



1283 162 MISC



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Nebr Doc Stamp Tax
Date
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By

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

99 FEB 24 PM 3:53

RECEIVED

*LOT 48
Brookhaven*

GRANT OF EASEMENT
PERMANENT STORM SEWER EASEMENT

This Grant of Easement made this 22nd day of February, 1999, between Sanitary & Improvement District No. 294, Douglas County, Nebraska, hereinafter referred to as "Grantor", in favor of Sanitary and Improvement District No. 435, Douglas County, Nebraska hereinafter referred to as "SID" and its successors and assigns, and the City of Omaha, Nebraska.

THAT, said Grantor in consideration of the sum of Two dollars (\$ 2.00), and other valuable consideration, the following grants and agreements are made:

1. Grantor does hereby grant and confirm unto SID and its successors and assigns, the right to use the parcel of land described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"
2. Grantor does hereby grant and confirm unto SID, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting and maintaining or operating drainage, storm sewers and associated appurtenances at the will of the SID.
3. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures shall be placed in, on, over or across said easement strip by Grantor, his successors and assigns, without express approval of the SID. Improvements which may be approved by SID include landscaping, grading for roadways or development and road, street or parking area surfacing or pavement. These improvements and any trees, grass or shrubbery placed on said easement shall be maintained by Grantor, his successors or assigns.
4. SID shall cause any disturbance of grade made on said easement to be properly refilled and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee or representative of the SID and any of said construction work.
5. That said Grantor for himself and his successors and assigns, do confirm with the SID and its assigns, that he the Grantor is well seized in fee of the above-described property and that he has the right to grant and convey this easement in the manner and form aforesaid, and that he will, and his successors and assigns, shall warrant and defend this easement to SID and its assigns against the lawful claims and demands of all persons. This easement runs with the land.
6. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings between the Grantor and the SID or its agents; and that the Grantor, in executing and delivering this instrument, has not relied upon any promises, inducements or representations of the SID or its agents or employees except as are set forth herein.

IN WITNESS WHEREOF, said Grantor has executed this easement on the date first written above.

R. Michael Kirk
GRANTOR: CHAIRMAN, SANITARY & IMPROVEMENT DISTRICT NO. 294, DOUGLAS COUNTY

STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)

On this 22nd day of February, 1999, before me, a Notary Public in and for said County and State, personally appeared L. Michael Kirk, Chairman of SID 294, Douglas County, who executed the above and foregoing easement acknowledged the execution thereof to be their voluntary act and deed.

James E. Lang
NOTARY PUBLIC
My Commission expires _____

GENERAL NOTARY-State of Nebraska
JAMES E. LANG
My Comm. Exp. Sept. 23, 2000

01-60006
MI-04750

FEE 1.50 FB _____
BKP 85-221 C/O _____ COMP _____
8-14-12
DEC _____ SCAN DC PV _____

2877

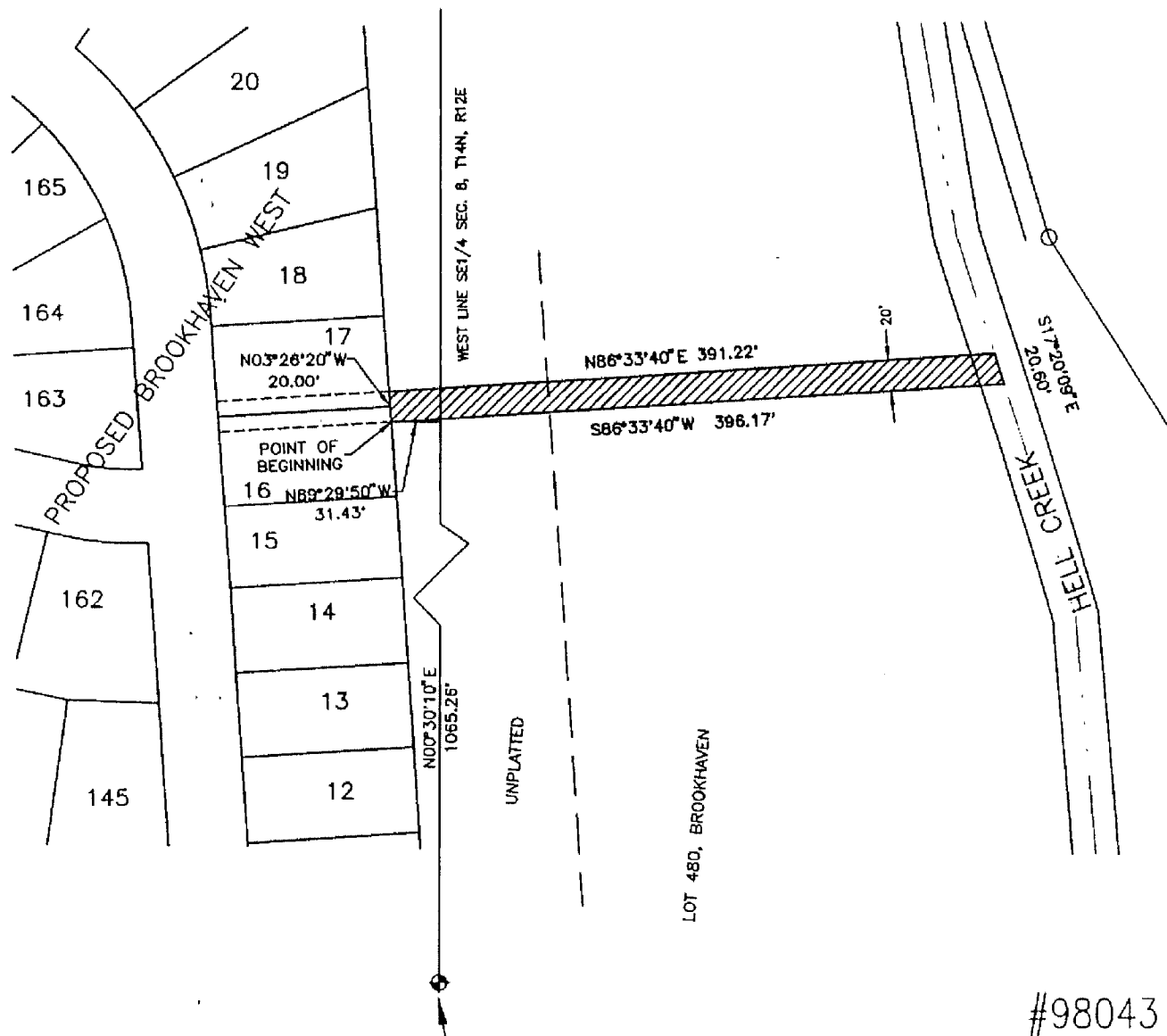
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PERMANENT STORM SEWER EASEMENT

EXHIBIT "A"



Scale 1"=100'



#98043

E&A CONSULTING GROUP
 12001 "O" STREET
 OMAHA, NE 68137
 (402) 895-4700 FAX (402) 895-3599

COMMENCING POINT
 SOUTHWEST CORNER
 OF THE SE 1/4
 OF SECTION 8-14-12

REVISED 1/27/91
 LEGAL DESCRIPTION 12-17-98
 SEE PAGE 2 OF 2 PAGE 1 OF 2
 DWN BY LDD

LEGAL DESCRIPTION
PERMANENT STORM SEWER EASEMENT

A 20.00-foot wide permanent storm sewer easement located in the South 1/2 of Section 8; and also located in part of Lot 480, Brookhaven, a subdivision located in part of the South 1/2 of said Section 8, all located in Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 of said Section 8; thence N00°30'10"E (assumed bearing) along the West line of the SE 1/4 of said Section 8, a distance of 1065.26 feet; thence N89°29'50"W, a distance of 31.43 feet to the point of beginning; thence N03°26'20"W, a distance of 20.00 feet; thence N86°33'40"E, a distance of 391.22 feet; thence S17°20'09"E, a distance of 20.60 feet; thence S86°33'40"W, a distance of 396.17 feet to the point of beginning.

Said permanent storm sewer easement contains an area of 7,874 square feet or 0.181 acres, more or less.

#98043.1
2-1-99

SW SE
SE SW

Ret

E & A CONSULTING GROUP
12001 "Q" STREET
OMAHA, NE 68137