

GRANT OF EASEMENTPERMANENT SEWER EASEMENT

BOOK 624 PAGE 492

In consideration of the sum of One Dollar (\$1.00) and other valuable consideration receipt of which is hereby acknowledged, Kopecky Construction, Inc., a Nebraska Corporation, 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 as "Grantee", a Permanent Sewer Easement in, through, over and under the parcel of land described as follows:

(Exhibits "A", "B", and "C", attached hereto and by this reference made a part of this Easement, describes the easement areas.)

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 area 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:

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

By Arthur Andersen
Arthur Andersen, Chairman

By Ted Bayer
Ted Bayer, Clerk

GRANTOR:

Kopecky Construction, Inc., a
Nebraska Corporation,

By Leonard J. Kopecky
President

STATE OF NEBRASKA)
COUNTY OF Douglas) SS

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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 E. Anderson Chairman of 110 249 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)
COUNTY OF Douglas) SS

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 Fred Brown, Clerk of 502 2419 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.

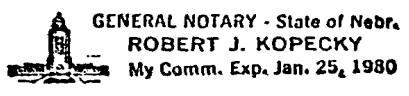


Virginia Lash
Notary Public in and for said County and State

STATE OF NEBRASKA)
COUNTY OF) SS

On this 17th day of NOVEMBER, 1979, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came ROBERT J. KOPECKY, President of Kopecky Construction, Inc., a Nebraska Corporation, 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 as such officer, and the voluntary act and deed of said Corporation.

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



Robert J. Kopecky
Notary Public in and for said County and State

Exhibit "A"

LEGAL DESCRIPTION

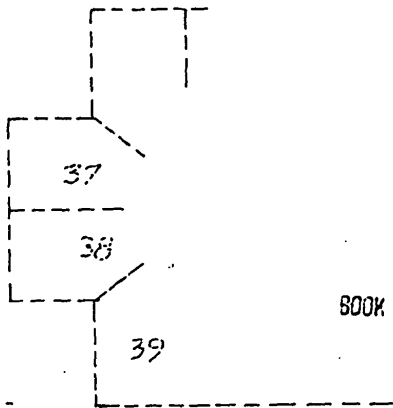
Permanent Storm Sewer Easement

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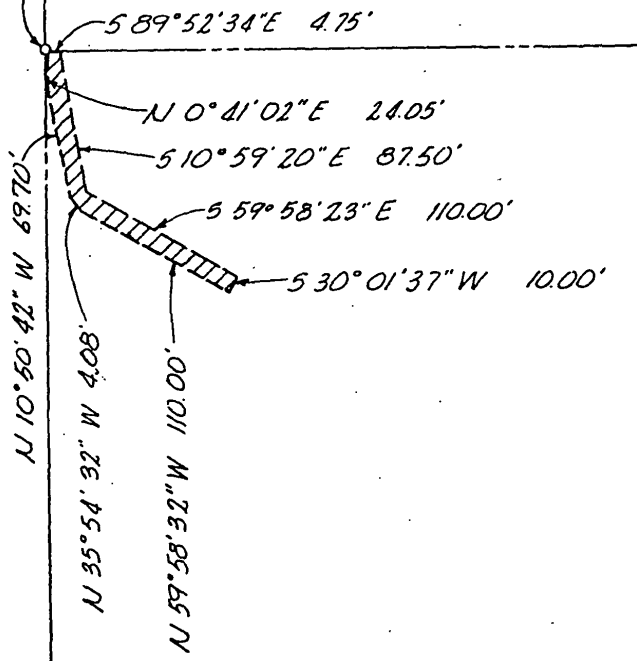
A permanent storm sewer easement located in the Northwest corner of Lot No. 296, of Walnut Grove, a platted and recorded subdivision in Douglas County, Nebraska, more particularly described as follows:

Beginning at the Westernmost common corner of Lots 295 and 296 of Walnut Grove, a platted and recorded subdivision; thence South $89^{\circ}52'34''$ East, a distance of 4.75 feet; thence South $10^{\circ}59'20''$ East, a distance of 87.50 feet; thence South $59^{\circ}58'23''$ East, a distance of 110.00 feet; thence South $30^{\circ}01'37''$ West, a distance of 10.00 feet; thence North $59^{\circ}58'23''$ West, a distance 110.00 feet; thence North $35^{\circ}54'32''$ West, a distance of 4.08 feet; thence North $11^{\circ}50'42''$ West, a distance of 69.70 feet; thence North $00^{\circ}41'02''$ East, a distance of 24.05 feet to the point of beginning containing 1,973 square feet.

PT. OF BEGINNING



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LOT 296

THE SCHEMMER ASSOCIATES INC.

ARCHITECTS · ENGINEERS · PLANNERS

(2 of 2 pages)

DESIGNED J.S. DRAWN T.H.R. CHECKED C.D. DATE 11/20/77 SHEET NO. 567D-12

Exhibit "B"

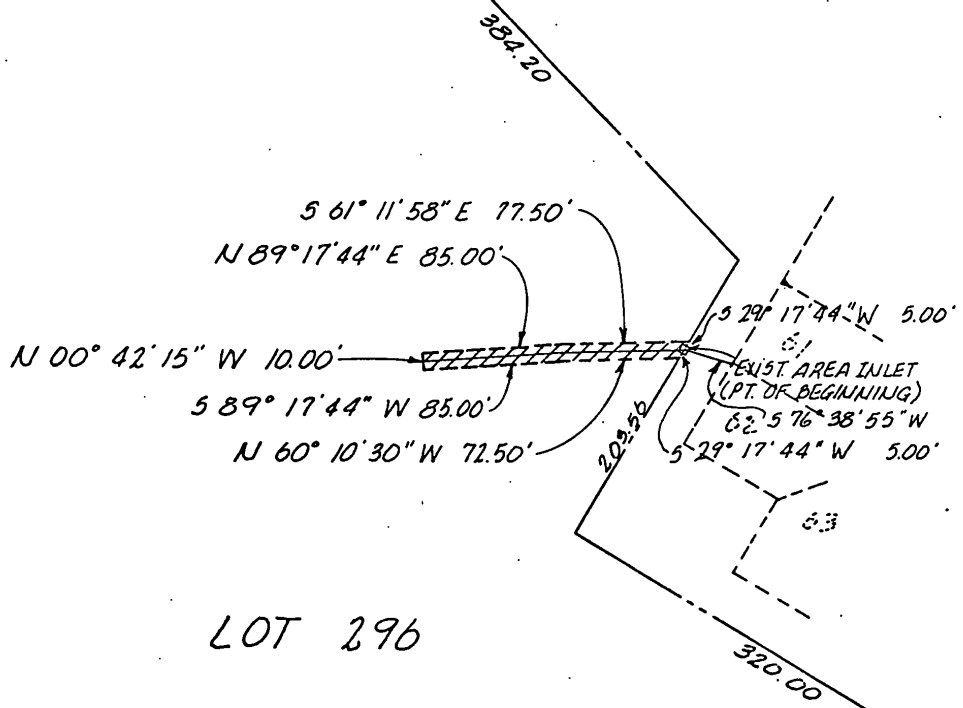
LEGAL DESCRIPTION

Permanent Storm Sewer Easement

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A permanent storm sewer easement located in Lot No. 296, of Walnut Grove, a platted and recorded subdivision in Douglas County, Nebraska, more particularly described as follows:

Commencing at the Westernmost common corner of Lots 61 and 62 of Walnut Grove, a platted and recorded subdivision; thence South $76^{\circ}38'55''$ West, a distance of 38.40 feet to an existing area inlet and the point of beginning; thence South $29^{\circ}17'44''$ West, a distance of 5.00 feet; thence North $60^{\circ}10'30''$ West, a distance of 72.50 feet; thence South $89^{\circ}17'44''$ West, a distance of 85.00 feet; thence North $00^{\circ}42'15''$ West, a distance of 10.00 feet; thence North $89^{\circ}17'44''$ East, a distance of 85.00 feet; thence South $61^{\circ}11'58''$ East, a distance of 77.50 feet; thence South $29^{\circ}17'44''$ West, a distance of 5.00 feet to the point of beginning containing 1,600 square feet.



5 1/4 COR. SEC. 2-14-11

Q "Q" STREET

THE SCHEMMER ASSOCIATES INC.

ARCHITECTS · ENGINEERS · PLANNERS

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DESIGNED L.D.S. DRAWN T.H.S. CHECKED K.M. DATE 1/20/77 SHEET NO. 511D-10

Exhibit "C"

LEGAL DESCRIPTION

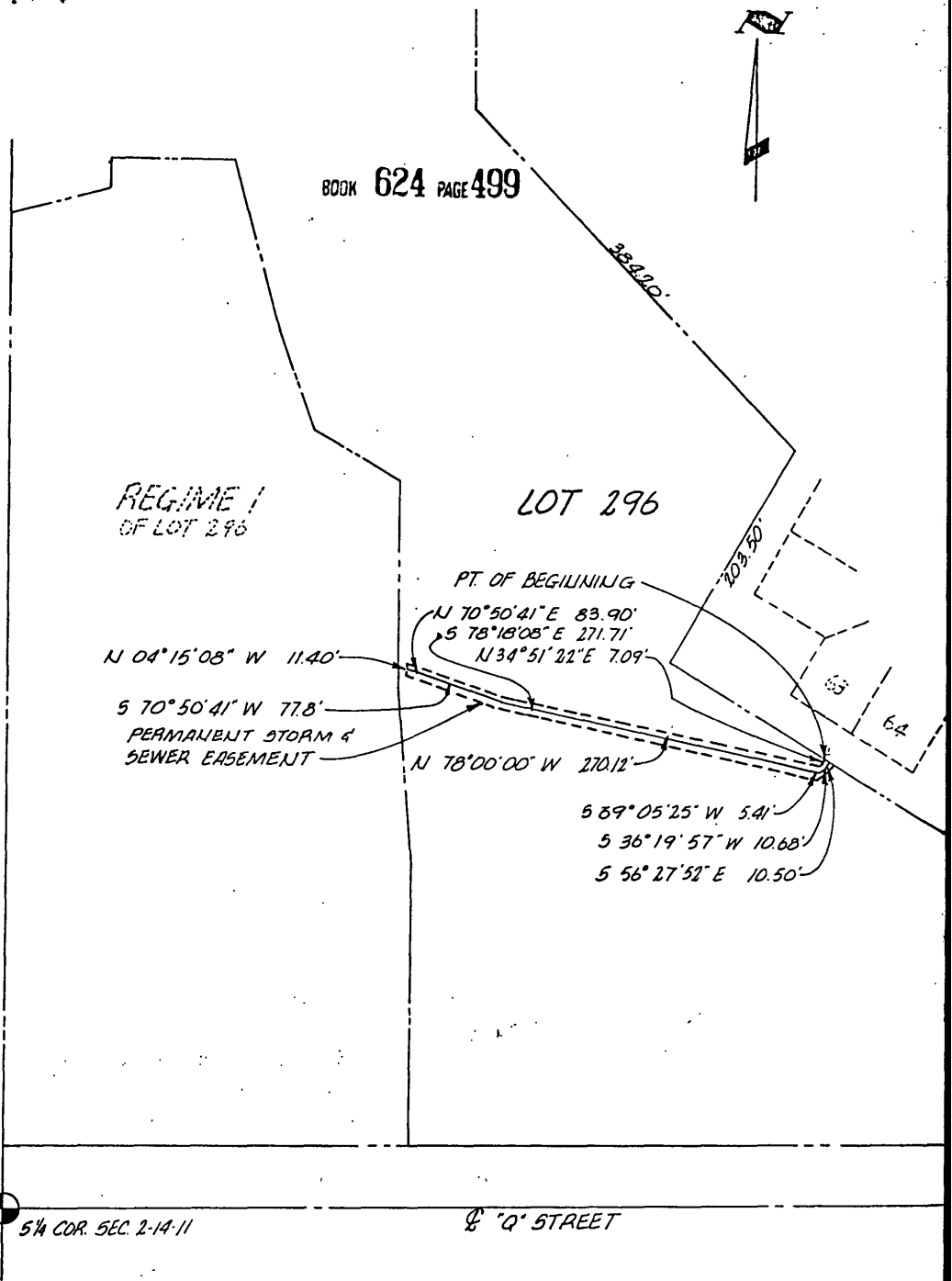
Permanent Storm Sewer Easement

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

Commencing at the Southernmost common corner of Lots 63 and 64 of Walnut Grove, a platted and recorded subdivision; thence South $34^{\circ}51'21''$ West, a distance of 30.07 feet to the point of beginning; thence South $56^{\circ}27'52''$ East, a distance of 10.50 feet; thence South $36^{\circ}19'57''$ West, a distance of 10.68 feet; thence South $69^{\circ}05'25''$ West, a distance of 5.41 feet; thence North $78^{\circ}00'00''$ West, a distance of 270.12 feet; thence South $70^{\circ}50'41''$ West, a distance of 77.80 feet; thence North $04^{\circ}15'08''$ West, a distance of 11.40 feet; thence North $70^{\circ}50'41''$ East, a distance of 83.90 feet; thence South $78^{\circ}18'08''$ East, a distance of 271.71 feet; thence North $34^{\circ}51'22''$ East, a distance of 7.09 feet to the point of beginning containing 3,800 square feet.

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THE SCHEMMER ASSOCIATES INC.

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DESIGNED L.D.S. DRAWN _____ CHECKED _____ DATE 11-2-77 SHEET NO. 5-7D-10

TSA FORM 26-77

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C. HAROLD OSTLER
REGISTERED PROFESSIONAL ENGINEER
DOUGLAS COUNTY, NEBR.

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