet; thence 10 feet on either side of and parallel to a line bearing North 01°27'56" West, a distance of 349.64 feet; thence North 01°00'56" East, a distance of 45.0 feet to the northerly line of lot 351.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 551 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska being more particularly described as follows:

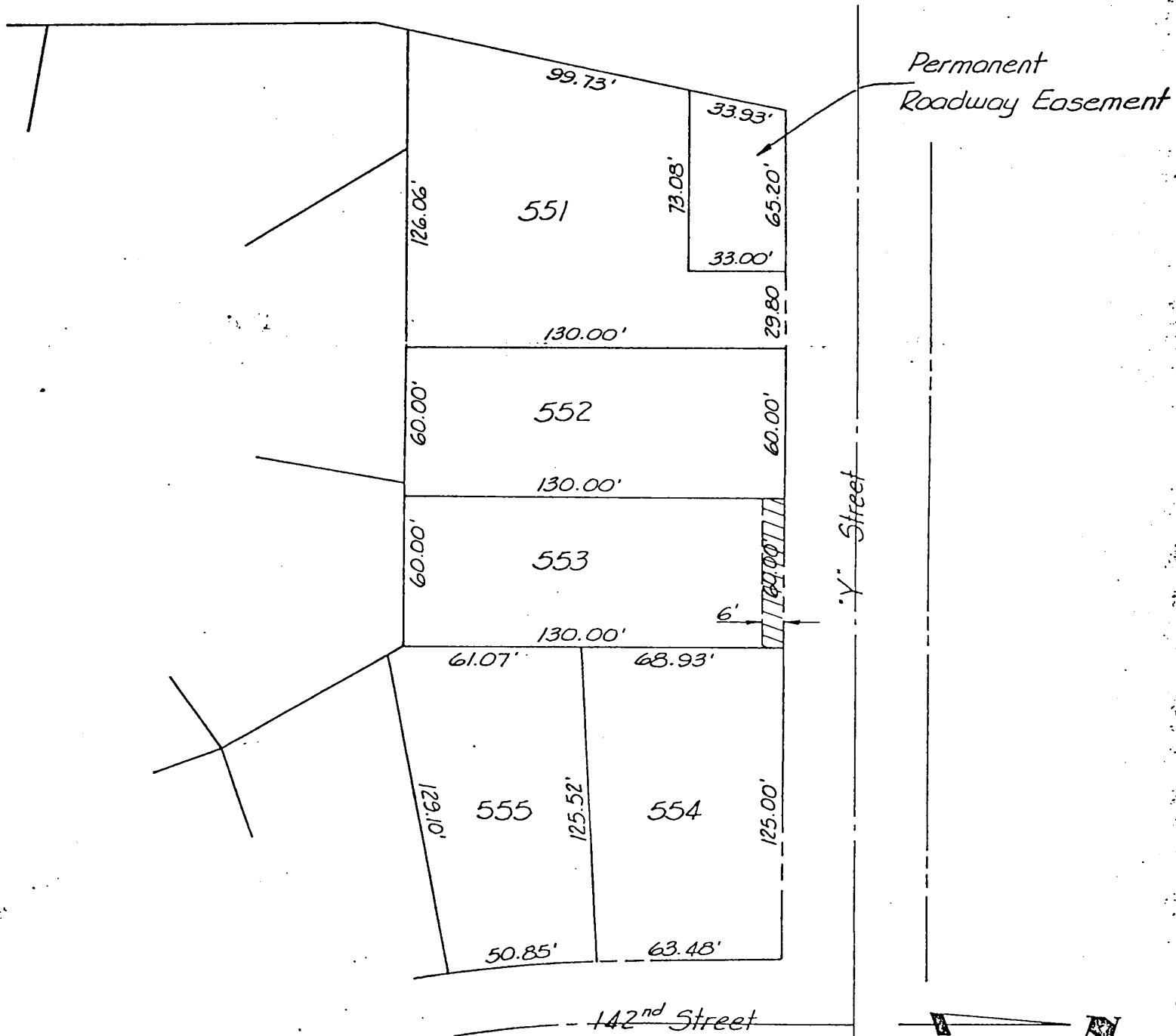
Beginning at the Southwest corner of lot 551; thence along the westerly lot line North 14° 12' 30" East (assumed bearing) a distance of 133.66 feet; thence along the northerly lot line South 89° 13' 36" East a distance of 95.00 feet; thence along the easterly lot line South 00° 46' 24" West a distance of 6.00 feet; thence South 84° 03' 45" West a distance of 89.59 feet; thence South 14° 12' 30" West a distance of 60.50 feet; thence south 22° 13' 12" East a distance of 57.73 feet to the southerly lot line of lot 551; thence North 89° 13' 36" West along the southerly lot line a distance of 56.00 feet to the point of beginning.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 552, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

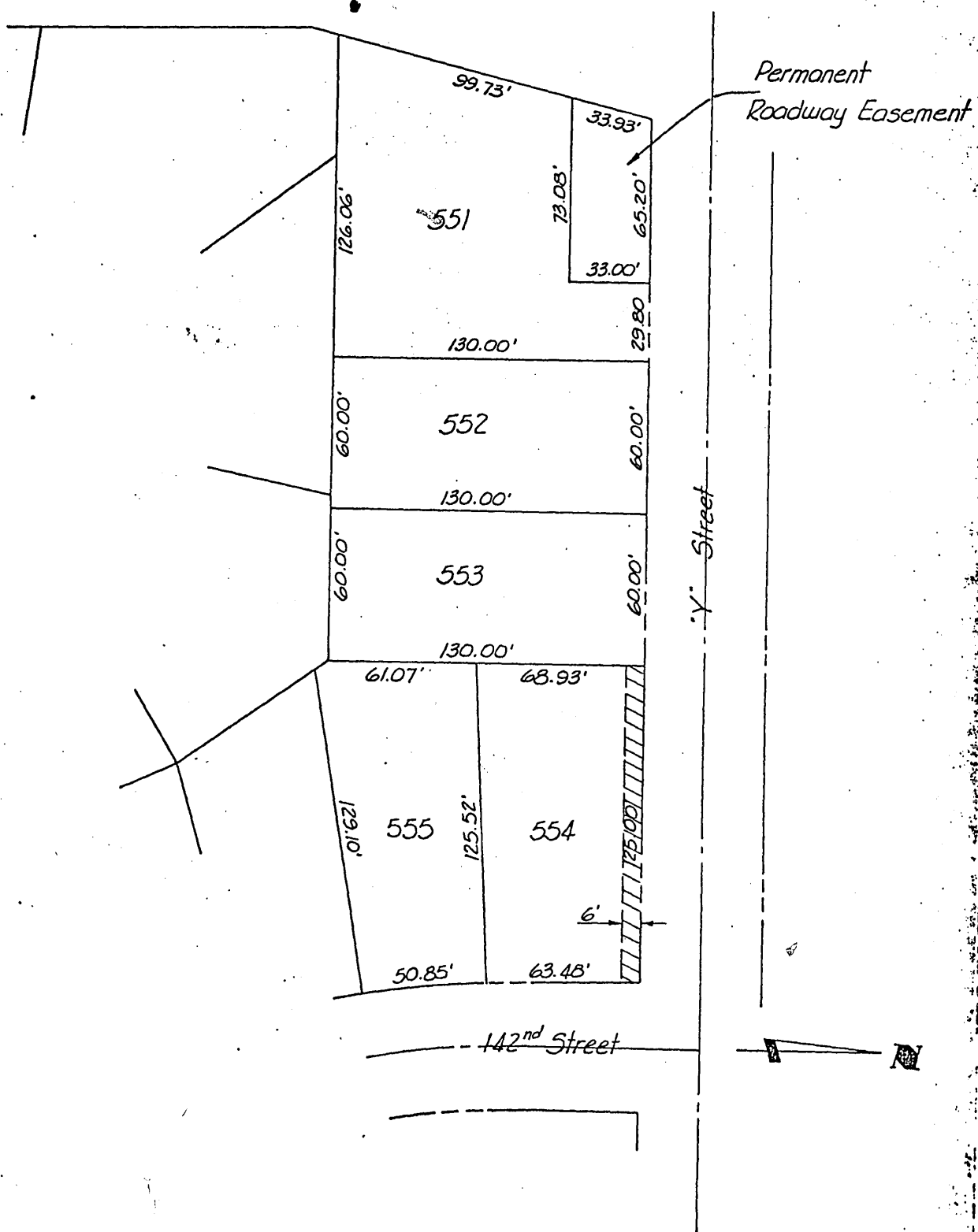
The northerly 6 feet of lot 552, parallel to the north lot line of lot 552:



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 553, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

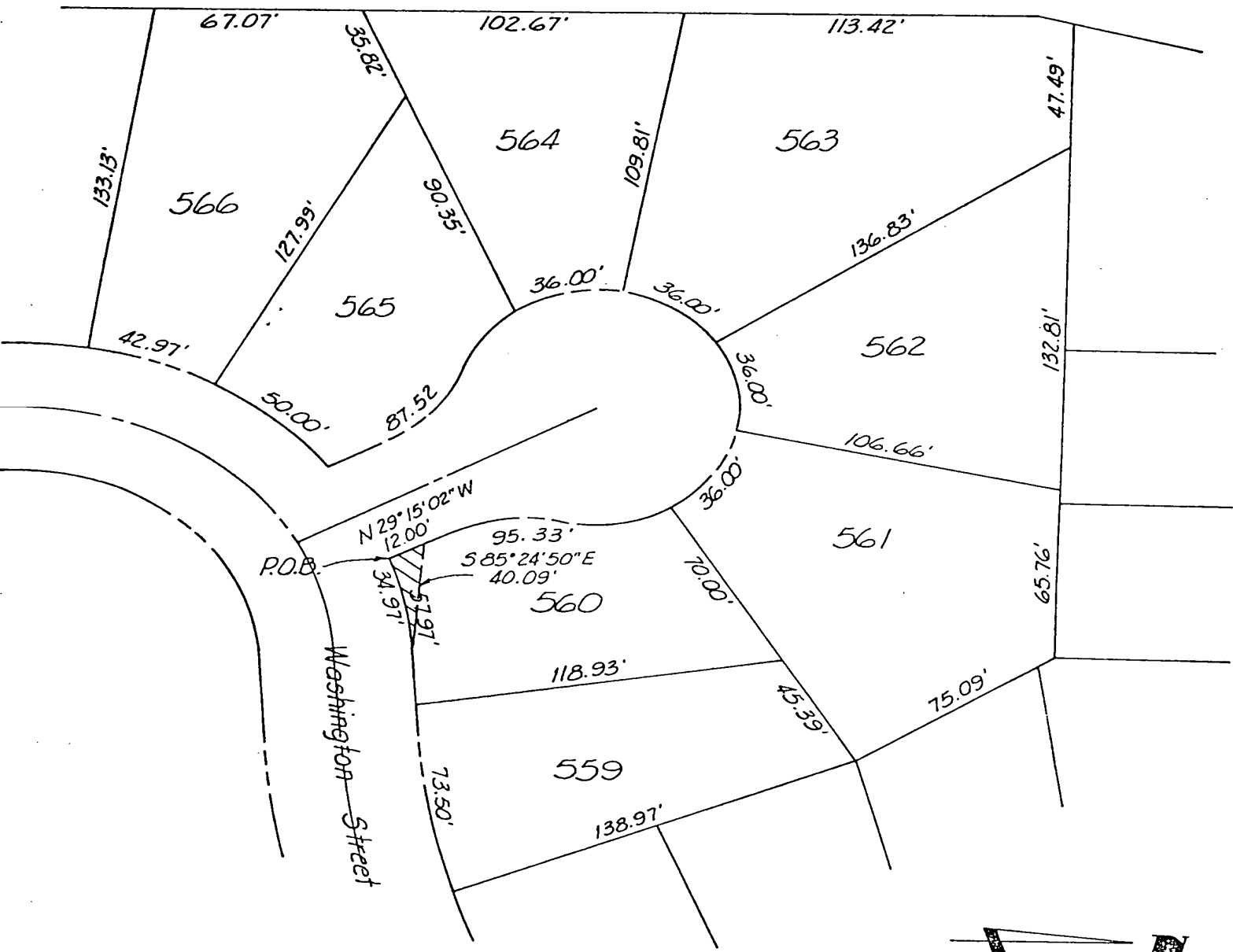
The northerly 6 feet of lot 553, parallel to the north lot line of lot 553.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 554, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

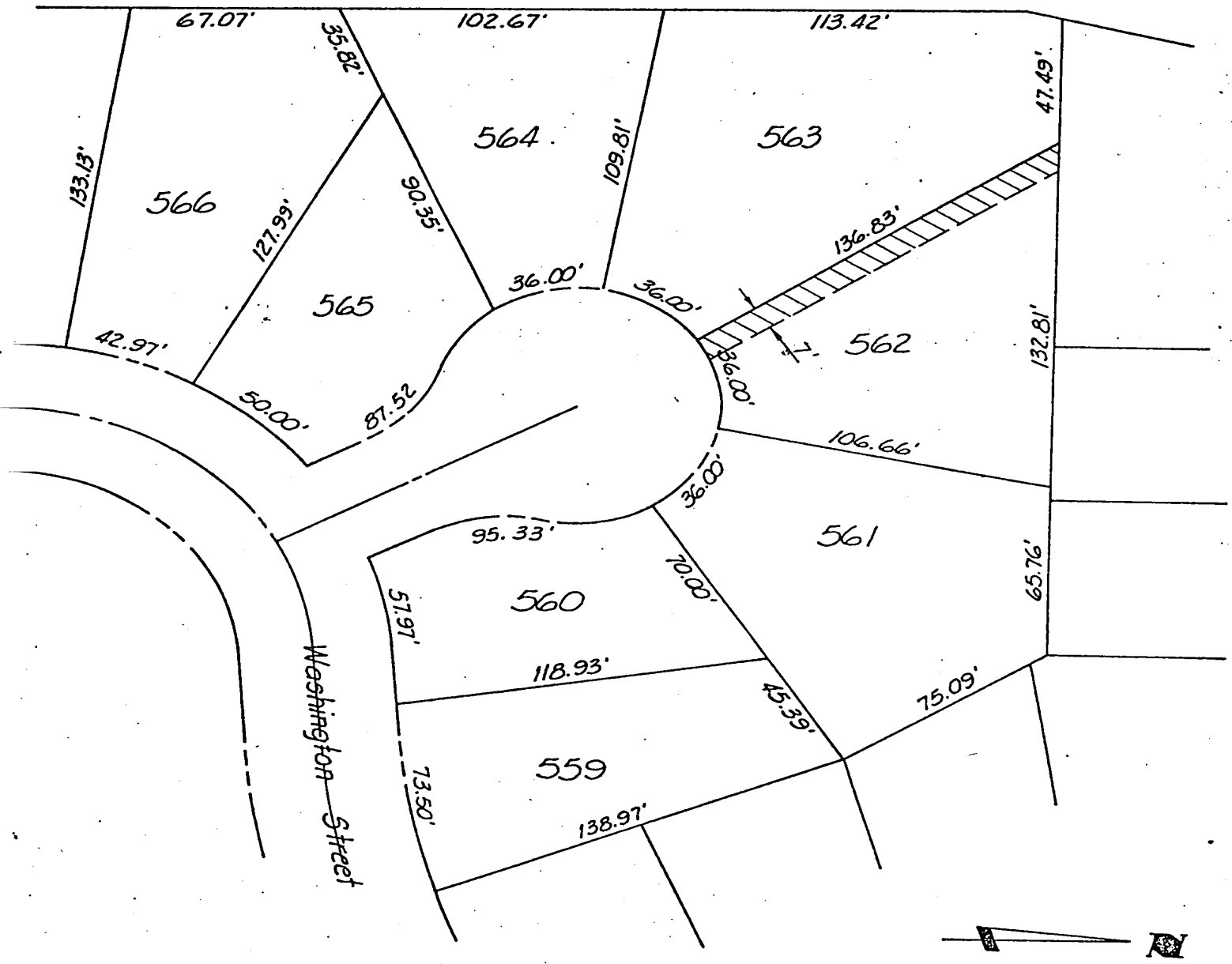
The northerly 6 feet of lot 554, parallel to the north lot line of lot 554.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 560, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

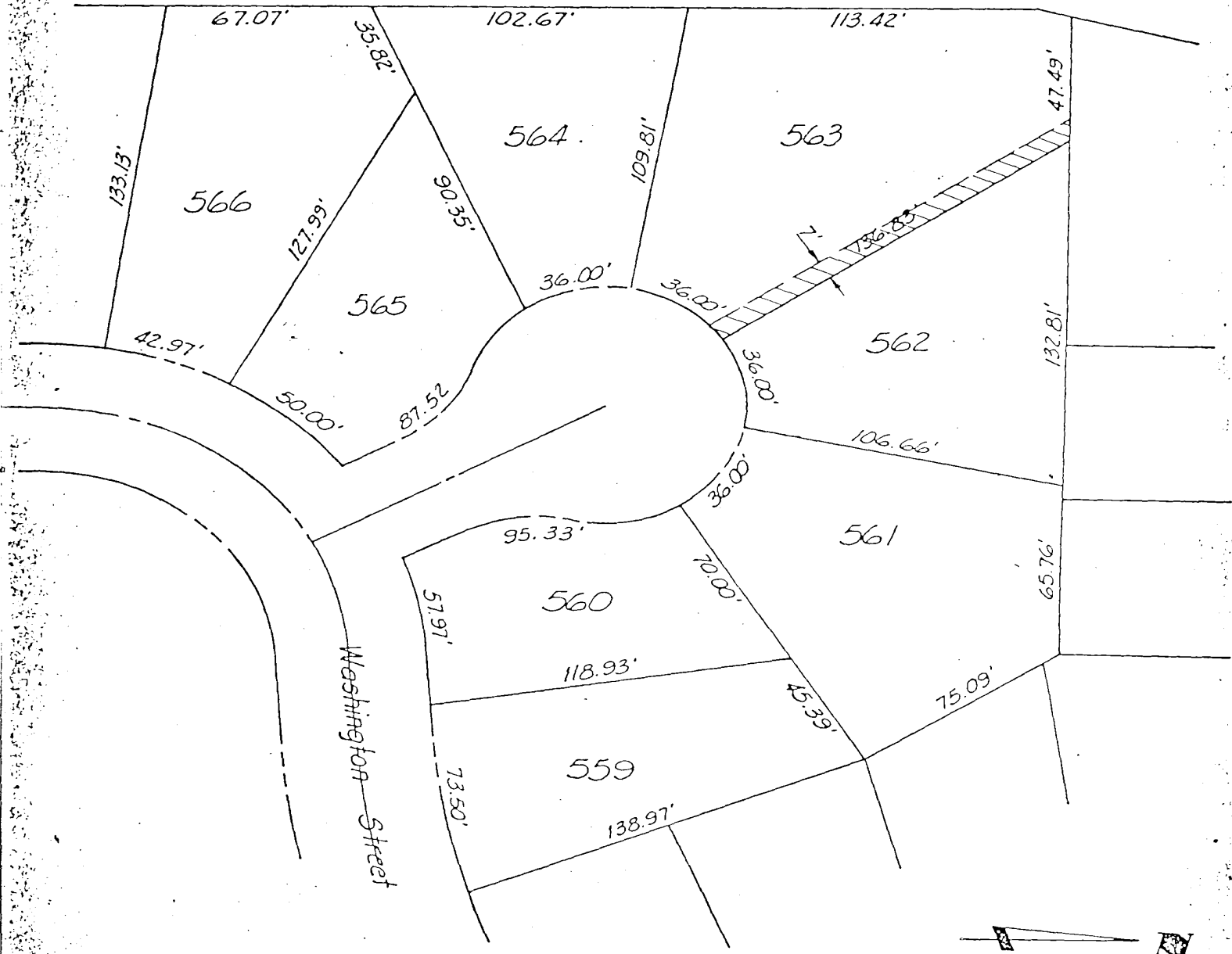
Beginning at the southwest corner of lot 560; thence North 29°15'02" West (assumed bearing) a distance of 12.0 feet; thence South 85°24'50" East a distance of 40.09 feet; thence along a 125.00 foot radius curve to the left, an arc distance of 34.97 feet to the point of beginning.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 562, Millard highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

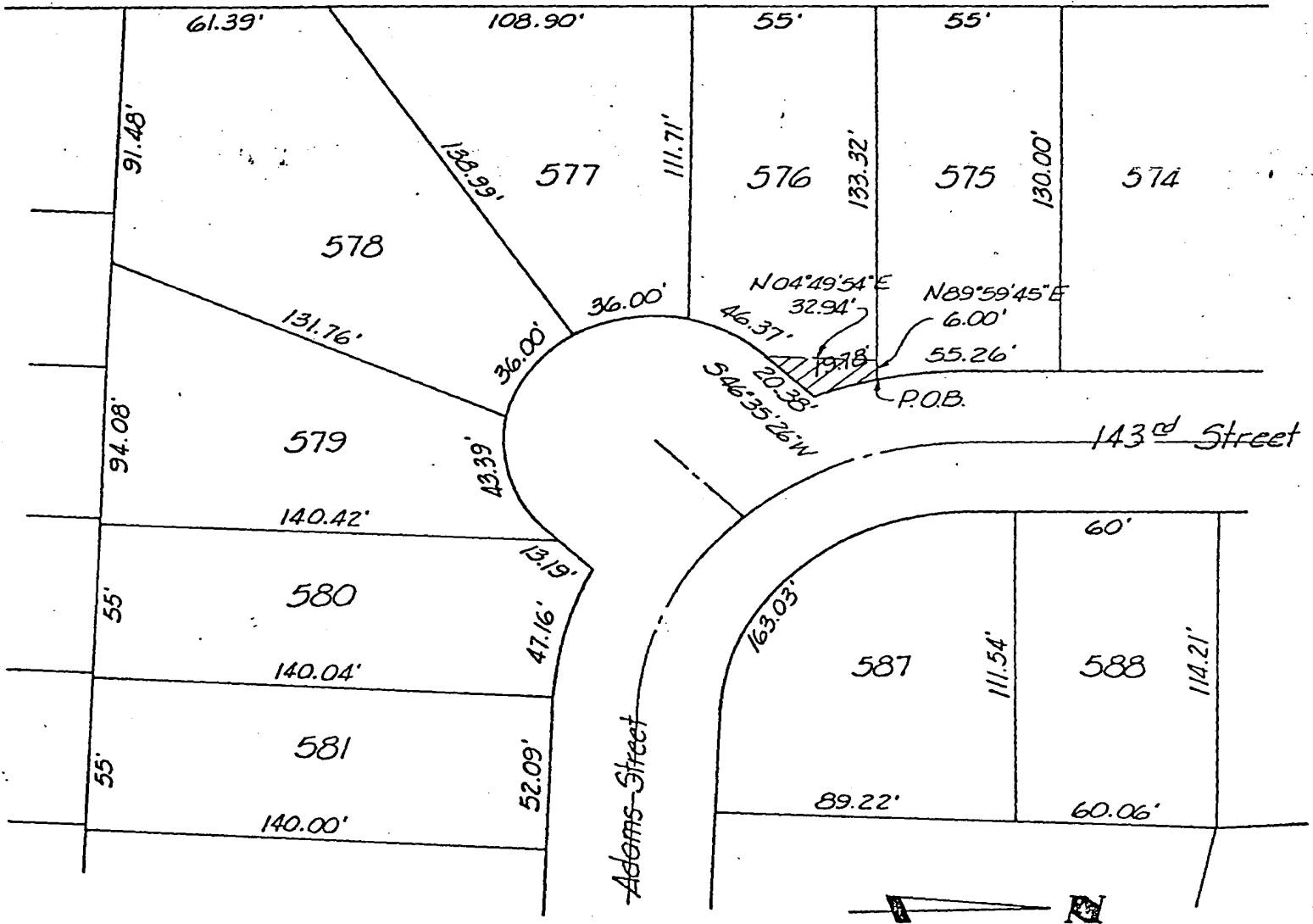
The southwesterly 7 feet of lot 562, parallel to the common line of lots 562 and 563.



LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 563, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

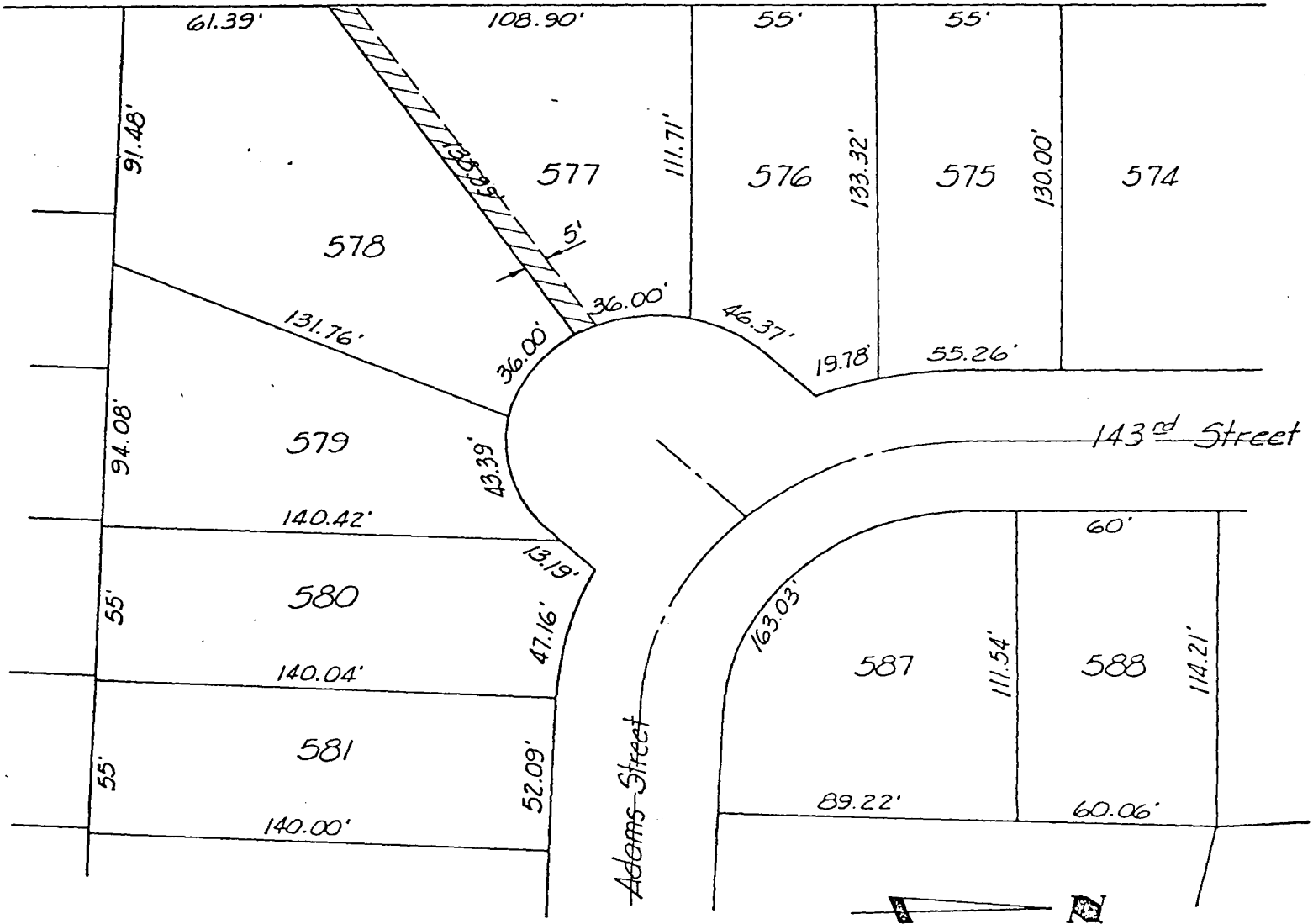
The northeasterly 7 feet of lot 563, parallel to the common line of lots 562 and 563.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 576, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

Beginning at the northeast corner of lot 576; thence southeasterly on a 125.0 foot radius curve to the left, an arc distance of 19.78 feet; thence south 46°35'26" East (assumed bearing) a distance of 20.38 feet; thence North 04°49'54" East a distance of 32.94 feet; thence North 89°59'45" East a distance of 6.00 feet to the point of beginning.



LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 577 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

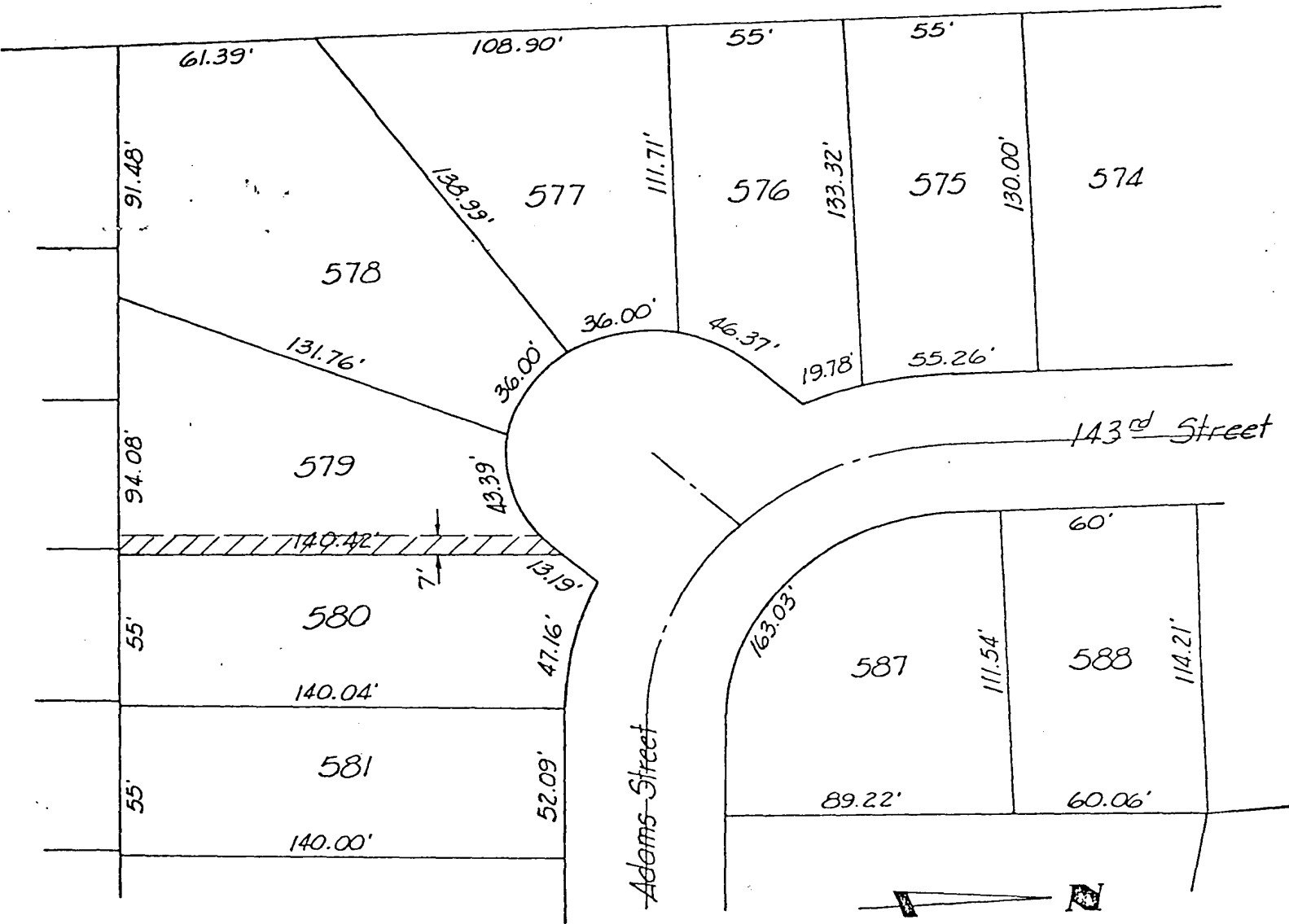
The southeasterly 5 ft. of lot 577, parallel to the common line of lots 577 and 578.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 578 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

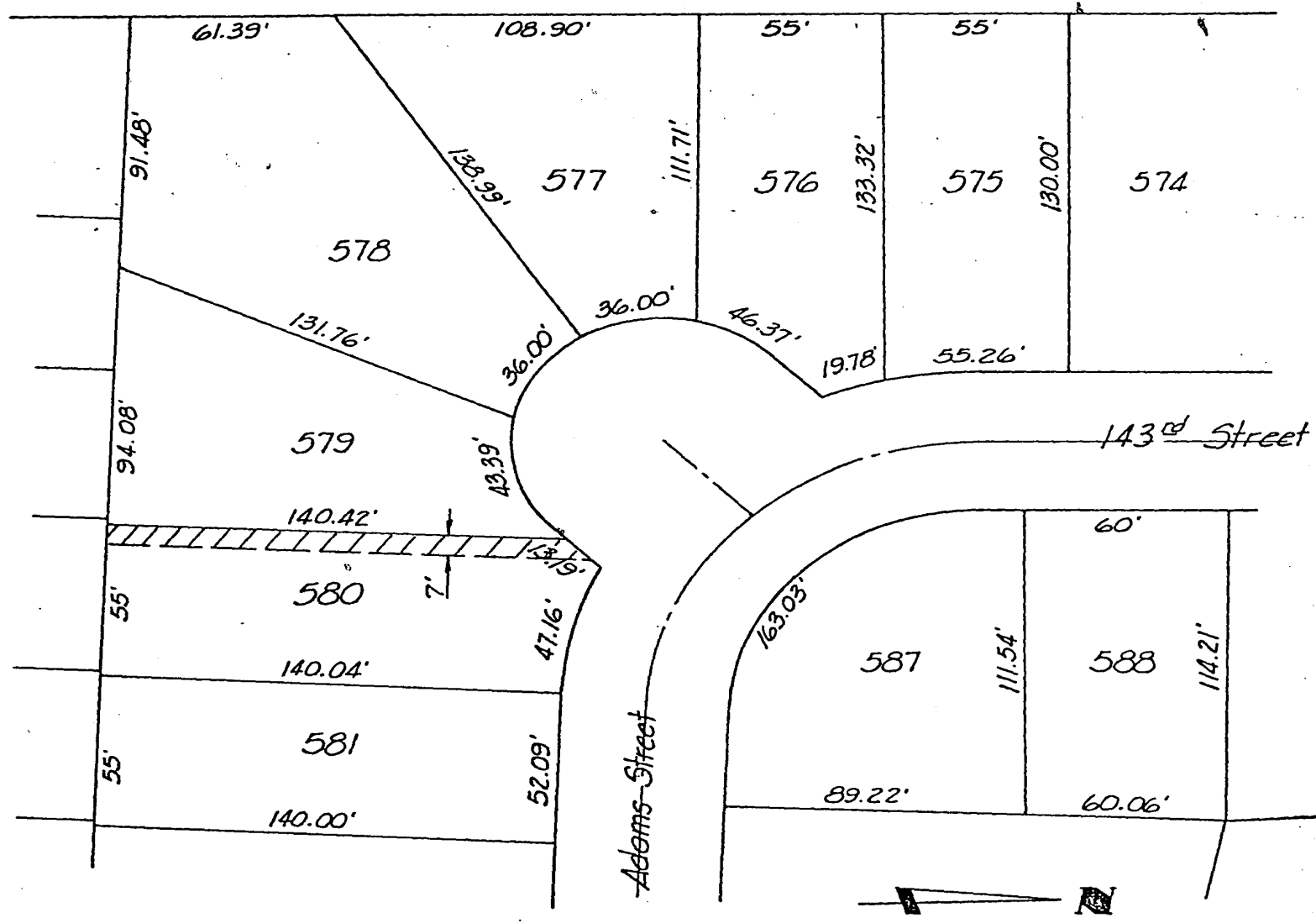
The northwesterly 5 ft. of lot 578, parallel to the common line of lots 577 and 578.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 579 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

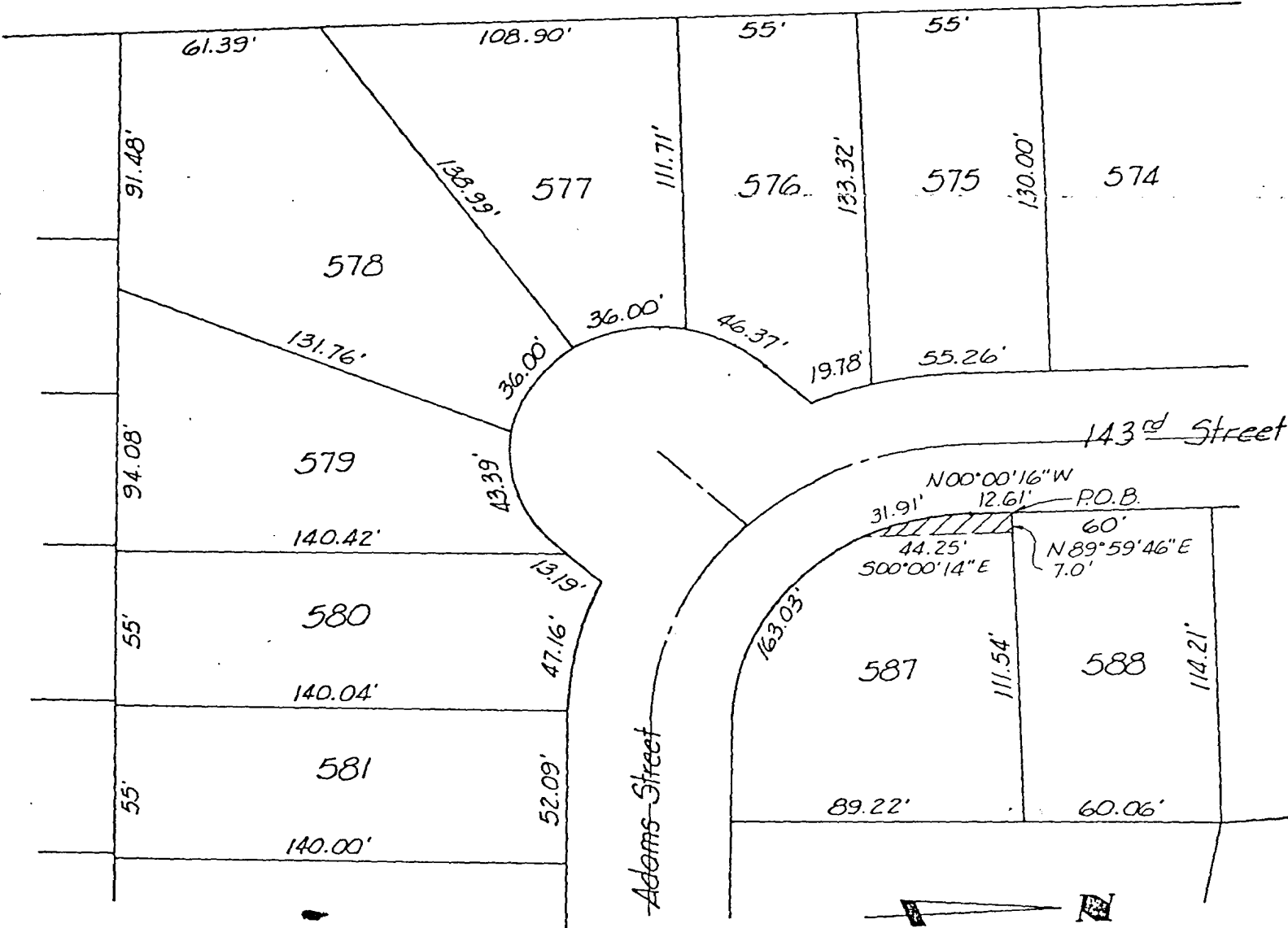
The easterly 7 ft. of lot 579, parallel to the common line of lots 579 and 580.



LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 580 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

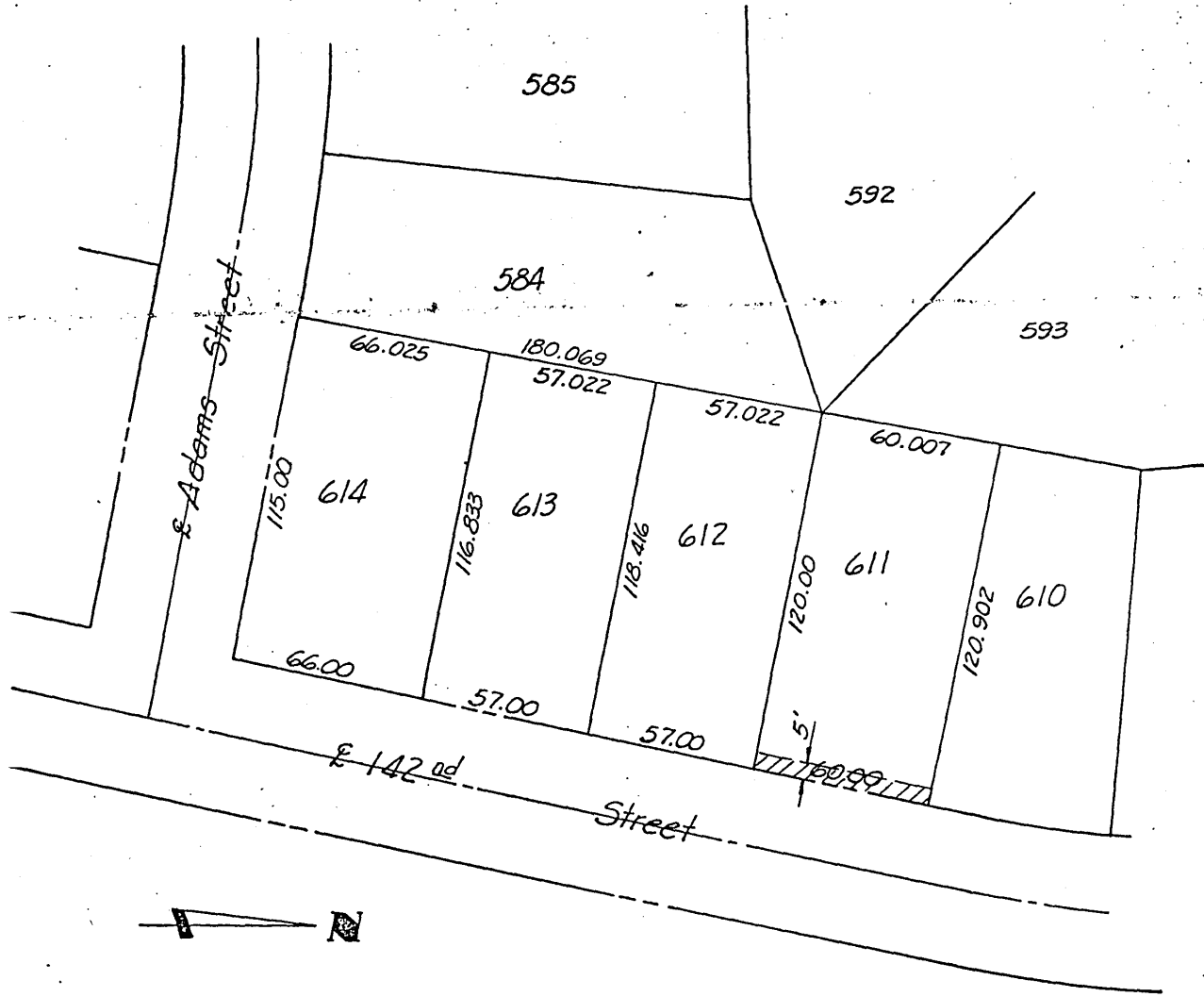
The westerly 7 ft. of lot 580, parallel to the common line of lots 579 and 580.



LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 587 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

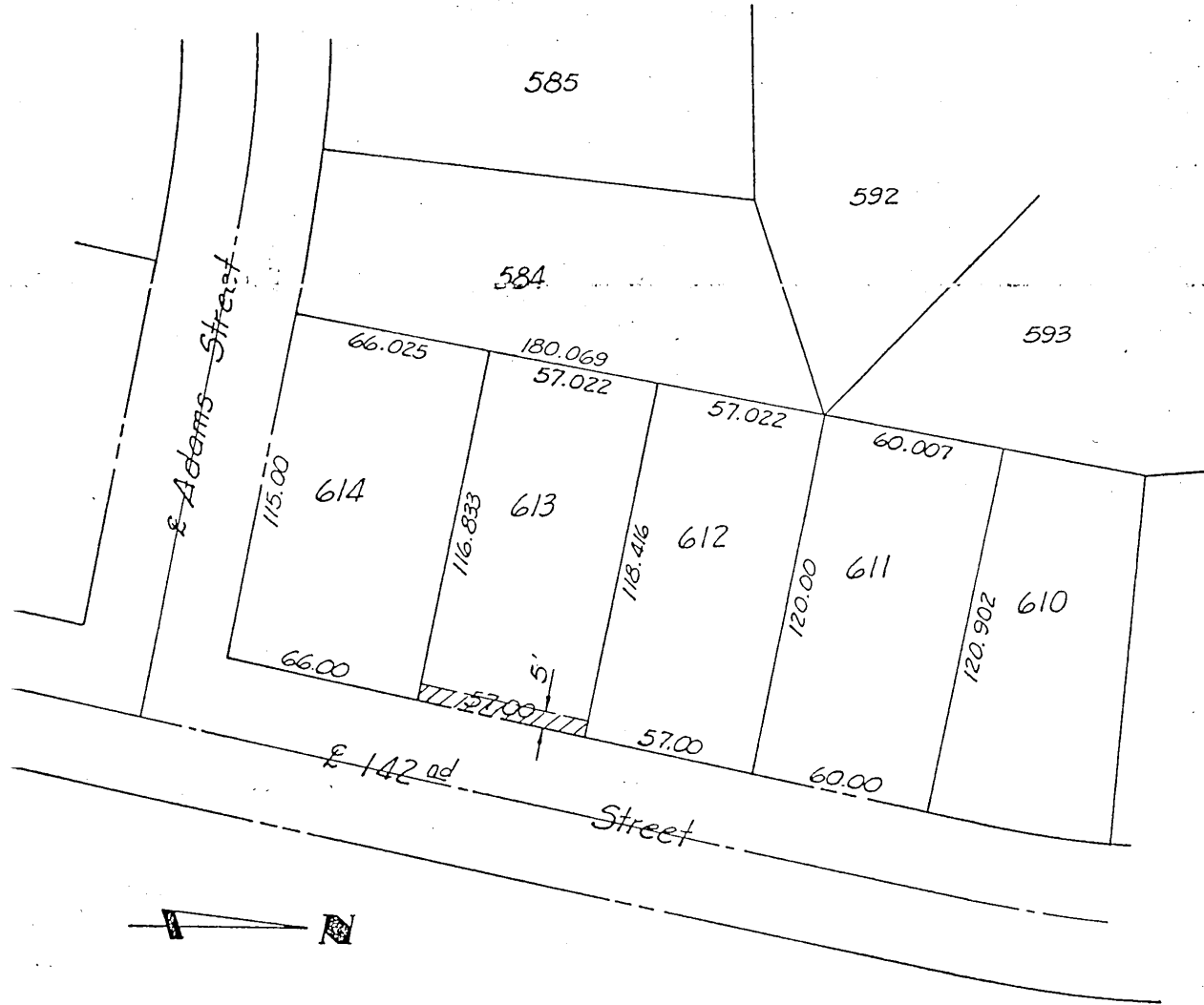
Beginning at the northwest corner of lot 587; thence north 89°59'46" East (assumed bearing) a distance of 7.00 feet; thence south 00°00'14" east a distance of 44.25 feet; thence along a 75.00 foot radius curve to the right, an arc distance of 31.91 feet; thence north 00°00'16" west, 12.61 feet to the point of beginning.



LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 611, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

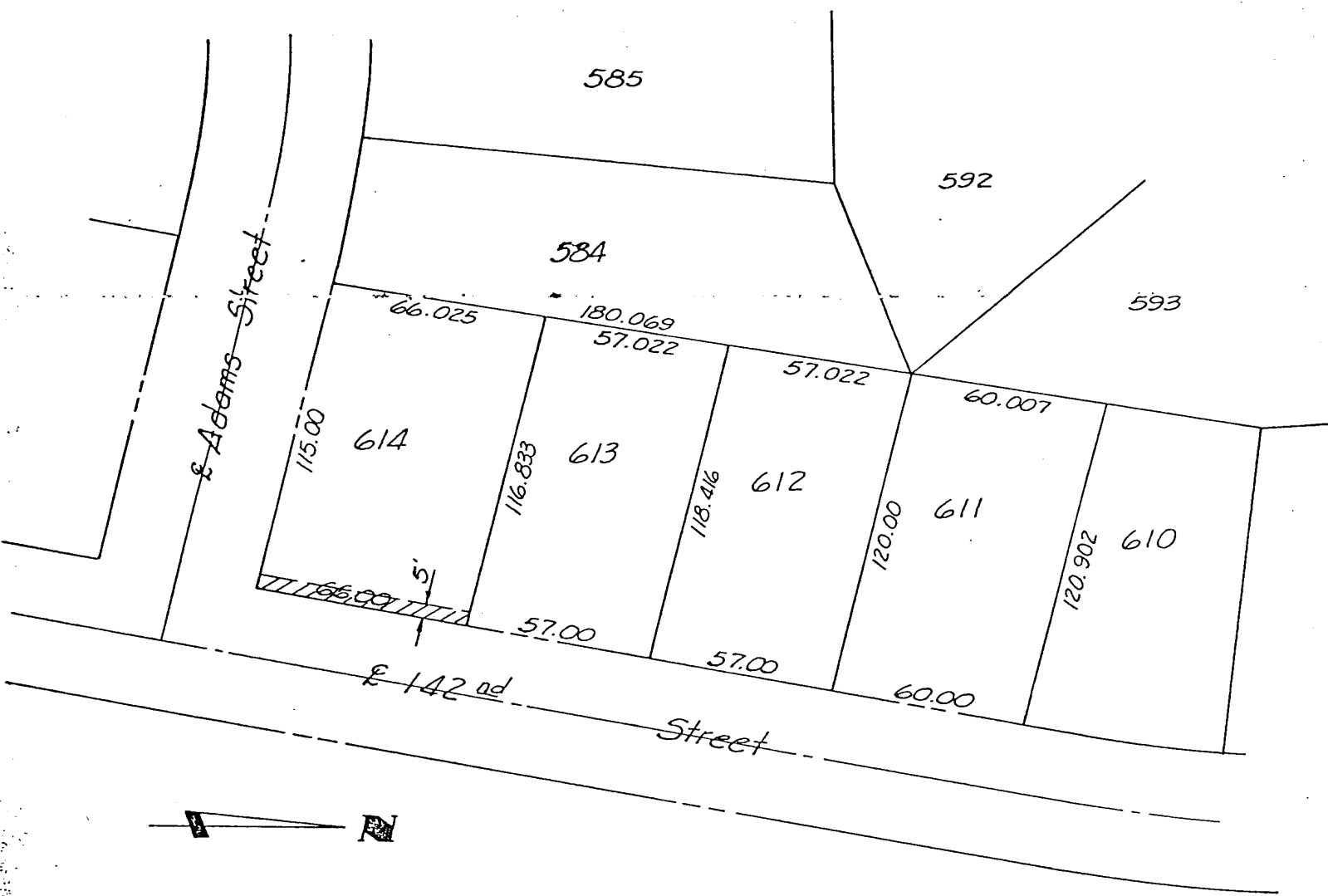
The easterly 5 feet of lot 611, parallel to the east lot line of said lot 611.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 613, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The easterly 5 feet of lot 613, parallel to the east lot line of said lot 613.

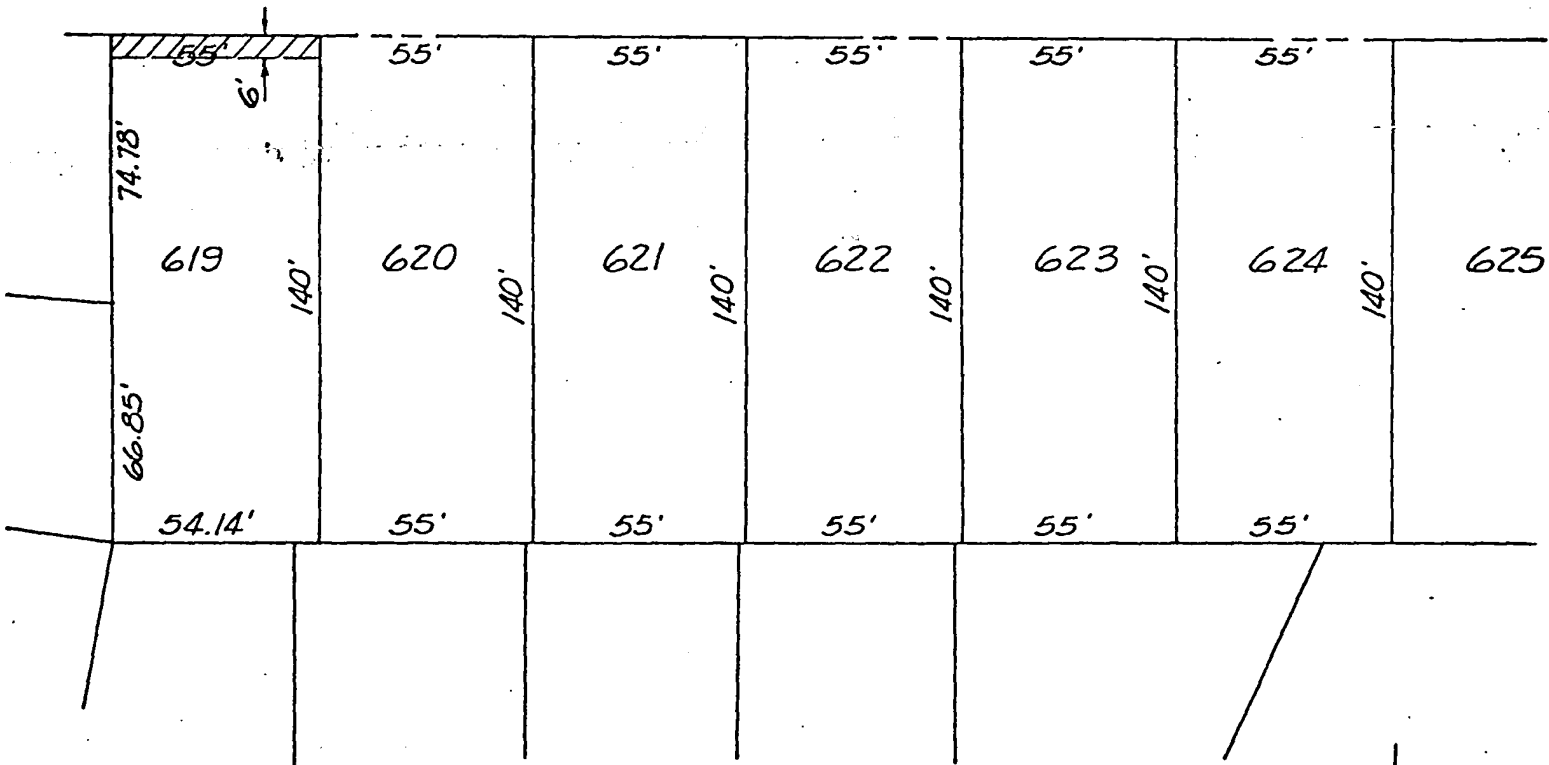


LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 614 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The easterly 5 feet of lot 614, parallel to the east lot line of said lot 614.

E Madison Avenue

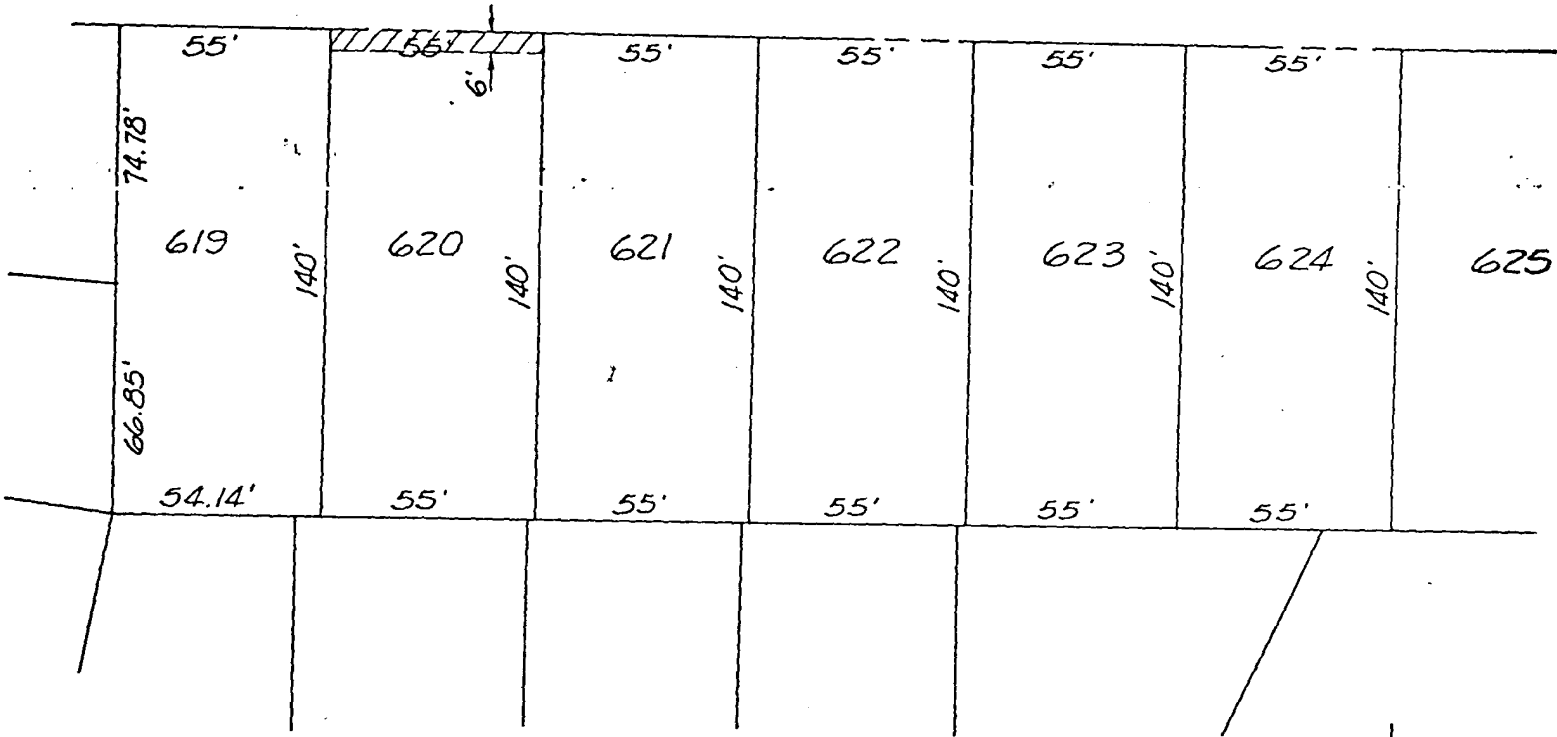


LEGAL DESCRIPTION
 PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 619 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The southerly 6 feet of lot 619, parallel to the south lot line of lot 619.

E Madison Avenue

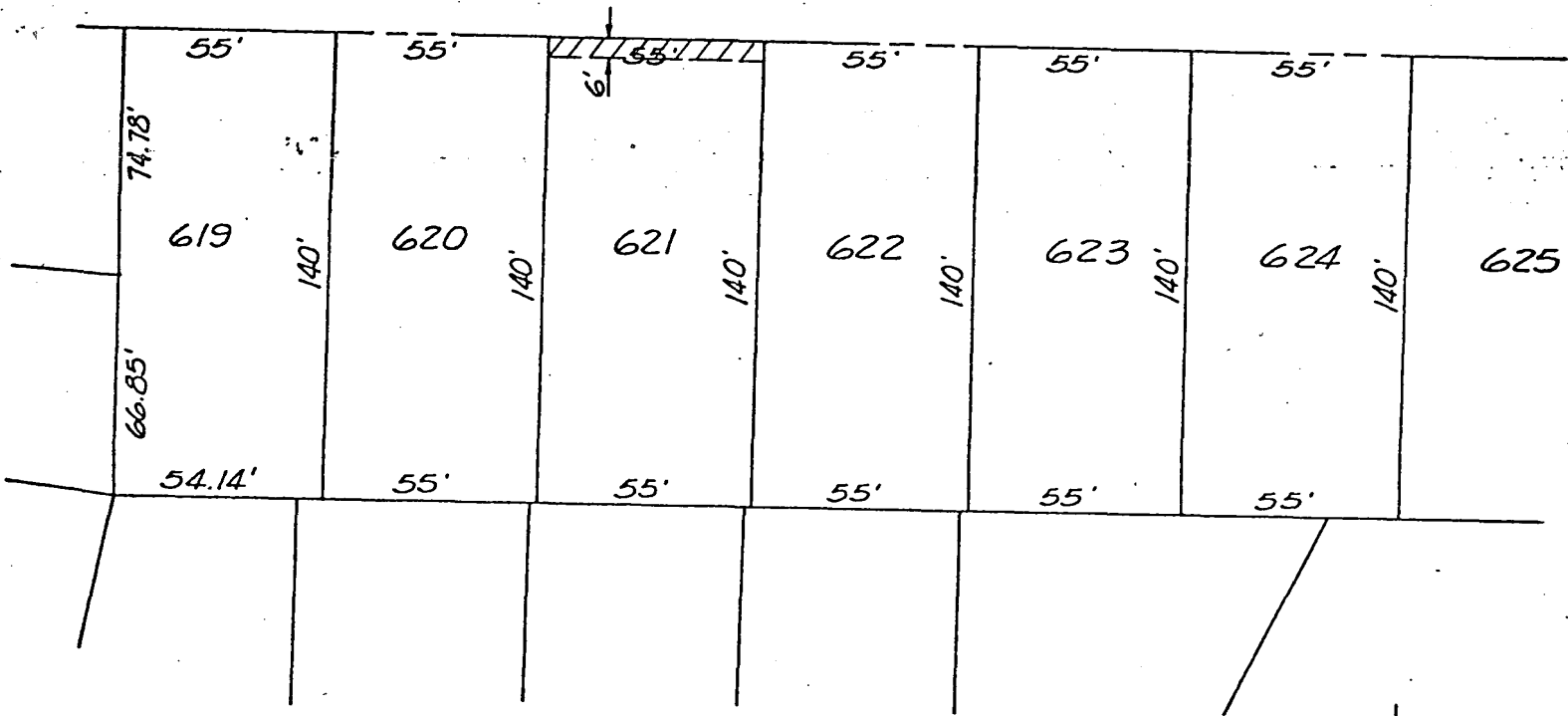


LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 620 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The southerly 6 feet of lot 620, parallel to the south lot line of lot 620.

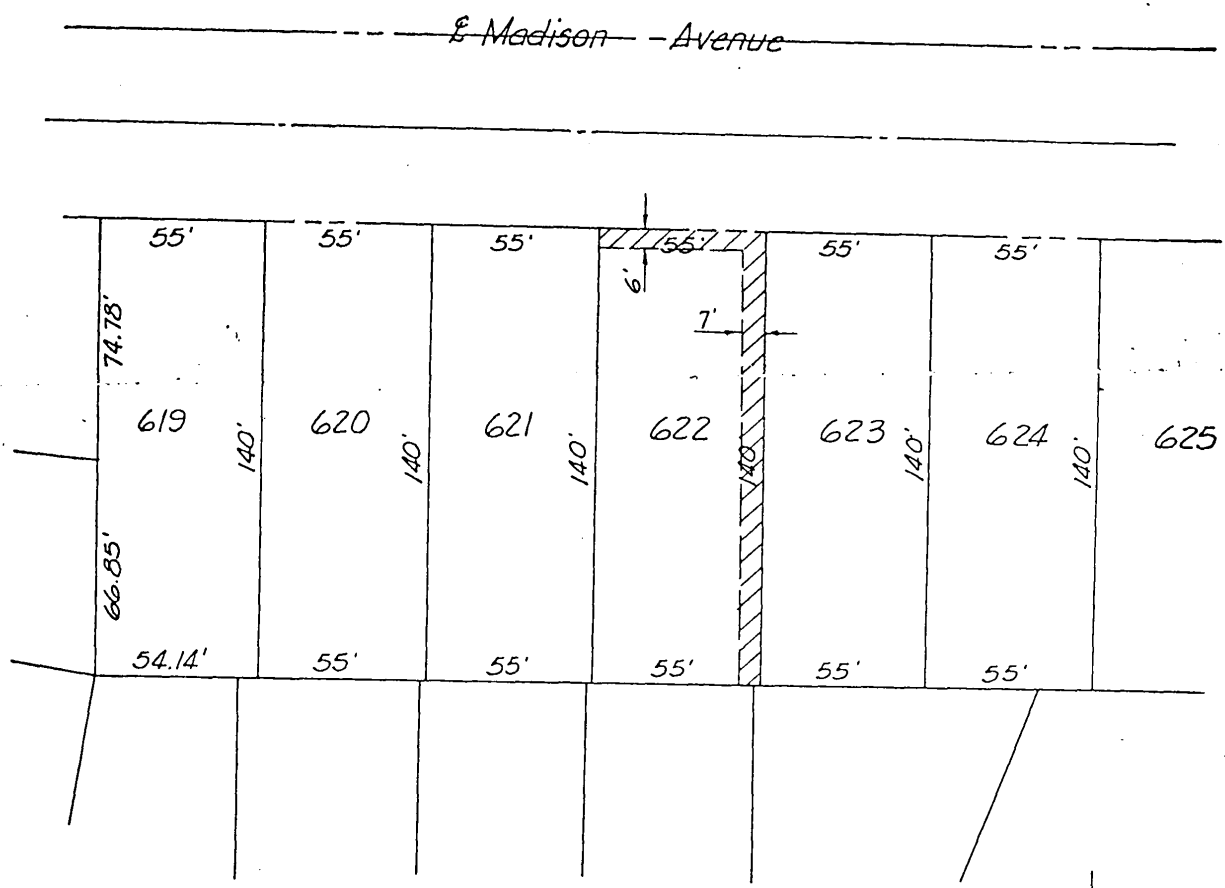
E Madison Avenue



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 621 Millard highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The southerly 6 feet of lot 621, parallel to the south lot line of lot 621.

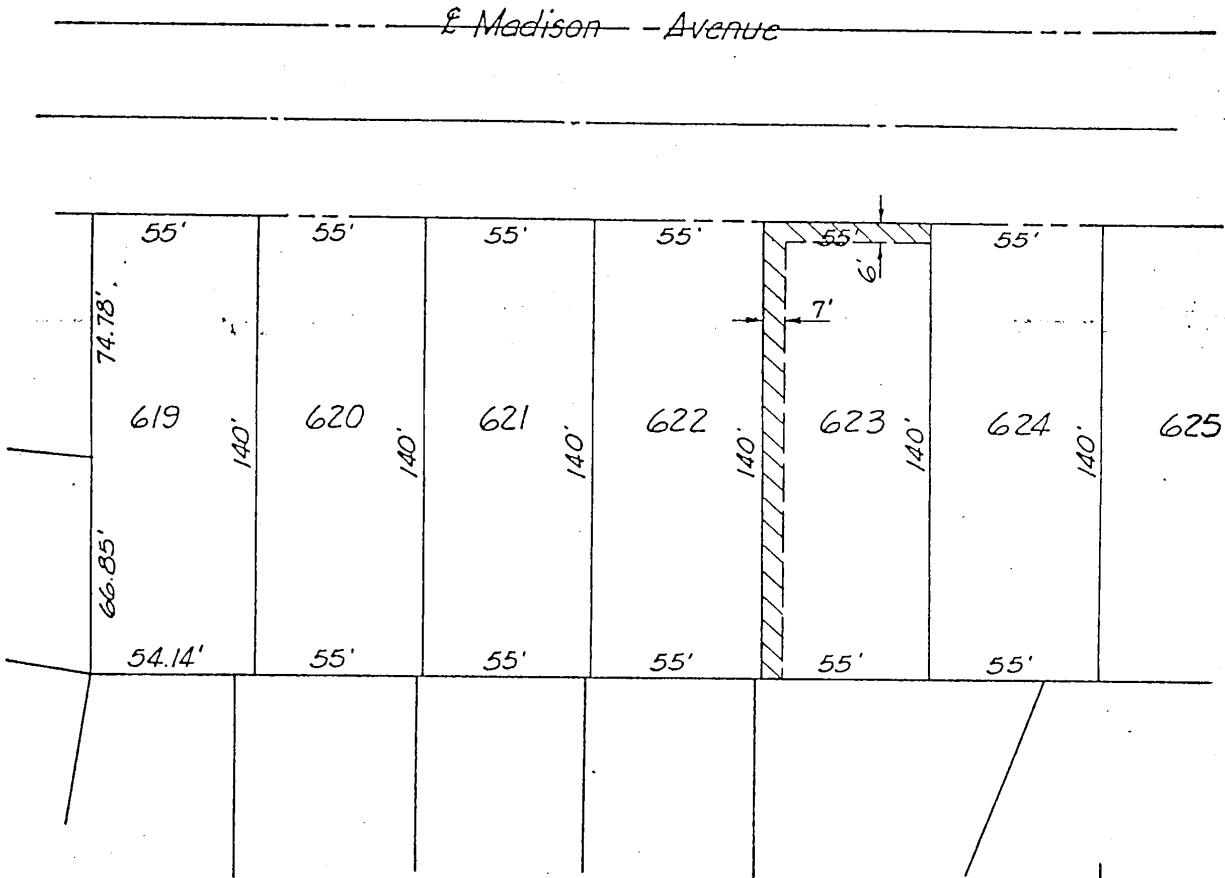


LEGAL DESCRIPTION

PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 622 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

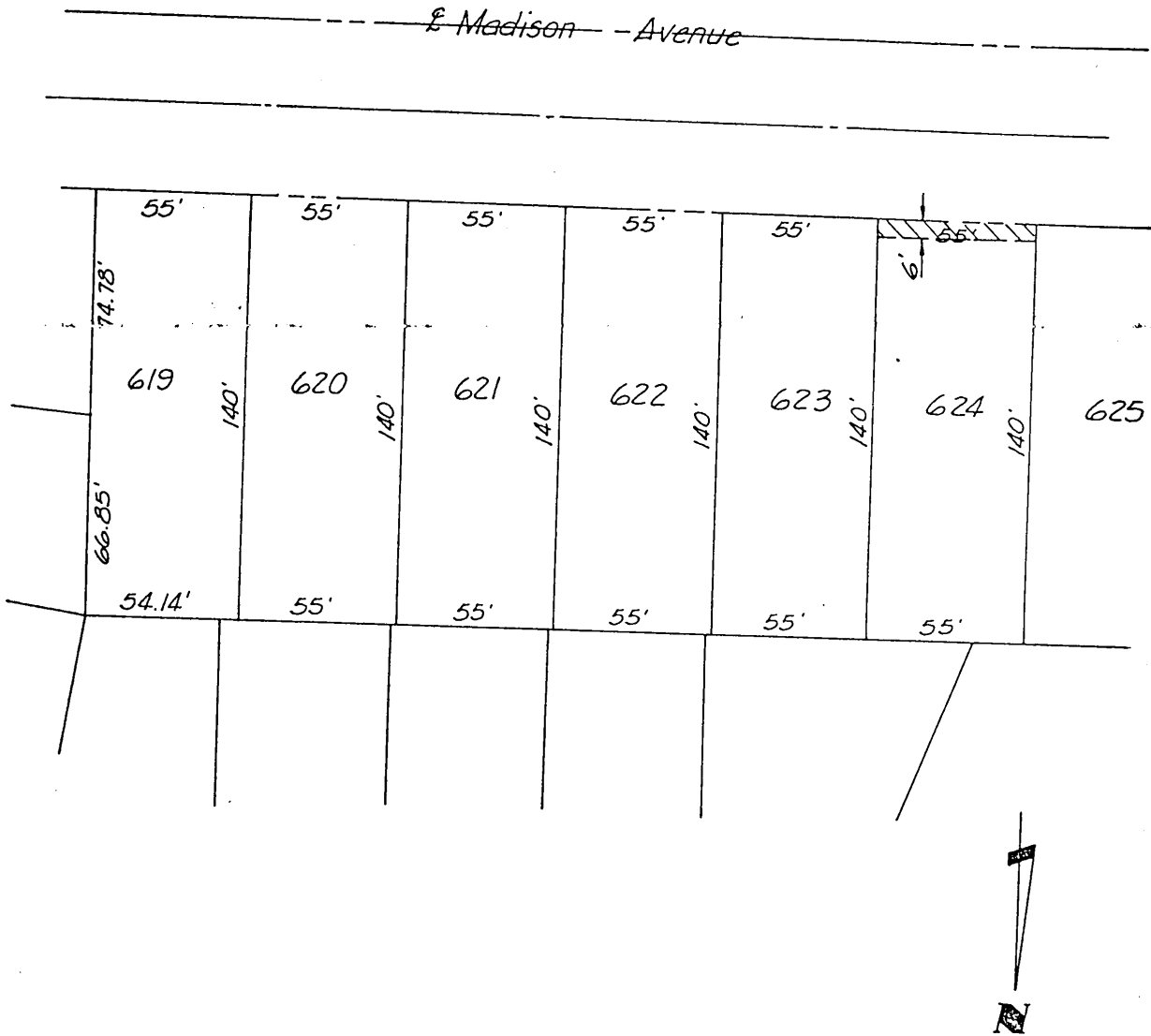
The southerly 6 feet of lot 622, parallel to the south lot line of lot 622 and the westerly 7 feet of lot 622, parallel to the common line of lots 622 and 623.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 623, Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The southerly 6 feet of lot 623, parallel to the south lot line of lot 623 and the easterly 7 feet of lot 623, parallel to the common line of lots 622 and 623.



LEGAL DESCRIPTION
PERMANENT SEWER AND DRAINAGE EASEMENT

The following is a legal description of a permanent sewer and drainage easement located in lot 624 Millard Highlands Replat III a platted and recorded subdivision in Douglas County, Nebraska, being more particularly described as follows:

The southerly 6 ft. of lot 624, parallel to the south lot line of lot 624.

15
ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
17 DAY OF May 19 26 AT 2:46 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS 9025