

GAMES, MULLEN, PANSING &
HOGAN
10050 REGENCY CIRCLE, SUITE 200
OMAHA, NEBRASKA 68114

RECEIVED

OCT 14 3 04 PM '94

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE



EASEMENT FOR STORM SEWER

This indenture made this 6th day of October, 1994, by and between HORGAN DEVELOPMENT COMPANY, a Nebraska corporation (hereinafter referred to as "Grantor"), and SANITARY AND IMPROVEMENT DISTRICT NO. 364 OF DOUGLAS COUNTY, NEBRASKA (hereinafter referred to as "Grantee").

WITNESSETH:

That Grantor, in consideration of the sum of One and no/100 Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to Grantee, its successors and assigns, perpetual easement for the construction, maintenance and operation of a storm sewer over, under and through that part of Lots 344 and 345, Cherry Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, more specifically located and described on Exhibit A attached hereto which is hereby incorporated in and made a part of this Easement by reference.

To have and to hold said Easement and right-of-way unto the said Grantee, its successors and assigns, in perpetuity. Grantor, its successors and assigns, shall be entitled to and do hereby reserve the right, to connect to and make reasonable and customary use of any sewer line installed and maintained by Grantee under the terms of this Easement at no expense whatsoever. The approval of this term by Grantor and its successors and assigns shall be shown by recording this document with the Douglas County Register of Deeds. This Easement and the license contained herein is given without any warranty whatsoever.

IN WITNESS WHEREOF, the Grantor has caused this Easement to be signed on the day and year first above written.

12115
FEE 1.00 R Comp PB
DEL. C/O [Signature] COMP KP
LEGAL PG [Signature]

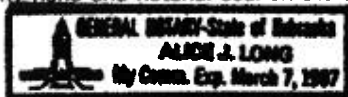
HORGAN DEVELOPMENT COMPANY, a Nebraska corporation,

By [Signature]
President

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

On this 6th day of October, 1994, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came Robert P. Horgan, President of HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, to me personally known to be the person whose name is affixed to the foregoing instrument in that capacity and who acknowledge the same to be the voluntary act and deed of the corporation.

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

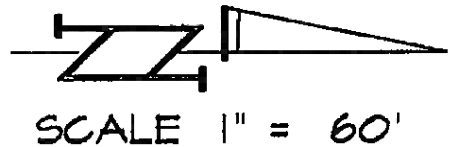
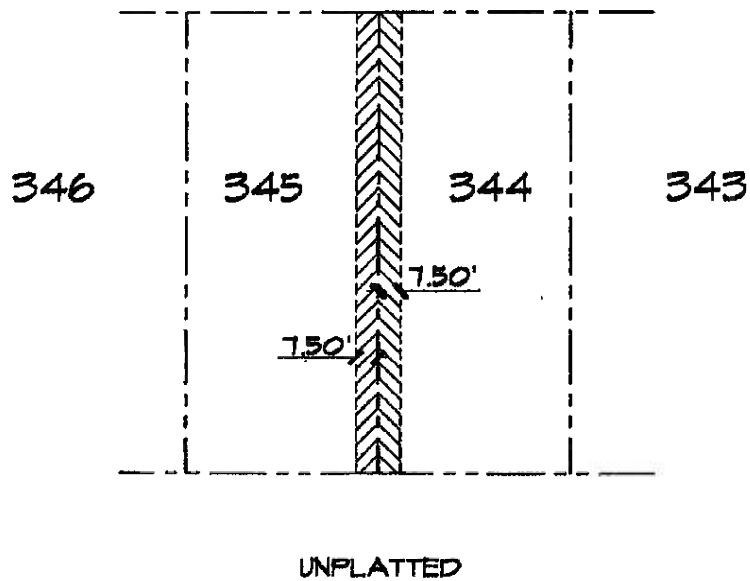


[Signature]
Notary Public

My commission expires the 7th day of March, 1997.

EXHIBIT A

102nd AVENUE



LEGAL DISCRPTION

THE SOUTH 7.50 FEET OF LOT 344, CHERRY HILLS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE NORTH 7.50 FEET OF LOT 345, SAID CHERRY HILLS.

JOB NO. 172-129-B
DATE 9-19-1994

THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860