

PERMANENT SANITARY SEWER EASEMENT

THIS GRANT OF EASEMENT is made this 21st day of July, 1986, by **OAKBROOK, INC.**, a Nebraska corporation hereinafter referred to as "Grantor".

W I T N E S S E T H:

WHEREAS, Grantor is the owner of the following described real property situated in Douglas County, Nebraska, to wit:

Lots 1, 2 and 9, Raven Oaks Replat No. 3, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and Lot 6, Raven Oaks Replat No. 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

and

WHEREAS, Grantor desires to create a 12 1/2-foot permanent sanitary sewer easement for the purpose of construction, installation, reconstruction, continuous use of and maintenance of a sanitary sewer line for the purpose of transporting sanitary sewage over, across and through the area described on Exhibit "A" attached hereto and by this reference made a part hereof, for the benefit of the real property described herein and the owners of such real property, and their successors, assigns, representatives and invitees; and

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Grantor hereby covenants, grants, conveys and warrants as follows:

1. Grantor hereby grants, conveys and reserves to itself, Oakbrook, Inc., a Nebraska corporation, its successors, grantees and assigns, and to and in favor of the owner or owners of Lots 1, 2, and 9 Raven Oaks Replat No. 3, a subdivision in Douglas County, Nebraska, and Lot 6, Raven Oaks Replat No. 1, a subdivision in Douglas County, Nebraska, and any portion of Lot 10, Raven Oaks Replat No. 3, and any portion of Lot 14, Raven Oaks Replat No. 1 which may be added to said Lots 1, 2 and 9, Raven Oaks Replat No. 3 and Lot 6, Raven Oaks Replat No. 1, hereinafter referred to as the "real property", and to and for the benefit of the real property described in this paragraph, a Permanent Sanitary Sewer Easement in, through, over and under the parcel of land described as follows:

For the description of the easement area, see Exhibit "A" attached hereto and by this reference, made a part hereof, hereinafter referred to as the "Easement Area",

on which the Grantor may construct, reconstruct, maintain and repair a sanitary sewer line or lines for the passage of sanitary sewage for the benefit of the real property and the owners thereof.

2. The Grantor shall initially construct and install the sanitary sewer line and shall maintain the sanitary sewer line until all of the parcels of real property benefitted from the sanitary sewer line, which are described above, shall be built upon, at which time, the owner or owners of the parcels

benefitted by the sanitary sewer shall then maintain it and share the costs of such maintenance equally. The sanitary sewer line shall be used for the purpose of transporting sanitary sewage only, and for no other purpose.

3. No building, improvement or other structure shall placed over said easement without the express written approval of all owners of the real property described herein, except that a hard surface street, parking lot, trees, grass and shrubbery may be installed within the easement area, by the owner of the premises, and that in the event it becomes necessary to remove or replace said sewer line, the owner must then remove such street, parking lot, trees or grass or shrubbery at his expense.

4. This grant of easement shall create a perpetual sanitary sewer easement in favor of the parties described herein, and their successors, assigns, grantees, representatives and invitees, and in favor of the parcels of real property described above as the real property. This grant of easement shall run with the land and be binding upon and inure to the benefit of the parties described herein, and to their heirs, successors, grantees, assigns, personal representatives and invitees.

5. As of the date of the execution of this easement, Grantor is the owner of all the property described above as the real property, and by making this grant of easement, it is the intention of Grantor to create an easement for the benefit of the real property described herein and the subsequent owners of such parcels. Therefore, by creating this easement and remaining as the owner of the premises until subsequent conveyance, it is the intention of Grantor that the easement created herein is not and shall not merge into Grantor's fee ownership of the parcels described herein.

6. Grantor hereby represents that it is the owner of the real property described herein as the real property and the easement area, and that it has the right and authority to creat and grant the easement described herein.

IN WITNESS WHEREOF, Grantor has executed this Permanent Sanitary Sewer Easement in Omaha, Douglas County, Nebraska, as of the date first above written.



GRANTOR:

OAKBROOK, INC.,
a Nebraska corporation,

Attest:

[Signature]
Title Engineer for Oakbrook, Inc.

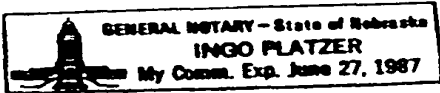
By [Signature]
Title President

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

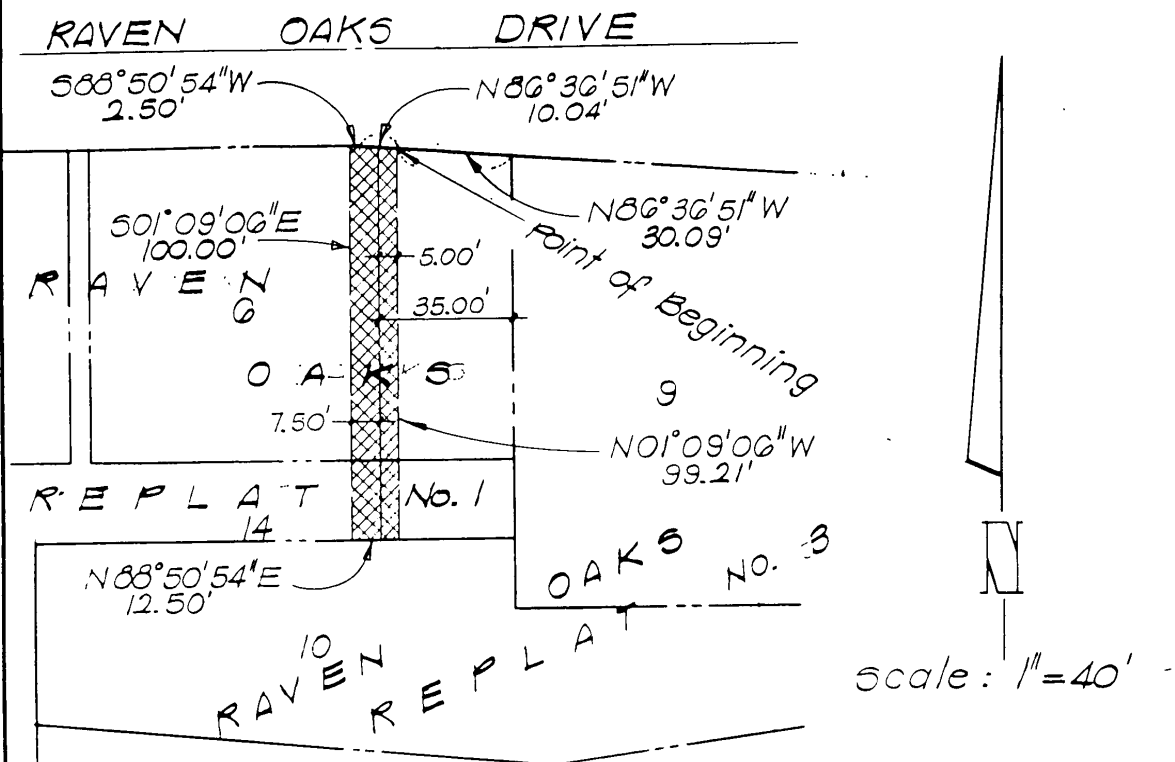
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On this 21st day of July, 1986, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ralph Heinershagen, who is the President of OAKBROOK, INC., a Nebraska corporation, and he acknowledged the execution of the foregoing Permanent Sanitary Sewer Easement to be his voluntary act and deed and the voluntary act and deed of said corporation.

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



Ingo Platzer
Notary Public



LEGAL DESCRIPTION

That part of Lots 6 and 14, Raven Oaks Replat No. 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the NE corner of said Lot 6; thence N86°36'51"W (assumed bearing) on the North line of said Lot 6, a distance of 30.09 feet to the point of beginning, thence continuing N86°36'51"W on the North line of said Lot 6, a distance of 10.04 feet; thence S88°50'54"W on the North line of said Lot 6, a distance of 2.50 feet; thence S01°09'06"E on a line 42.50 feet West of and parallel to the East line of said Lot 6, a distance of 100.00 feet to a point on the North line of Lot 10, Raven Oaks Replat No. 3, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; thence N88°50'54"E on the North line of said Lot 10, a distance of 12.50 feet; thence N01°09'06"W on a line 30.00 feet West of and parallel to the East line of said Lot 6, a distance of 99.21 feet to the point of beginning.

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Exhibit "A"