

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2006-03158

2006 JAN 31 P 2:46

Sharon G. Leweling
REGISTER OF DEEDS

COUNTER 8 C.E. D
VERIFY PLM D.E. TM
PROOF _____
FEES \$ 68.50
CHECK# 4923
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

(The Space Above is for Recording Data)

ACCESS EASEMENT

THIS INDENTURE AND GRANT OF EASEMENT made this 15th day of January, 2006 between STEVEN P. ROBB AND CASS E. ROBB (hereinafter referred to as "Grantor"), in favor of OAK RIDGE ESTAES OWNERS ASSOCIATION (hereinafter referred to as "Grantee").

RECITALS:

WHEREAS, Grantor is the owner of the real property in Sarpy County, Nebraska legally described as Lots 1-7, inclusive, in Oak Ridge Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska;

WHEREAS, Grantee is an association formed for the benefit of the residents in Oak Ridge Estates, for the specific purpose of construction, operating, and maintaining a private street and access drives within Oak Ridge Estates;

WHEREAS, Grantor desires to grant to Grantee, for the benefit of Grantee, its members, successors and assigns, access to certain lots within Oak Ridge Estates.

NOW THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledges, the Grantor does hereby GRANT, SELL and CONVEY unto Grantee a nonexclusive, private easement, the location of which is described in Exhibit "A" attached hereto and incorporated herein by this reference, for the benefit of Grantee for access to certain lots within Oak Ridge Estates.

TO HAVE AND TO HOLD for the non-exclusive uses, benefits, purposes, and burdens hereinafter set forth:

1. The parties hereby agree that in the event that Grantor exercises the rights granted herein, Grantor shall not be responsible for any costs and expenses associated with relocation of said private easement.
2. The foreclosure of any mortgage covering all or a portion of Oak Ridge Estates shall in no way affect or diminish any easement granted herein, for all such

STEVE & CASS ROBB
11806 QUATE CTR
BELLEVUE, NE 68123

A

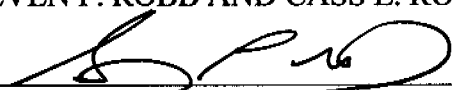
easements shall remain in full force and effect for the benefit of the grantees described herein.


3. The obligations, benefits and burdens imposed by this document are those of the then owners of ally real property described herein, or any part thereof, and shall run with the land and shall be binding upon said owners and mortgagees and its respective successors and assigns.
4. The Grantor shall not be responsible to the Grantee for any injury to person or damage to property on or about the easement granted herein, unless caused by the negligence or willful misconduct of the Grantor, its agents, servants or employees. The Grantee, on behalf of itself and its successors and assigns, WAIVES and RELEASES any and all claims, causes of action, loss, expense, and damages (including attorneys' fees) against the Grantor arising out of such damage to property or injury to persons other than those caused by the negligence or willful misconduct of the Grantor, its agents, servants or employees.
5. The easement hereby created is not a public easement, but is a permanent, nonexclusive, private easement for the use and benefit of the Grantee referred to herein above. The parties hereto further expressly disclaim the creation of any rights in or for the benefit of the public.
6. Grantee shall be responsible for and shall pay any and all costs and expenses incurred in replacing, repairing, or otherwise maintaining the easement property.
7. This instrument shall be construed and governed in accordance with the laws of the State of Nebraska.

EXECUTED this 15th day of January 2006.

GRANTOR:

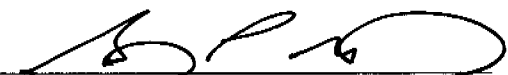
STEVEN P. ROBB AND CASS E. ROBB

By: 
Steven P. Robb

By: 
Cass E. Robb

GRANTEE:

OAK RIDGE ESTATES OWNERS ASSOCIATION,

By: 
Steven P. Robb, Vice President

B

STATE OF NEBRASKA)
)
COUNTY OF SARAY) ss.

Before me, a Notary Public qualified for said County and State, personally came Steven P. Robb and Cass E. Robb, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed on behalf of said limited partnership.

WITNESS my hand and Notary Seal on this 15TH day of JANUARY, 2006.

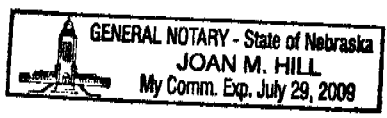


Joan M Hill
Notary Public

STATE OF NEBRASKA)
)
COUNTY OF SARAY) ss.

Before me, a Notary Public qualified for said County and State, personally came Steven P. Robb, Vice President of the Oak Ridges Estates Owners Association, a Nebraska nonprofit corporation, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed on behalf of said limited partnership.

WITNESS my hand and Notary Seal on this 15TH day of JANUARY, 2006.



Joan M Hill
Notary Public

C

EXHIBIT "A"

The west thirty-three (33') feet of Lot 4, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

The east thirty-three (33') feet of Lot 5, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

The west one hundred twenty-five (125') feet of the south twenty-five (25') feet of Lot 2, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

The west one hundred twenty-five (125') feet of the north twenty-five (25') feet of Lot 1, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

The east two hundred twenty-five (225') feet of the south twenty-five (25') feet of Lot 6, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

The east two hundred twenty-five (225') feet of the north twenty-five (25') feet of Lot 7, Oak Ridges Estates, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska,

D

LEGAL DESCRIPTION (Release of Easement)

Release of ingress / egress easement over part of Lots 1,2,6&7, OAK RIDGE ESTATES, a subdivision, as surveyed, platted and recorded March 26, 1992, on instrument No. 92-05439 with Sarpy County register of deeds, Nebraska, described as follows:

Beginning at a point 180.32 feet north of and 33.00 feet east of the southwest corner of said Lot 6, Oak Ridge Estates;

Thence South $00^{\circ}29'35''$ East (bearings referenced to the final plat of OAK RIDGE ESTATES) for 123.16 feet parallel with and 33.00 feet east of the west line of said Lot 2;

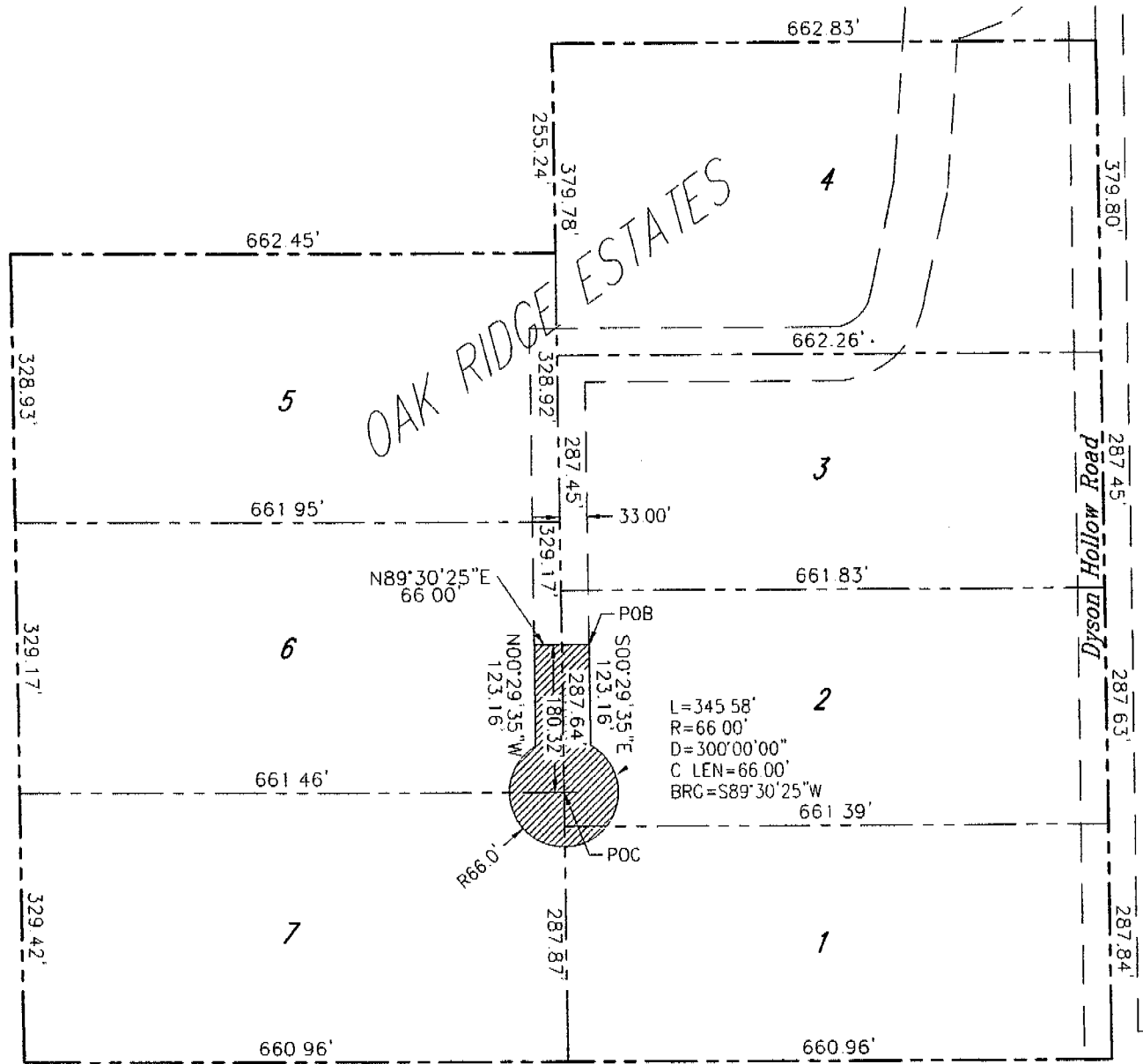
Thence along a curve to the right (having a radius of 66.00 feet and a long chord bearing South $89^{\circ}30'25''$ West for 66.00 feet) for an arc length of 345.58 feet to a point 66.00 feet north of and 33.00 feet west of the southeast corner of said Lot 6;

Thence North $00^{\circ}29'35''$ West for 123.16 feet parallel with and 33.00 feet west of the east line of said Lot 6 ;

Thence North $89^{\circ}30'25''$ East for 66.00 feet to the POINT OF BEGINNING.

E

EXHIBIT DRAWING



LEGEND



EASEMENT REMOVAL



100 0 100 200

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Book

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Date Dec. 5, 2005

Dwn.By MJW

Job Number M051180



Lamp, Rynearson & Associates, Inc.

WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

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F

LEGAL DESCRIPTION


A permanent 66.00 wide easement for ingress/egress over Lots 1 & 2, OAK RIDGE ESTATES, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, the centerline described as follows:

Beginning at the northeast corner of said Lot 1, OAK RIDGE ESTATES;
Thence South 89°53'28" East (bearings referenced to the final plat of OAK RIDGE ESTATES) for 121.39 feet to the point of terminus.

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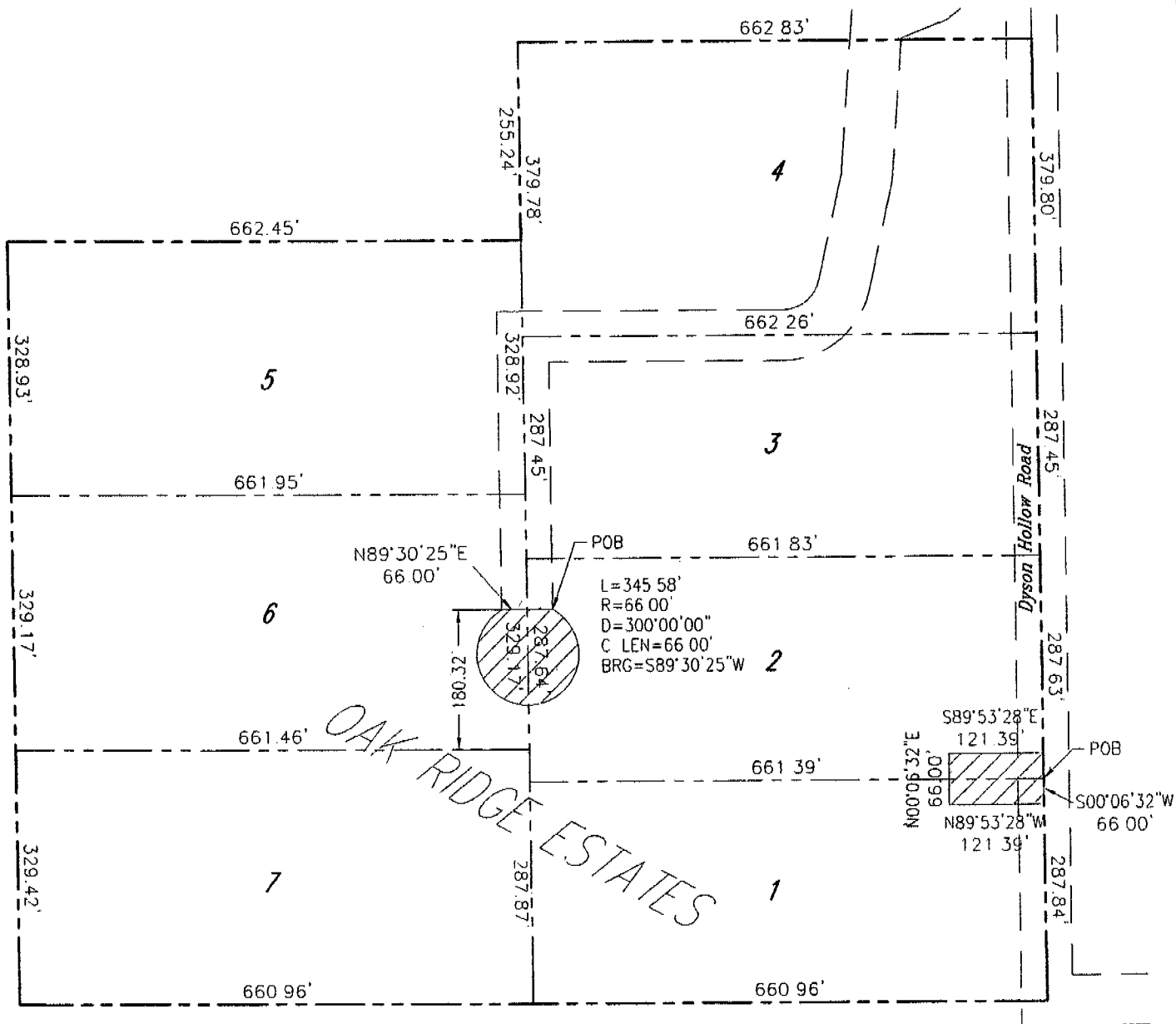
LEGAL DESCRIPTION

A permanent easement for ingress/egress over Lots 2 & 6, OAK RIDGE ESTATES, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at a point 180.32 feet north of and 33.00 feet east of the southwest ^{EAST} ~~corner~~  corner of said Lot 6, Oak Ridge Estates;

Thence along a curve to the right (having a radius of 66.00 feet and a long chord bearing South 89°30'25" West (bearings referenced to the final plat of OAK RIDGE ESTATES) for 66.00 feet) for an arc length of 345.58 feet to a point 66.00 feet north of and 33.00 feet west of the southeast corner of said Lot 6 to the POINT OF BEGINNING.

EXHIBIT DRAWING



LEGEND



PROPOSED EASEMENT

100 0 100 200

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Book

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Date Dec. 5, 2005

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Job Number M051180



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I

LEGAL DESCRIPTION

A permanent easement for ponding of water over Lot 2, OAK RIDGE ESTATES, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Commencing at the northeast corner of said Lot 1;

Thence North $89^{\circ}53'28''$ West (bearings referenced to the final plat of OAK RIDGE ESTATES) for 33.00 feet along the north line of said Lot 1 to the TRUE POINT OF BEGINNING;

Thence North $89^{\circ}53'28''$ West for 88.39 feet continuing along the said north line;

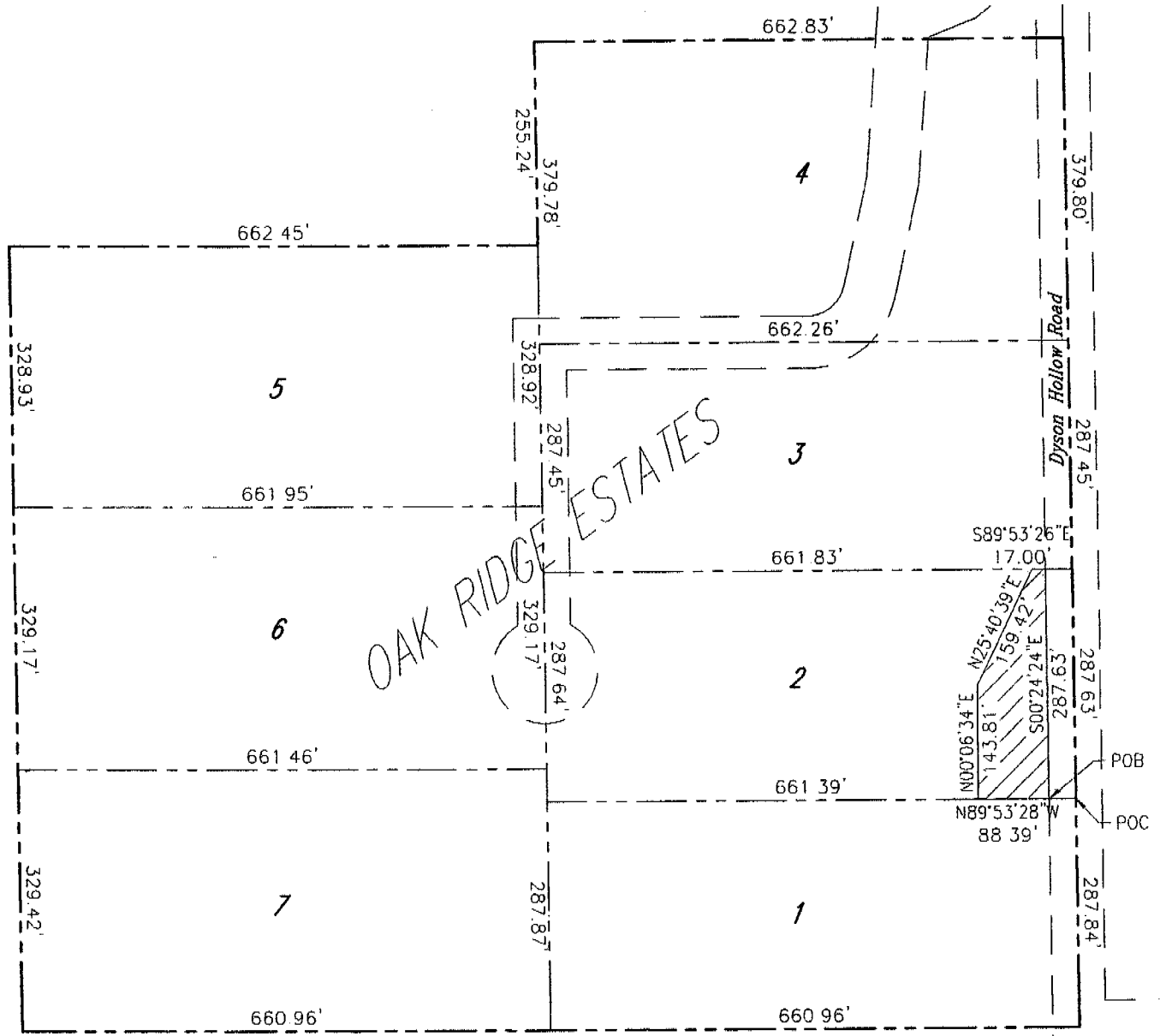
Thence North $00^{\circ}06'34''$ East for 143.81 feet;

Thence North $25^{\circ}40'39''$ East for 159.42 feet to the north line of said Lot 2;

Thence South $89^{\circ}53'26''$ East for 17.00 feet along the said north line of Lot 2 to a point 33.00 feet west of the northeast corner thereof;

Thence South $00^{\circ}24'24''$ East for 287.63 feet parallel with and 33.00 feet west of the east line of said Lot 2, to the POINT OF BEGINNING.

EXHIBIT DRAWING



OAK RIDGE ESTATES



LEGEND



PROPOSED EASEMENT

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Book _____ Page _____ Date Dec. 5, 2005 Dwn.By MJW Job Number M051180



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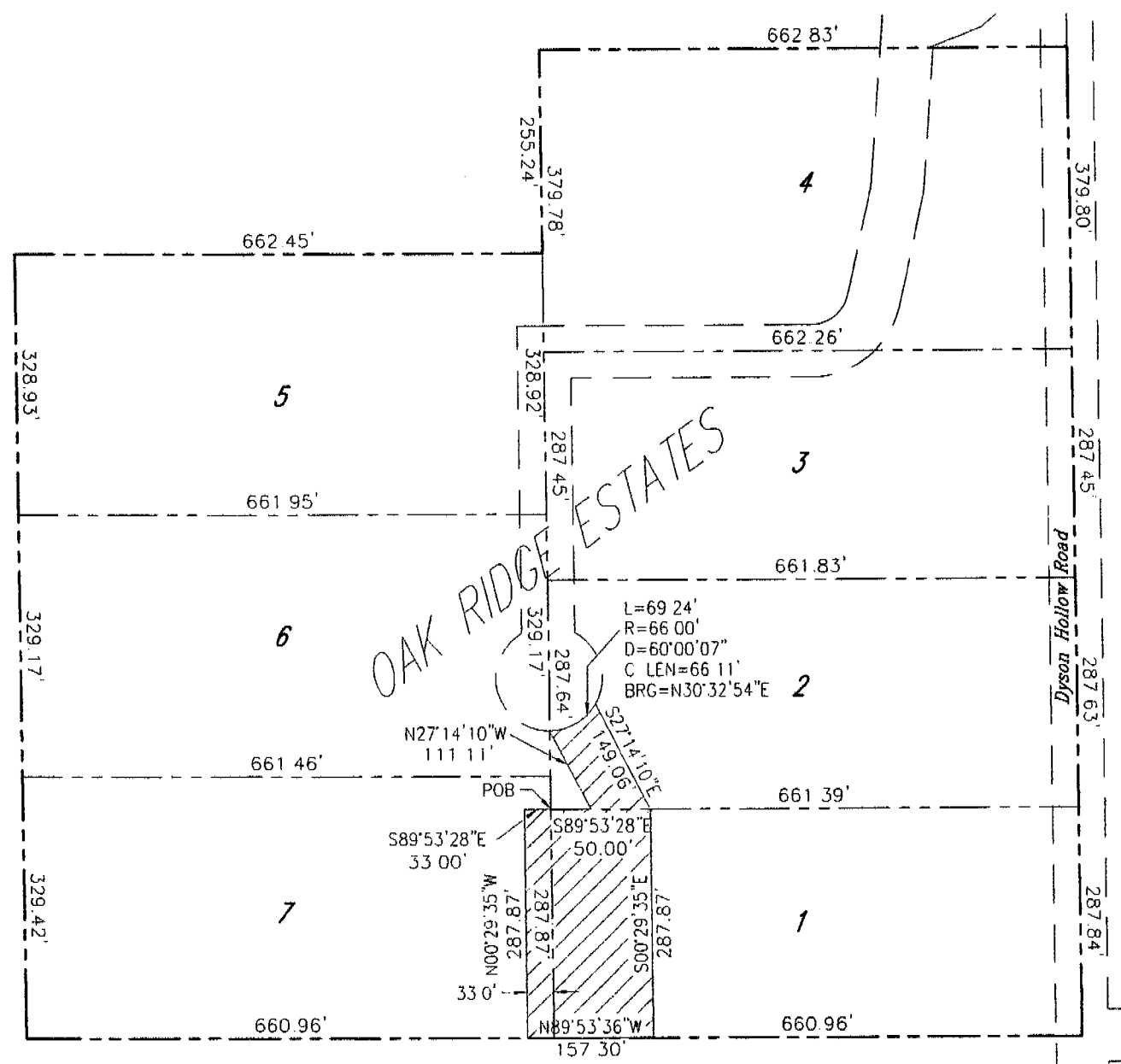
LEGAL DESCRIPTION

A permanent easement for ingress/egress and drainage way maintenance over Lots 1, 2 & 7, OAK RIDGE ESTATES, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the northwest corner of said Lot 1;
Thence South 89°53'28" East (bearings referenced to the final plat of OAK RIDGE ESTATES) for 50.00 feet along the north line of said Lot 1;
Thence North 27°14'10" West for 111.11 feet to the west line of said Lot 2;
Thence along a curve to the left (having a radius of 66.00 feet and a long chord bearing North 30°32'54" East for 66.11 feet) for an arc length of 69.24 feet;
Thence South 27°14'10" East for 149.06 feet to the north line of said Lot 1;
Thence South 00°29'35" East for 287.87 feet to the south line of said Lot 1;
Thence North 89°53'36" West for 157.30 feet along the south line of said Lots 1 and 7 to a point 33.00 feet west of the southeast corner of said Lot 7;
Thence North 00°29'35" West for 287.87 feet parallel with and 33.00 feet west of the east line of said Lot 7;
Thence South 89°53'28" East for 33.00 feet to the POINT OF BEGINNING.

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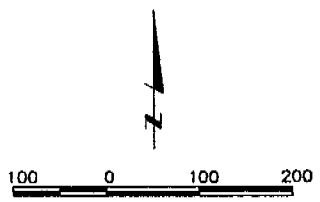
EXHIBIT DRAWING



OAK RIDGE ESTATES

LEGEND

 PROPOSED EASEMENT



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