

affects 027 B.D. 2nd

FILED SARPY CO. NE.
INSTRUMENT NUMBER

2008-31752

2008 NOV 25 A 10:34

Shirley J. Ward

REGISTER OF DEEDS

REGISTER OF DEEDS USE
GRANTOR *ah* C.E. *ah*
GRANTEE *ah* D.E. *ah*
PRICE *15.30*
NO. *PNR* CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

PERMANENT EASEMENT

For good and valuable consideration, the receipt of which is acknowledged, BEACON VIEW, INC., a Nebraska corporation ("GRANTOR"), for itself and for its successors and assigns, hereby grants to the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT ("GRANTEE"), and its successors and assigns, including the United States Army Corps of Engineers ("the CORPS"), a permanent easement ("THIS EASEMENT"), running with the land, in, on, under, over and across that portion of BEACON VIEW, a subdivision, as surveyed platted and recorded in Sarpy County, Nebraska, described/depicted in the legal description/diagram attached hereto as Exhibit "A" and incorporated herein by reference ("the EASEMENT AREA").

Pursuant to THIS EASEMENT:

1. The GRANTEE is granted the permanent, full, and free right, liberty and authority to enter the EASEMENT AREA and therein construct, operate, maintain, patrol, repair, and reconstruct French drains, conduits and outlets therefrom and other appurtenances thereto ("the IMPROVEMENTS") associated with or appurtenant to the CORPS' and GRANTEE'S Western Sarpy/Clear Creek flood protection levee.

2. There is reserved to GRANTOR, and its successors and assigns, the right and privilege to use the EASEMENT AREA at any time, in any manner and for any purpose not inconsistent with the full use by GRANTEE, and its successors and assigns, of the rights hereinabove granted; provided, however, no other structures shall be erected, nor shall any other excavation, filling or boring be performed or permitted in the EASEMENT AREA without the prior written consent of GRANTEE, or its successors or assigns.

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3. GRANTOR shall not be responsible for operation or maintenance of the IMPROVEMENTS or their appurtenances.

4. The recited consideration constitutes payment in full for all damages sustained by GRANTOR by reason of the exercise of any of the rights herein granted or implied.

5. GRANTOR covenants that it owns the EASEMENT AREA and has the right to grant THIS EASEMENT over the same; and, that GRANTOR will warrant and defend GRANTEE'S title to THIS EASEMENT against the lawful claims and demands of all persons whomsoever.

6. THIS EASEMENT runs with the land and shall be binding upon and inure to the benefit of the parties to this instrument and their heirs, successors and assigns.

7. This document shall not be construed to pass to GRANTEE any fee simple interest or title.

8. GRANTOR warrants that no verbal or written representations or inducements have been made or given by GRANTEE, or by any of its officers, agents or employees, other than as may be recited in this document.

DATED this 20 day of NOVEMBER 2008.

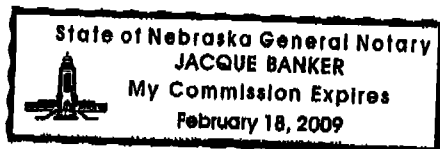
BEACON VIEW, INC.

By Robert W. Schnaidt
Title Chairman

State of Nebraska)
County of Douglas) ss.

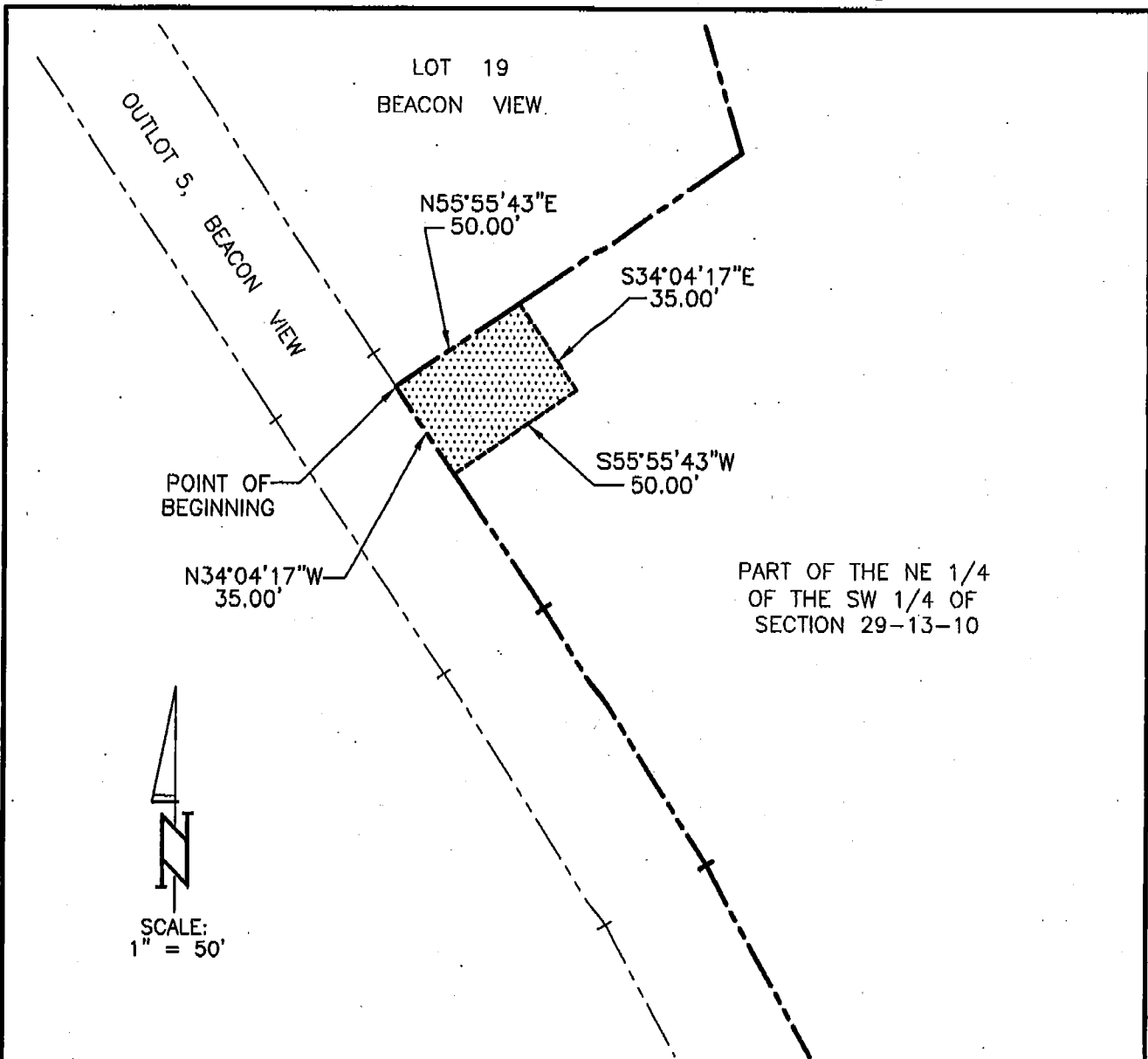
On this 20th day of November, 2008, before me, a Notary Public, came Robert Schnaidt, of BEACON VIEW, INC., a Nebraska non-profit corporation, to me personally known to be the identical person whose name is affixed to the above and foregoing instrument, and he acknowledged the same to be his voluntary act and deed as such officer of the corporation.

WITNESS my hand and Notarial Seal the date last aforesaid.



Jacque Banker
Notary Public

2008-31752 B



LEGAL DESCRIPTION - PERMANENT EASEMENT

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, T13N, R10E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 19, BEACON VIEW, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE N55°55'43"E (ASSUMED BEARING) 50.00 FEET ON THE SOUTHEAST LINE OF SAID LOT 19;

THENCE S34°04'17"E 35.00 FEET ON A LINE 50.00 FEET NORTHEAST OF AND PARALLEL WITH THE NORTHEAST LINE OF OUTLOT 5, SAID BEACON VIEW;

THENCE S55°55'43"W 50.00 FEET ON A LINE 35.00 FEET SOUTHEAST OF AND PARALLEL WITH THE SOUTHEAST LINE OF SAID LOT 19 TO THE NORTHEAST LINE OF SAID OUTLOT 5;

THENCE N34°04'17"W 35.00 FEET ON THE NORTHEAST LINE OF SAID OUTLOT 5 TO THE POINT OF BEGINNING.

CONTAINING 0.04 ACRES MORE OR LESS

1202106EX1.dwg



THOMPSON, DREESSEN & DÖRNER, INC.
 Consulting Engineers & Land Surveyors
 10836 OLD MILL ROAD OMAHA, NEBRASKA 68154
 P: 402.330.8860 F: 402.330.8886 WWW.TD2CO.COM

EXHIBIT "A"

TD2 NO. 1202-106

DATE	10/30/08
DRAWN BY	RJR
CHECKED BY	DHN
REVISION	