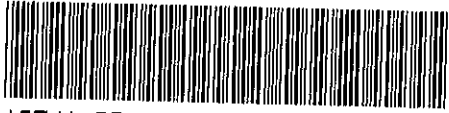




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RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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RETURN: James E. Lang  
11306 Davenport  
Omaha, NE 68154

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**PERMANENT STORM SEWER  
AND SANITARY SEWER EASEMENT**

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, HOWARD K. JENSEN, WILBUR C. JENSEN, RICHARD A. JENSEN, MARY ALICE JENSEN, VERNA MAE JESSEN AND NANCY L. JENSEN (the "Grantors"), hereby grant, transfer and convey to SANITARY AND IMPROVEMENT DISTRICT NO. 430 OF DOUGLAS COUNTY, NEBRASKA, and its successors and assigns, including, but not limited to, the City of Omaha, Douglas County, Nebraska (the "Grantee"), a permanent storm sewer and sanitary easement in, through, over and under the parcel of land described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof the legal description of the easement area, hereinafter referred to as the "Easement Area",

on which the Grantee may construct, reconstruct, maintain and repair a storm sewer line and sanitary 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 and sanitary sewer lines.

The Grantors hereby reserve unto themselves, and their successors and assigns, the right to use the above described Easement Area, provided, however, that such use by the Grantors shall not interfere with the easement rights granted to the Grantee under this Easement. It is understood and agreed that the Grantors, and their successors and assigns, shall be permitted to grade, fill and compact such fill up to ten feet of fill above the existing ground surface, over, along and within the Easement Area, and construct or cause to be constructed hard surface roadways, drives, parking lots or sidewalks over and within the Easement Area.

After completion of the initial installation of the storm sewer line and sanitary 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, including, any damages to crops, hard surface roadways, drives or sidewalks over, along and within the Easement Area.

Grantee is solely responsible for constructing, operating and maintaining the above-described improvements and Grantee shall indemnify and hold harmless the Grantors, and their successors and assigns, from any and all claims for personal injury or damage to property, including damage to crops, arising out of or in connection with constructing, operating, or maintaining the above described improvement.

No structure shall be placed over said Easement Area by the Grantors, or their successors or assigns, except the before-mentioned hard surfaced roadway, drives or sidewalks, without the express written approval of the Grantee, provided, trees, grass and shrubbery, may be installed within the Easement Area by the Grantor, and its successors and assigns, and that in the event it becomes necessary to repair, remove or replace said storm sewer line or sanitary sewer line, the Grantee shall have the right to remove such trees, grass and shrubbery, and said premises

shall thereafter be restored by the Grantee, its successors and assigns, to the condition thereof existing before said removal.

The Grantors, and their successors and assigns, shall have the right to connect into the storm sewer line being constructed by the Grantee hereunder within the Easement Area so long as such connection is completed pursuant to all applicable engineering and other requirements of the City of Omaha for such connection. The Grantors, and their successors and assigns, shall have the right to connect into the sanitary sewer line being constructed by the Grantee hereunder within the Easement Area so long as the Grantors, and their successors and assigns, complete such connection pursuant to the requirements of the City of Omaha and pay the appropriate connection and/or use fees for connecting into and using such sanitary sewer line.

The Grantors hereby warrant and confirm to the Grantee that they are the owners of the Easement Area and that they have the right to grant and convey this easement in the manner set forth herein. This easement runs with the land and shall run in favor of and be binding upon the parties hereto and to their respective grantees, assigns, heirs, successors, administrators, executors or agents.

Dated this 10 day of SEPTEMBER, 1998.

GRANTORS:

By: Howard K Jensen  
Howard K. Jensen

By: Wilbur C Jensen  
Wilbur C. Jensen

By: Richard A Jensen  
Richard A. Jensen

By: Mary Alice Jensen  
Mary Alice Jensen

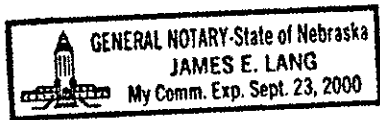
By: Verna Mae Jessen  
Verna Mae Jessen

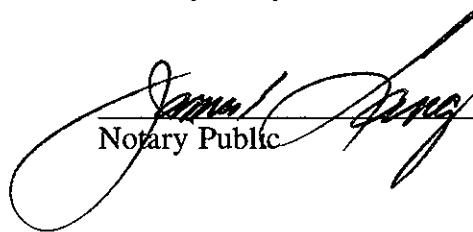
By: Nancy L. Jensen  
Nancy L. Jensen

STATE OF NEBRASKA    )  
COUNTY OF DOUGLAS   ) ss.

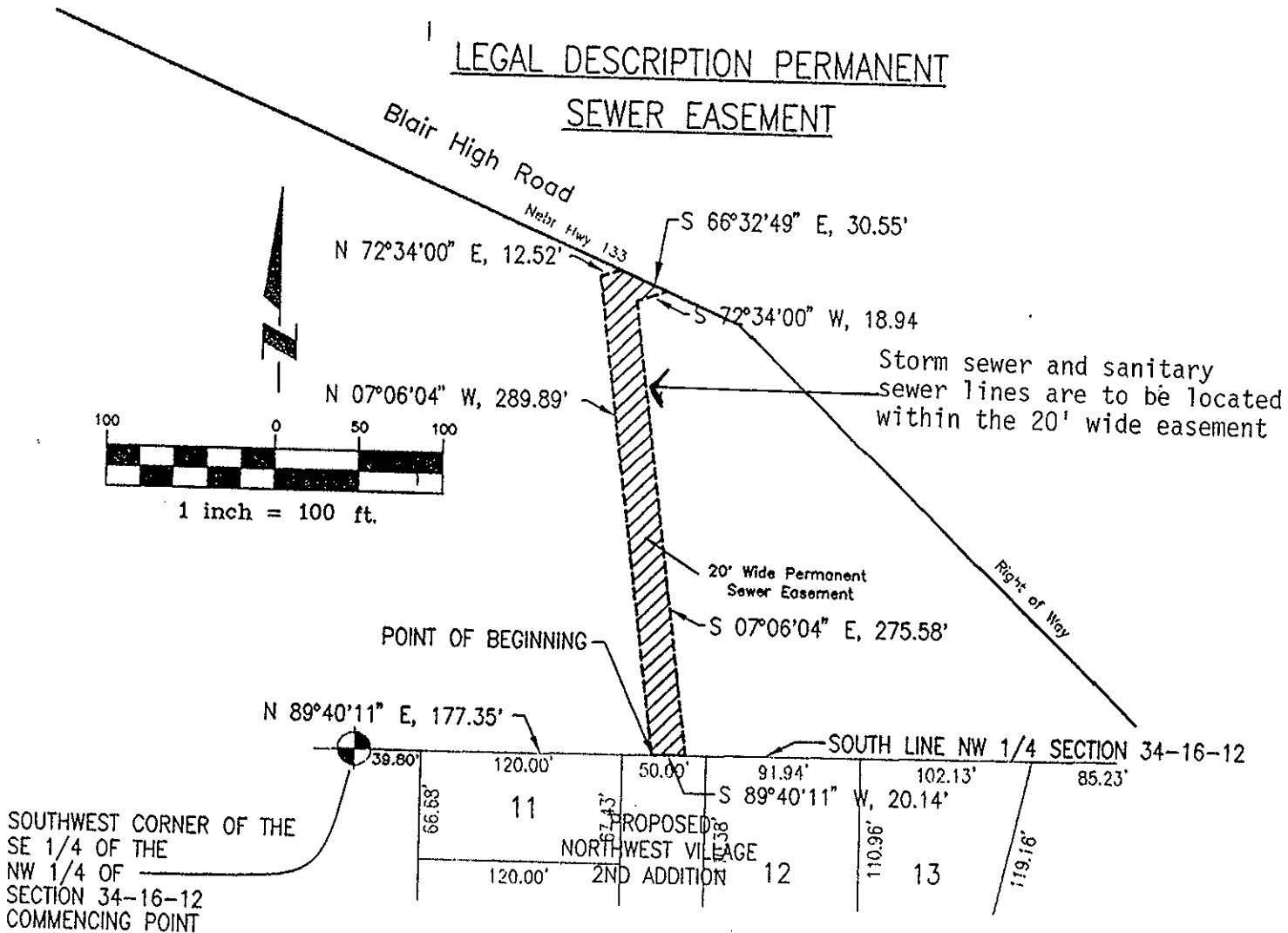
On this 10<sup>th</sup> day of September, 1998, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Howard K. Jensen, Wilbur C. Jensen, Richard A. Jensen, Mary Alice Jensen, Verna Mae Jessen and Nancy L. Jensen, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be her voluntary act and deed.

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



  
Notary Public

LEGAL DESCRIPTION PERMANENT  
SEWER EASEMENT



A Permanent Sewer Easement located in the SE ¼ of the NW ¼ of Section 34, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of Said SE ¼ of the NW ¼ of Section 34; thence N 89°40'11" E (assumed bearing) along the South line of said SE ¼ of the NW ¼ of Section 34, a distance of 177.35 feet to the Point of Beginning; thence N07°06'04"W, a distance of 289.89 feet; thence N72°34'00"E, a distance of 12.52 feet to a point on the Southerly right-of-way line of Nebraska Highway 133, also known as Blair High Road; thence S66°32'49"E along said Southerly right-of-way line of Nebraska Highway 133, also known as Blair High Road, a distance of 30.55 feet; thence S72°34'00"W, a distance of 18.94 feet; thence S07°06'04"E, a distance of 275.58 feet to a point on said South line of the SE ¼ of the NW ¼ of Section 34; thence S89°40'11"W along said South line of the SE1/4 of the NW ¼ of Section 34, a distance of 20.14 feet to the point of beginning.

Said Permanent Sewer Easement contains an area of 0.137 acres, more or less.

Exhibit "A"