

BOOK 626 PAGE 228

ACCESS EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged Walnut Grove Townhomes Condominium Regime No. 1, hereinafter referred to as "Grantor", hereby grants and conveys to Sanitary and Improvement District No. 249 of Douglas County, Nebraska, hereinafter referred to as "Grantee", an easement for Ingress and Egress in the area described as follows:

(Exhibit "A" attached hereto and incorporated herein by reference, describes the easement area).

The Grantor hereby grants to the Grantee the right of Ingress and Egress in, over and through the above-described easement area for the purpose of obtaining access to the Grantee's storm sewer line and storm sewer inlets a portion of which is located within the above-described easement area so that the Grantee can obtain access for the purpose of maintaining, constructing or reconstructing such storm sewers which are owned by the Grantee.

The Grantee shall have the right to enter upon said easement area at any time for the purpose of obtaining access to inspect, construct, maintain and repair its storm sewer line.

Grantor does hereby confirm to the Grantee that it is seized in fee of the above-described premises and that he has the right to grant this easement in the manner aforesaid, and that he will warrant and defend this easement to said Grantee, its assigns and successors, against the lawful claims and demands of all persons.

This easement runs with the land and shall run in favor and be binding upon the respective assigns, successors, and agents of the Grantor and Grantee.

Dated this 8 day of November, 1979.

GRANTEE:

Sanitary & Improvement  
District No. 249 of  
Douglas County,  
Nebraska

By Arthur Andersen  
Arthur Andersen

By Ted Bayer  
Ted Bayer, Clerk

GRANTOR:

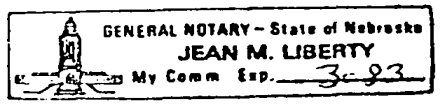
Walnut Grove Townhomes Condo-  
minium Regime No. 1

By [Signature]

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF DOUGLAS )

On this 8 day of November, 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Arthur C. Anderson Chairman, S-10249 who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed and the voluntary act and deed of said District.

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

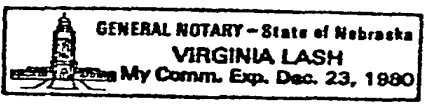


Jean M Liberty  
Notary Public in and for said County and State

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF DOUGLAS )

On this 8th day of November, 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Ted Bayer of S/D 349 who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed and the voluntary act and deed of said District.

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

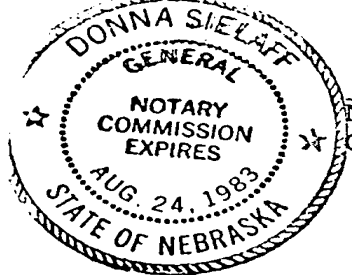


Virginia Lash  
Notary Public in and for said County and State

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF )

On this 19 day of Dec., 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Gene Youngkin who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed of said Condominium Regime No. 1.

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



Donna Snelaff  
Notary Public in and for said County and State

## Exhibit "A"

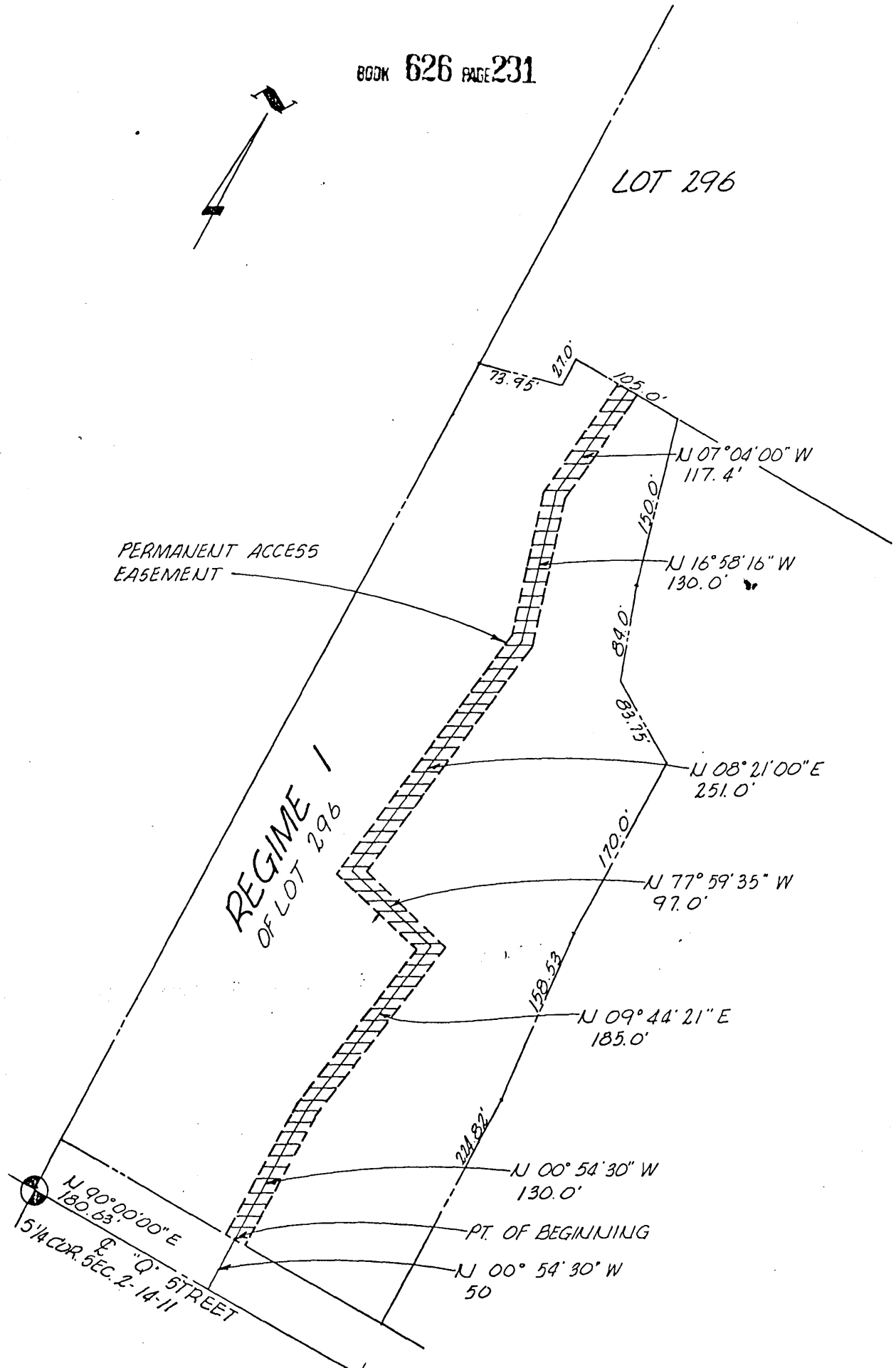
LEGAL DESCRIPTION

## Permanent Storm Sewer Easement

A permanent storm sewer easement located in Regime 1 of the Walnut Grove Condominiums a part of Lot 296, of Walnut Grove, a platted and recorded subdivision in Douglas County, Nebraska, more particularly described as follows:

Commencing at the South quarter corner of Section 02-14-11; thence North 90°00'00" East, a distance of 334.28 feet; thence North 00°00'00" West, a distance of 374.24 feet to the point of beginning; thence South 75°24'01" West, a distance of 13.21 feet; thence North 19°09'19" West, a distance of 10.00 feet; thence North 70°50'41" East, a distance of 16.11 feet; thence South 04°15'08" East, a distance of 11.43 feet to the point of beginning. Containing 152 square feet.

LOT 296



**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS • ENGINEERS • PLANNERS

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GRANT OF EASEMENT

PERMANENT SEWER EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other valuable consideration receipt of which is hereby acknowledged, Walnut Grove Townhomes Condominium Property Regime No. 1 hereafter referred to as "Grantor", hereby grants and conveys to Sanitary & Improvement District No. 249 of Douglas County, Nebraska, its successors and assigns, including, but not limited to, The City of Omaha, Douglas County, Nebraska, hereinafter referred to "Grantee", a Permanent Sewer Easement in, through, over and under the parcel of land described as follows:

(Exhibit "A" attached hereto and by this reference made a part of this Easement, describes the easement area.)

on which the Grantee may construct, reconstruct, maintain and repair a storm sewer line. Grantee shall have the right to enter upon said Easement area at any time to inspect, construct, reconstruct, maintain and repair said storm sewer line.

After completion of the initial installation of the storm sewer line, Grantee shall restore the easement area surface as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the easement area.

Grantee is solely responsible for the constructing, operating and maintaining the above-described improvements and Grantee shall indemnify and hold harmless the Grantor, its successors and assigns, from any and all claims for personal injury or damage to the property arising out of or in connection with the constructing, operating, or maintaining of the above described improvement.

No building, improvement or other structure shall be placed over said Easement by the Grantor, his successor or assigns, without the express written approval of the Grantee, provided, that a hard surfaced street, parking lot, trees, grass and shrubbery may be installed within the easement by Grantor, his successors and assigns, and that in the event it becomes necessary to remove or replace said sewer line, the Grantee shall have the right to remove such street, parking lot, trees, grass or shrubbery and said premises shall thereafter be restored by the Grantee, its successors and assigns, to the condition thereof existing before said removal.

Said Grantor does hereby warrant and confirm to the Grantee that the Grantor is the owner of the above-described property and that he has the right to grant and convey this easement in the manner aforesaid and that he shall warrant and defend this easement to the Grantee, their successors and assigns, against any lawful claims and demands of all persons. This easement runs with the land and shall run in favor of and be binding upon the respective assigns, successors and agents of the Grantor and Grantee.

Dated this 8 day of November, 1979.

GRANTEE:

GRANTOR:

Sanitary & Improvement  
District No. 249 of Douglas  
County, Nebraska

Walnut Grove Townhomes Condominium  
Property Regime No. 1

By Arthur Andersen  
Arthur Andersen, Chairman

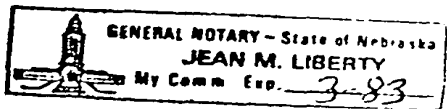
By David J. ...

By Ted Bayer  
Ted Bayer, Clerk

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF Douglas )

On this 8 day of November, 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Arthur C. Andersen, Chairman of SID 249 who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed and the voluntary act and deed of said District.

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

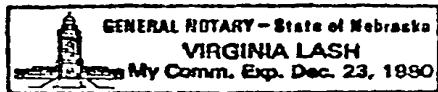


Jean M Liberty  
Notary Public in and for said County and State

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF DOUGLAS )

On this 8th day of November, 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Ted Boyer, Clerk of SID 249 who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed and the voluntary act and deed of said District.

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

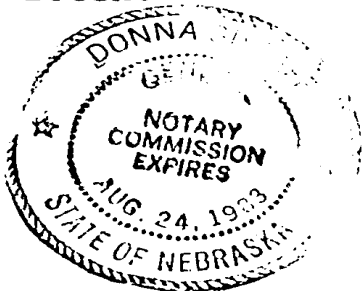


Virginia Lash  
Notary Public in and for said County and State

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF )

On this 19 day of Dec., 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Ray Younkin who is personally known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his or their voluntary act and deed and the voluntary act and deed of said Regime No. 1.

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



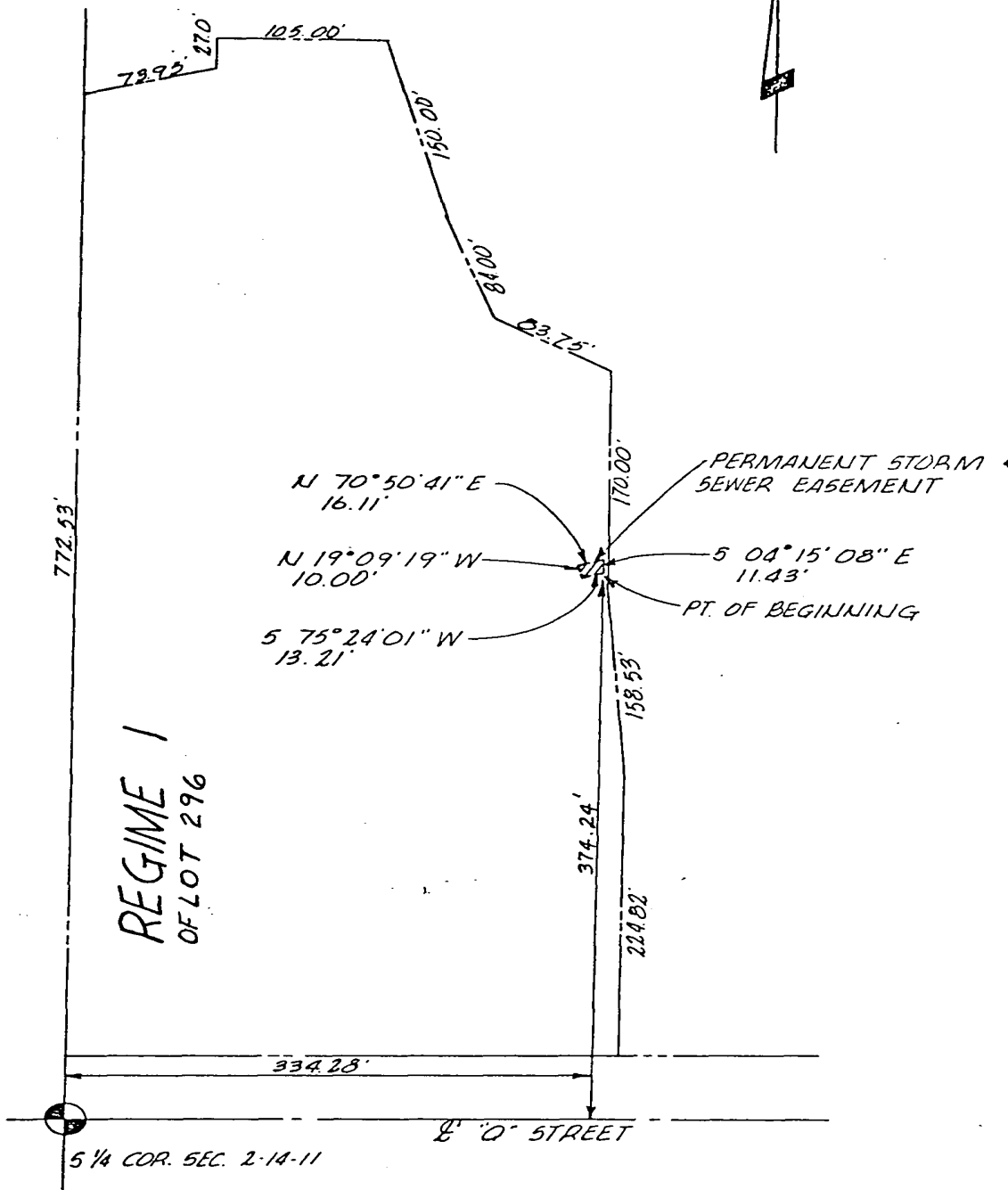
Donna  
Notary Public in and for said County and State

EXHIBIT "A"LEGAL DESCRIPTION

## Permanent Access Easement

A permanent access easement located along the center line of 150th Court in Regime 1 of the Walnut Grove Condominiums, a part of Lot 296, of Walnut Grove, a platted and recorded subdivision in Douglas County, Nebraska, more particularly described as follows:

Commencing at the South quarter corner of Section 02-14-11; thence North  $90^{\circ}00'00''$  East, a distance of 180.63 feet; thence North  $00^{\circ}54'30''$  West, a distance of 50.00 feet, to the point of beginning, including the area ten (10) feet on either side of the following traverse; thence North  $00^{\circ}54'30''$  West, a distance of 130.0 feet; thence North  $09^{\circ}44'21''$  East, a distance of 185.0 feet; thence North  $77^{\circ}59'35''$  West, a distance of 97.0 feet; thence North  $08^{\circ}21'00''$  East, a distance of 251.0 feet; thence North  $16^{\circ}58'16''$  West, a distance of 130.0 feet; thence North  $07^{\circ}04'00''$  West, a distance of 117.4 feet to the point of ending. Containing 15,608 square feet (0.36 acres).



**THE SCHEMMER ASSOCIATES INC.**

ARCHITECTS · ENGINEERS · PLANNERS

(2 of 2 pages)

DESIGNED 1/1/77 DRAWN \_\_\_\_\_ CHECKED \_\_\_\_\_ DATE 11-2-77 SHEET NO. \_\_\_\_\_

TEA FORM 205-27

*Handwritten note:* E. J. ...

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C. HAROLD DALLER  
REGISTERED SURVEYOR  
DOUGLAS COUNTY, W. V.

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Compd ✓  
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