

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2003-01645
2003 JAN 10 AM 11:50
Glenn J. Lowrey
REGISTER OF DEEDS

A
Counter *h*
Verify *m*
D.E. *h*
Proof *h*
Fee \$ 25.50
OK ☒ Cash ☐ Chq ☐
15155

RECORDER NOTE

No Exhibit
A1 or A2 Attached

EASEMENT

THIS EASEMENT made this 7th day of January, 2003, by and between Dodge Land Co., a Nebraska corporation (herein referred to as the "Grantor"), and Sanitary and Improvement District No. 216 of Sarpy County, Nebraska (herein referred to as the "Grantee").

WHEREAS, the Grantee is a sanitary and improvement district installing storm sewers in a subdivision known as Millard Park South in Sarpy County, Nebraska, and,

WHEREAS, the Grantee needs a certain permanent easement for a storm sewer and a drainage way in Millard Park South, and

WHEREAS, on May 10, 2001, the Grantor granted an easement on the plat of Millard Park South which was recorded with the Register of Deeds of Sarpy County, Nebraska on May 17, 2001 at instrument #200114395, and

WHEREAS, this document confirms said easement and outlines the terms and conditions of said easement,

NOW THEREFORE, in consideration of the mutual covenants contained herein, the following is agreed between the Grantor and Grantee herein.

1. Grant of Easement. The Grantor does hereby confirm that the easement is for the construction and maintenance of a storm sewer and drainage way over the following property:

the west twenty (20) feet of Lots 124 through 131, inclusive, and

the west twenty (20) feet of Lots 311 through 329, inclusive, and

the south twenty (20) feet of Lots 307 and 308, and

a portion of Lots 309 and 310 as shown on Exhibit "A1 and A2", attached hereto and by this reference made part hereof,

all in Millard Park South, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

2. Scope and Purpose of Easement. The scope and purpose of this easement is for a permanent easement for a storm sewer and drainage way swale over said property. The Grantee shall have the full right and authority to enter upon this easement for the construction, reconstruction, repair, maintenance, replacement and renewal of the storm sewer and the drainage way swale. After the drainage way swale is constructed by Grantee, the portion of the lot where the drainage way swale is located shall not be graded, filled in, or otherwise changed and no fence or other structure shall be constructed across or on the drainage way swale which would obstruct the flow of water in the drainage way swale.

3. Consideration for Easement. The consideration paid by the Grantee to the Grantor for said easement is \$1.00 and other valuable consideration.

4. Term of Easement. This easement shall be perpetual.

2003-01645A
B

5. Make Good Any Damages. By accepting and recording this easement, the Grantee agrees to make good or cause to make good to the owner of the property on which said easement is located all damage that may be done in the construction of the storm sewer and the drainage way swale or in the repair of the storm sewer by the Grantee.

6. Lawful Authority. The Grantor herein for itself, its successors and assigns, does hereby covenant and agree with said Grantee, its successors and assigns, that the Grantor is lawfully seized of said properties, and that the Grantor has the right and lawful authority to grant said easement, and the Grantor further warrants and defends said easement against the claims of all persons whomsoever.

7. Binding Effect. This easement shall be binding upon the successors and assigns of the Grantor and Grantee.

DATED the day above written.

GRANTOR:

DODGE LAND CO.,
a Nebraska corporation

By: W. L. Morrison, Jr.
W. L. Morrison, Jr., President

State of Nebraska)
) ss.
County of Douglas)

The foregoing instrument was acknowledged before me this 7th day of January, 2003, by W. L. Morrison, Jr., as President of Dodge Land Co., a Nebraska corporation, as the voluntary act and deed of said corporation.

Kristy J. Gregath
Notary Public

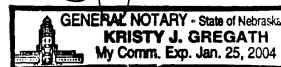


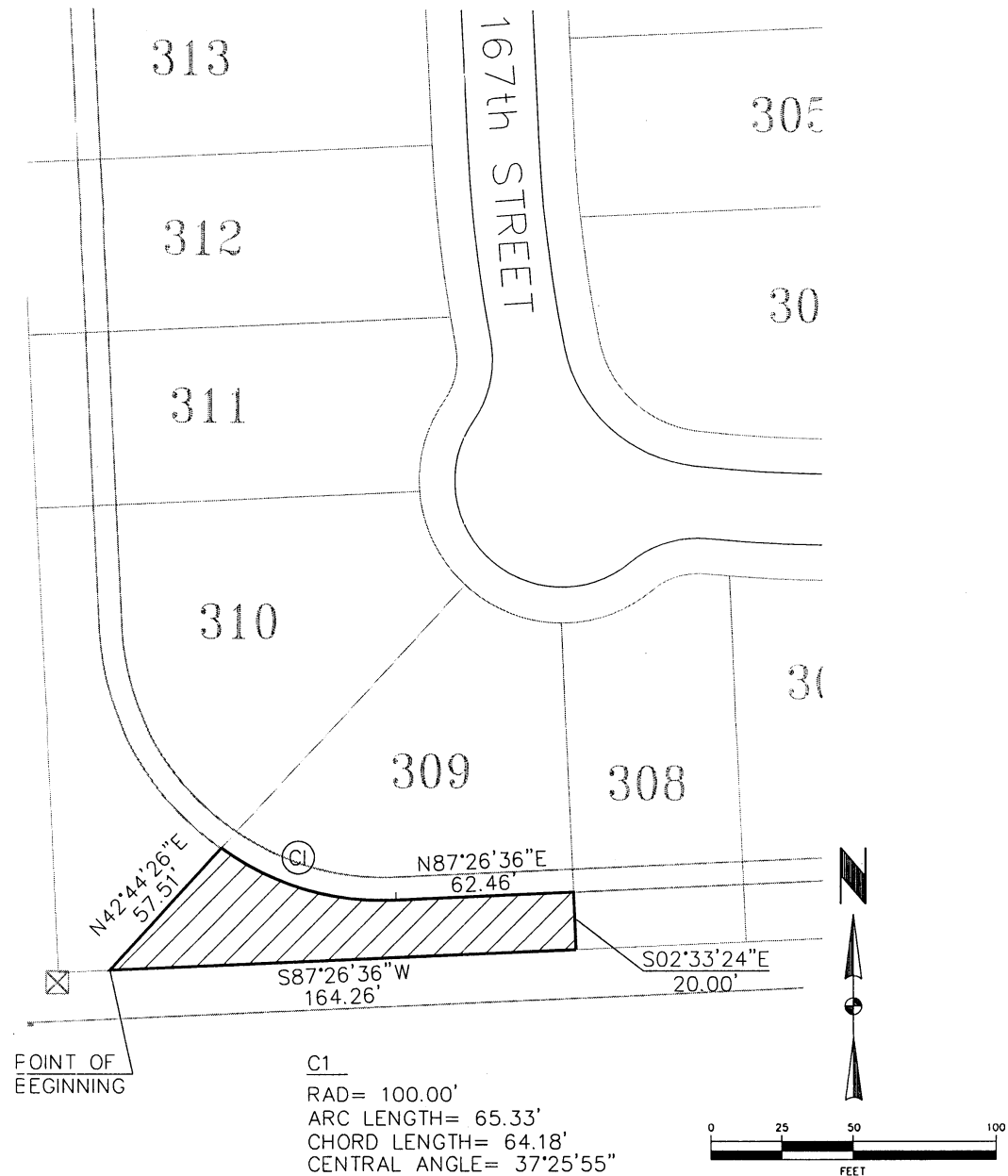
EXHIBIT A1

DEC '02

fb:

hgm: 71211

G:\Projects\71211-MILLARD_PARK_SOUTH\dwg\Easements309-310.dwg



DRAINAGE EASEMENT

A DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE SOUTH PROPERTY LINE OF LOT 309, MILLARD PARK SOUTH SUBDIVISION, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 309; THENCE N42°44'26"E A DISTANCE OF 57.51 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 37°25'55", A DISTANCE OF 65.33 FEET; THENCE N87°26'36"E A DISTANCE OF 62.46 FEET; THENCE S02°33'24"E A DISTANCE OF 20.00 FEET; THENCE S87°26'36"W A DISTANCE OF 164.26 FEET TO THE POINT OF BEGINNING.

1 OF 1

DEC '02

sheet

project no.

71211

date

project

MILLARD PARK SOUTH

client

SANITARY AND IMPROVEMENT DISTRICT NO. 216

sheet

DRAINAGE EASEMENT- LOT 309

JLB
drawn
CAC
designed
CJL
approved

hgm

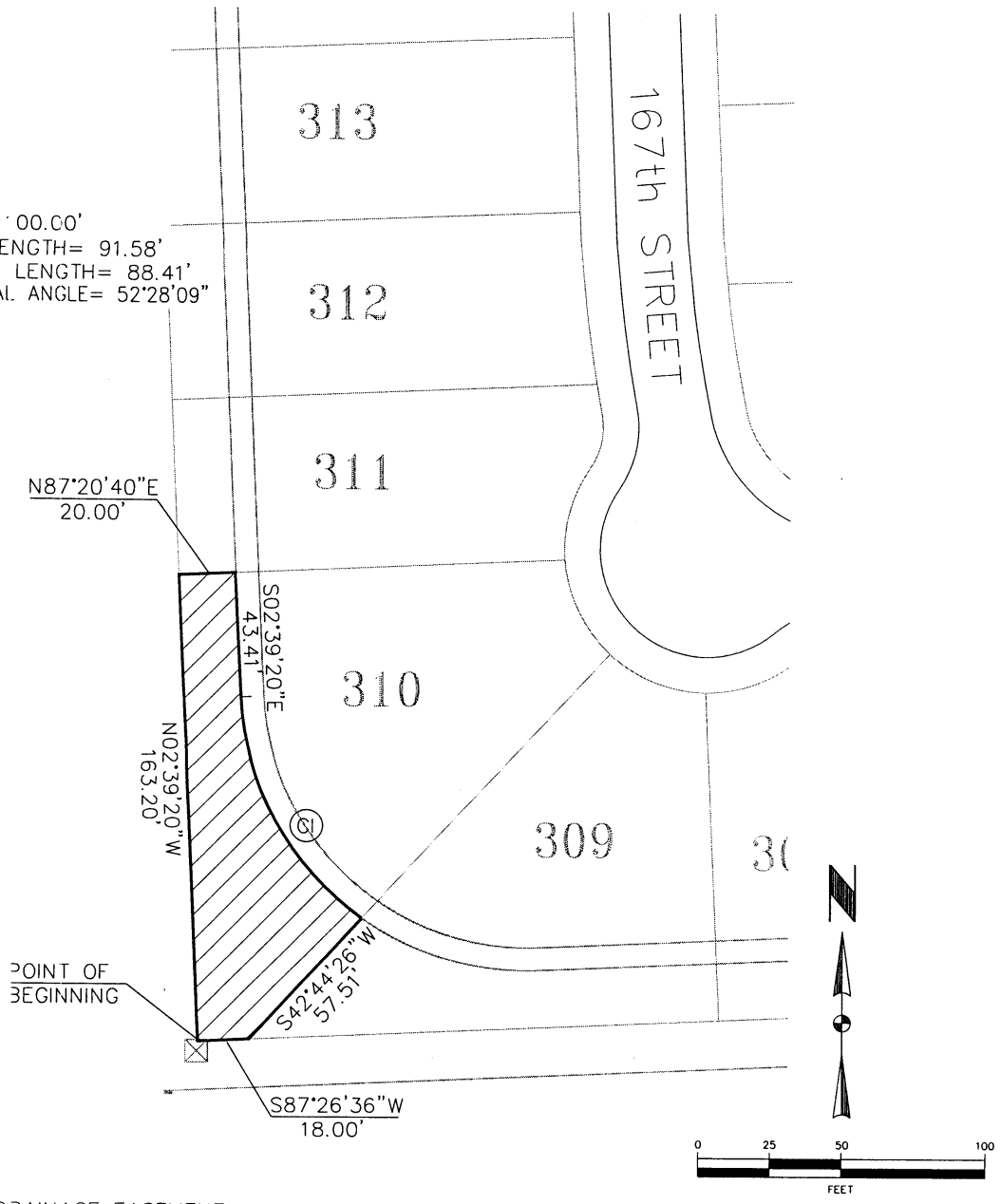
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

2003-04270D

EXHIBIT A2

D:\C '02 fb: hgm: 71211 G:\Projects\71211-MILLARD PARK SOUTH\dwg\Easements309-310.dwg

C1
RAD= 100.00'
ARC LENGTH= 91.58'
CHORD LENGTH= 88.41'
CENTRAL ANGLE= 52°28'09"



DRAINAGE EASEMENT

A DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE WEST PROPERTY LINE OF LOT 310, MILLARD PARK SOUTH SUBDIVISION, SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 310; THENCE N02°39'20"W A DISTANCE OF 163.20 FEET; THENCE N87°20'40"E A DISTANCE OF 20.00 FEET; THENCE S02°39'20"E A DISTANCE OF 43.41 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 52°28'09" A DISTANCE OF 91.58 FEET; THENCE S42°44'26"W A DISTANCE OF 57.51 FEET; THENCE S87°26'36"W A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING.

project no
71211
date
DEC '02
sheet
1 OF 1

project MILLARD PARK SOUTH
client SANITARY AND IMPROVEMENT DISTRICT NO. 216
sheet DRAINAGE EASEMENT- LOT 310

JLB
drawn
CAC
designed
CJK
approved

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha