

PERPETUAL EASEMENT

THIS EASEMENT AGREEMENT made this 4<sup>th</sup> day of August, 1969, between the undersigned, KINGSWOOD SQUARE, INC., a Nebraska corporation (herein called "Grantor") and SANITARY AND IMPROVEMENT DISTRICT NO. 72 OF DOUGLAS COUNTY, NEBRASKA and the CITY OF OMAHA in the State of Nebraska, a Municipal corporation (hereinafter collectively called "Grantees" except as otherwise noted),

## WITNESSETH:

1. In consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, Grantor, being the owner of the property hereinafter described, does herewith give and grant unto the Grantees, their successors and assigns, two perpetual sewer and drainage easements over, on and under Lot Three Hundred Eighty-Five, in Kingswood Estates, a subdivision in Douglas County, Nebraska, said two easements being more particularly described on Exhibits "A" and "B", respectively, attached hereto and by this reference made a part hereof.

2. The scope and purpose of said two easements are for the construction, repair, maintenance, replacement and renewal of storm sewer pipe lines and culverts, including all necessary man-holes and other appurtenances, and the transmission through said storm sewers of storm water from surrounding lands. The Grantees and their contractor and engineers shall have full right and authority to enter upon said easementways in order to perform any of the acts and functions described within the scope and purpose of these easements. The exact location of said storm sewer pipe lines and culverts in the permanent easementways shall be fixed and determined by the engineer for Grantees, PROVIDED, however, that such easements as to said Grantee, City of Omaha only, shall have no force and effect unless and until the property on or in which said sewers are to be constructed shall be annexed as a part of said City and until said City shall have a legal obligation to maintain said sewers as public sewers.

3. By accepting and recording these perpetual easement grants, said Grantee, Sanitary and Improvement District No. 72 of Douglas County, Nebraska, agrees forthwith, and said Grantee, City of Omaha, agrees effective with the annexation of the property in which said sewers are to be constructed, to make good or cause to be made good to the owner or owners of the property in which said sewers are to be constructed, any and all damage that may be done by reason of negligent changes, alterations, maintenance, inspection, repairs or reconstruction in the way of damage to trees, grounds, buildings, or other improvements abutting thereon, including crops, vines and gardens; provided, however, that this provision does not apply to any of the aforesaid located in, on, over or across said easements or any part thereof.

4. This Agreement shall be binding on the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the day and year first above written.

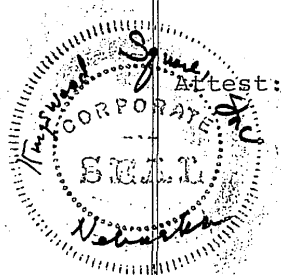
KINGSWOOD SQUARE, INC., Grantor

Attest:

Secretary

By:

President



STATE OF NEBRASKA)

) SS

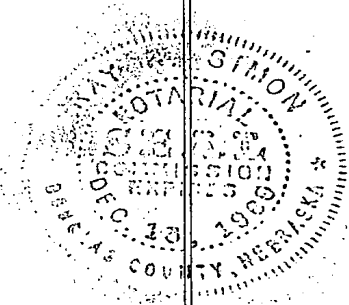
COUNTY OF DOUGLAS)

On the day and year first above written, before me, the undersigned, a Notary Public duly commissioned and qualified for said County, personally came Jack W Baker

WITNESS my hand and Notarial Seal the day and year first  
above written.

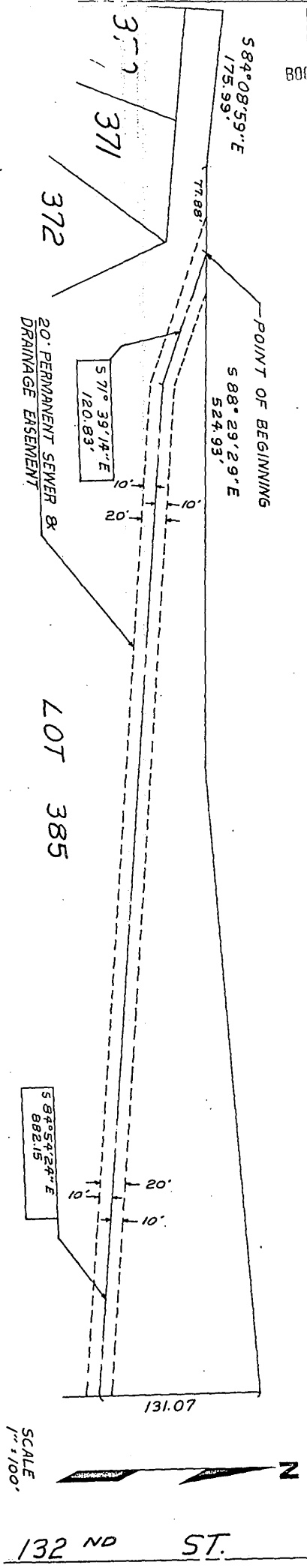
Notary Public

My Commission expires December 13, 1967.



STATE HIGHWAY # 38

NE CORNER SEC. 36-15-11



GRANTOR:

GRANTEE: Sanitary & Improvement District No. 72 of Douglas County, Nebraska, and City of Omaha

LEGAL DESCRIPTION:

A 20' permanent sewer and drainage easement in Lot 385 of Kingswood Estates, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, the centerline of said easement being more particularly described as follows: Commencing at a point located 175.99 feet  $S 84^{\circ} 08' 59'' E$  and 77.88 feet  $S 88^{\circ} 29' 29'' E$  from the Northwest corner of said Lot 385; thence  $S 71^{\circ} 39' 14'' E$ , 120.83 feet; thence  $S 84^{\circ} 54' 24'' E$ , 882.15 feet to a point on the Easterly line of said Lot 385, lying 131.07 feet South of the Northeast corner of said Lot 385.

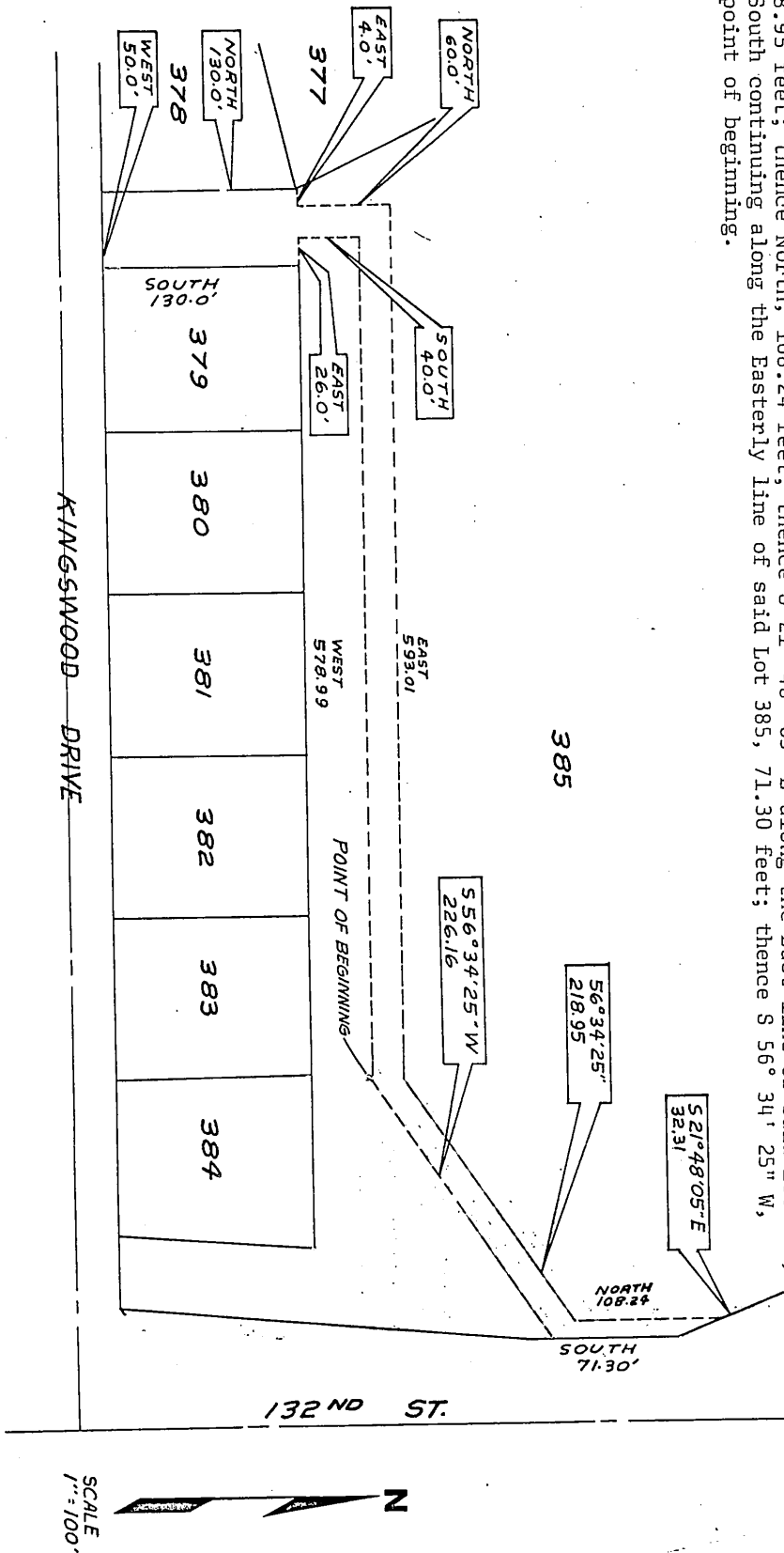
PERMANENT SEWER AND DRAINAGE EASEMENT

GRANTOR:

GRANTEE: Sanitary & Improvement District No. 72 of Douglas County, Nebraska, and City of Omaha

LEGAL DESCRIPTION:

A permanent sewer and drainage easement in Lot 385 in Kingswood Estates, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, said easement being more particularly described as follows: Commencing at a point 40.0 feet North and 2.99 feet East from the Northwest corner of Lot 384 in Kingswood Estates; thence West, 578.99 feet; thence South, 40.0 feet; thence East, 26.0 feet to the Northwest corner of Lot 379 in Kingswood Estates; thence South along the West line of said Lot 379, 130.0 feet; thence West along the North R.O.W. of Kingswood Drive, 50.0 feet; thence North along the West line of said Lot 378 in Kingswood Estates, 130.0 feet; thence East, 4.0 feet; thence North, 60.0 feet; thence East, 593.01 feet; thence N 56° 34' 25" E, 218.95 feet; thence North, 108.24 feet; thence S 21° 48' 05" E along the East line of said Lot 385, 32.31 feet; thence South continuing along the Easterly line of said Lot 385, 71.30 feet; thence S 56° 34' 25" W, 226.16 feet to the point of beginning.



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RECEIVED

1969 AUG 12 1 09 PM

CHARLES OSTLER,  
REGISTER OF DEEDS,  
DOUGLAS COUNTY, ARIZ.

THE STATE OF NEBRASKA } ss.  
Douglas County }

Entered in Numerical Index and filed  
for Record in the office of the Register of  
Deeds of said County and recorded in

Book 479 of misc  
Page 361

O. F. Smith

## Register of Deeds

By \_\_\_\_\_

Deputy

MAIL *Richard Croker* Deputy  
2400 88 72 Ave!

$$G = P \cdot A \cdot P \cdot G$$

Eq. 1

172-829

72/99