



MISC 2005137996



NOV 01 2005 14:56 P 7

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/1/2005 14:56:20.94



2005137996

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

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FEE 36⁰⁰ FB OC-38343
OC-38394
 BKP _____ C/O _____ COMP M.B.
 DEL _____ SCAN _____ FV _____

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RELEASE OF EASEMENT

This Release of Easement is made this 28th day of OCTOBER, 2005, by SANITARY AND IMPROVEMENT DISTRICT NO. 423 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision (herein the "District"). A storm sewer easement (the "Easement") affecting Lot 3, The Thomsen Mile Replat Three and Lot 5, The Thomsen Mile Replat Two, subdivisions surveyed, platted and recorded in Douglas County, Nebraska (collectively the "Property" and individually a "Lot"), and are more particularly shown on Exhibits "A" thru "E", inclusive, attached hereto and incorporated herein by this reference, was granted to the District as set forth on the final plat of Thomsen Mile dated December 15, 2000 and recorded at Book 2198 Page 708 and as subsequently replatted. The Easement is hereby released as it pertains solely to the Property as set forth on Exhibits "A" thru "E". Any improvements located within the Easement are hereby abandoned by the District.

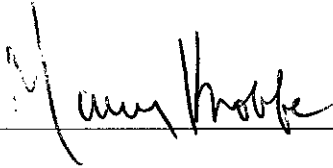
NOW, THEREFORE, in consideration of the above, and for other valuable consideration, the District hereby releases, discharges, rescinds and cancels all of its right, title and interest in the easement over Lot 3, The Thomsen Mile Replat Three and Lot 5, The Thomsen Mile Replat Two, subdivisions surveyed, platted and recorded in Douglas County, Nebraska.

In consideration of this Release, each owner of any Lot within the Property agrees to indemnify and hold harmless the District with respect to any abandoned storm sewer improvements installed within the Easement on an Owner's Lot as such abandoned storm sewer improvements may solely affect a respective owner's Lot.

SANITARY AND IMPROVEMENT DISTRICT
NO. 423 OF DOUGLAS COUNTY, NEBRASKA,
a Nebraska political subdivision

Attest:

By _____
Clerk

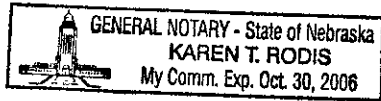


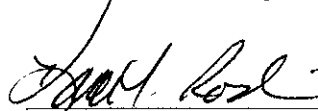
By _____
Chairman



STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 28th day of OCTOBER, 2005, by MARK PALMITZ, Chairman and MARY KNOBBE, Clerk, respectively of SANITARY AND IMPROVEMENT DISTRICT NO. 423 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision, on behalf of the District.

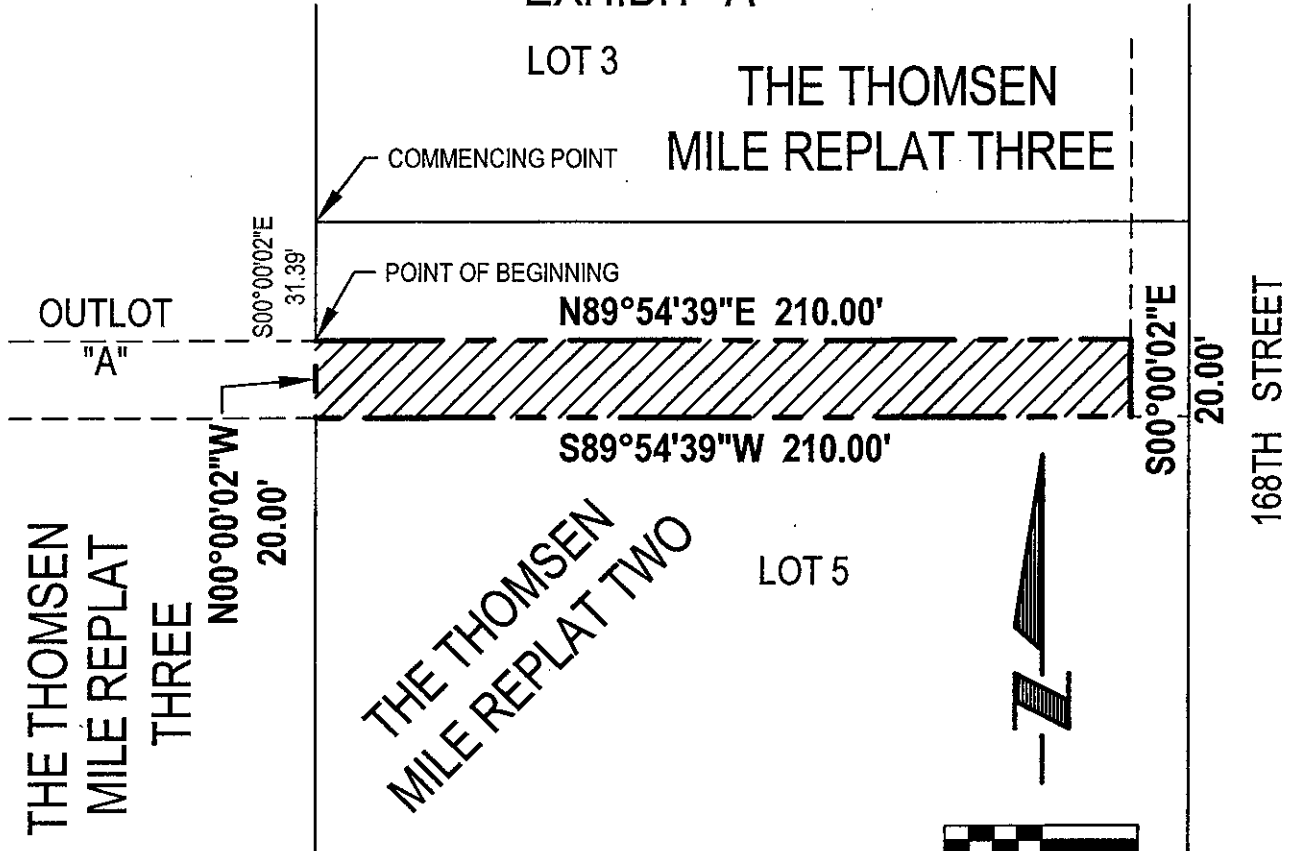



Notary Public

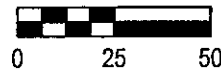
Return to:

John Q. Bachman
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114

EXHIBIT "A"



AREA TO BE RELEASED:
 A PORTION OF A 20.00' STORM SEWER EASEMENT
 GRANTED TO DOUGLAS COUNTY SID NO. 423 AND
 THE CITY OF OMAHA, NEBRASKA AS PER PLAT
 AND DEDICATION - BOOK 2198 PAGE 708



Scale: 1" = 50'

LEGAL DESCRIPTION:

PART OF A PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT TO BE RELEASED, LOCATED IN LOT 5, THE THOMSEN MILE REPLAT TWO, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 3, THE THOMSEN MILE REPLAT THREE, A SUBDIVISION LOCATED IN SAID SE1/4 OF SECTION 4, SAID POINT ALSO BEING ON THE EAST LINE OF OUTLOT "A", SAID THE THOMSEN MILE REPLAT THREE; THENCE S00°00'02"E (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE, A DISTANCE OF 31.39 FEET TO THE POINT OF BEGINNING; THENCE N89°54'39"E, A DISTANCE OF 210.00 FEET; THENCE S00°00'02"E, A DISTANCE OF 20.00 FEET; THENCE S89°54'39"W, A DISTANCE OF 210.00 FEET TO A POINT ON SAID WEST LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, SAID POINT ALSO BEING ON SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE; THENCE N00°00'02"W ALONG SAID WEST LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PART OF A PERMANENT 20.00 FOOT WIDE STORM SEWER EASEMENT TO BE RELEASED CONTAINS AN AREA OF 4,200 SQUARE FEET OR 0.096 ACRES, MORE OR LESS.



E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

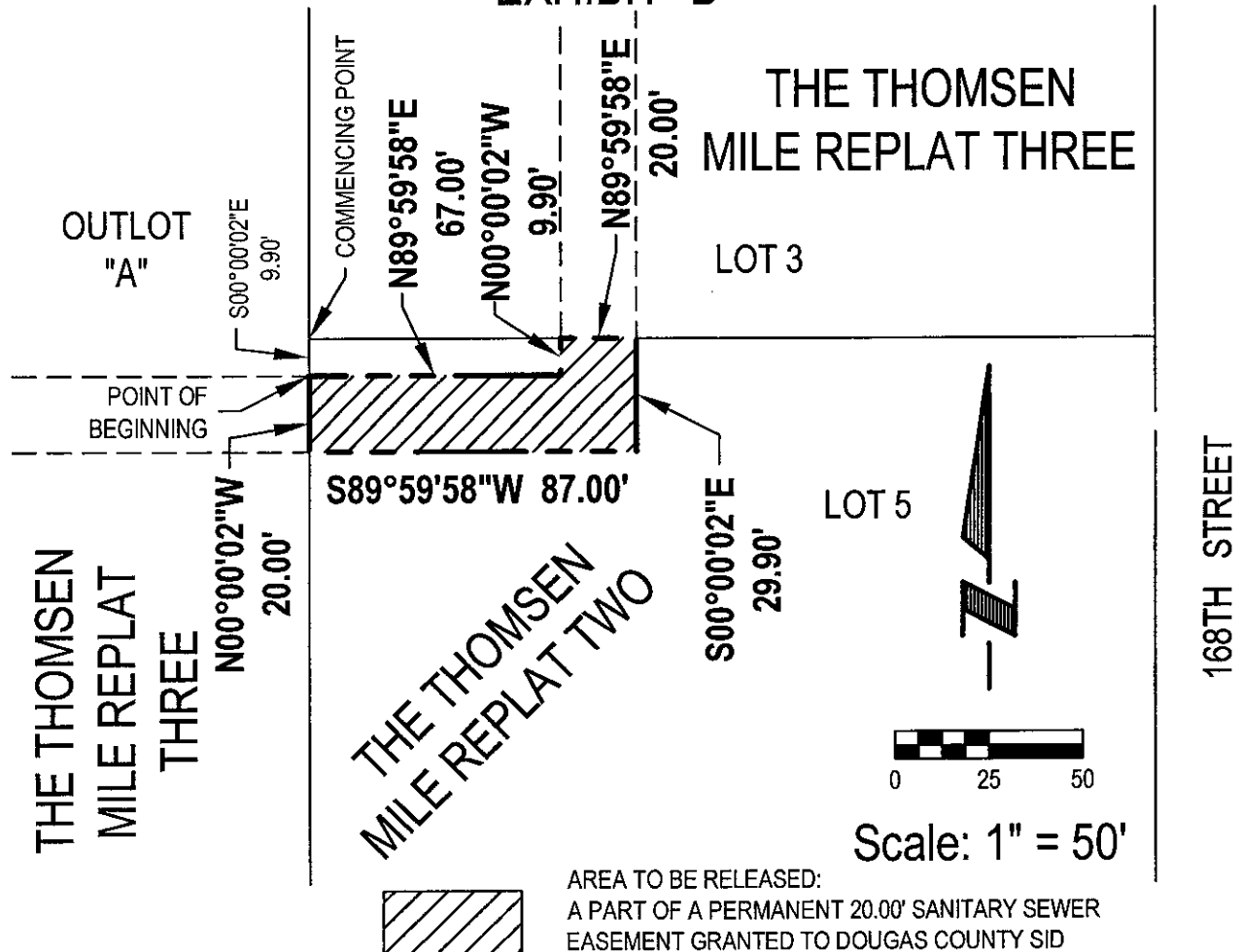
PERMANENT 20.00 FOOT WIDE STORM
 SEWER EASEMENT TO BE RELEASED

DOUGLAS COUNTY, NEBRASKA

Drawn by: DAS Chkd by: AWC 10-5-05 Chkd by: _____

Job No.: 97046.12 Date: 08/30/2005 SHEET 1 OF 1

EXHIBIT "B"



AREA TO BE RELEASED:
 A PART OF A PERMANENT 20.00' SANITARY SEWER
 EASEMENT GRANTED TO DOUGAS COUNTY SID
 NO. 423 AND THE CITY OF OMAHA, NEBRASKA
 AS PER PLAT AND DEDICATION - BOOK 2170 PAGE 18

LEGAL DESCRIPTION:

PART OF A PERMANENT 20.00 FOOT WIDE SANITARY SEWER EASEMENT TO BE RELEASED, LOCATED IN LOT 5, THE THOMSEN MILE REPLAT TWO, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 3, THE THOMSEN MILE REPLAT THREE, A SUBDIVISION LOCATED IN SAID SE1/4 OF SECTION 4, SAID POINT ALSO BEING ON THE EAST LINE OF OUTLOT "A", SAID THE THOMSEN MILE REPLAT THREE; THENCE S00°00'02"E (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE, A DISTANCE OF 9.90 FEET TO THE POINT OF BEGINNING; THENCE N89°59'58"E, A DISTANCE OF 67.00 FEET; THENCE N00°00'02"W, A DISTANCE OF 9.90 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE; THENCE N89°59'58"E ALONG SAID NORTH LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 3, THE THOMSEN MILE REPLAT THREE, A DISTANCE OF 20.00 FEET; THENCE S00°00'02"E, A DISTANCE OF 29.90 FEET; THENCE S89°59'58"W, A DISTANCE OF 87.00 FEET TO A POINT ON SAID WEST LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE; THENCE N00°00'02"W ALONG SAID WEST LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, SAID LINE ALSO BEING SAID EAST LINE OF OUTLOT "A", THE THOMSEN MILE REPLAT THREE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PART OF A PERMANENT 20.00 FOOT WIDE SANITARY SEWER EASEMENT TO BE RELEASED CONTAINS AN AREA OF 1,938 SQUARE FEET OR 0.044 ACRES, MORE OR LESS.



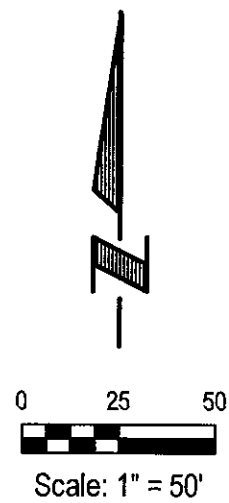
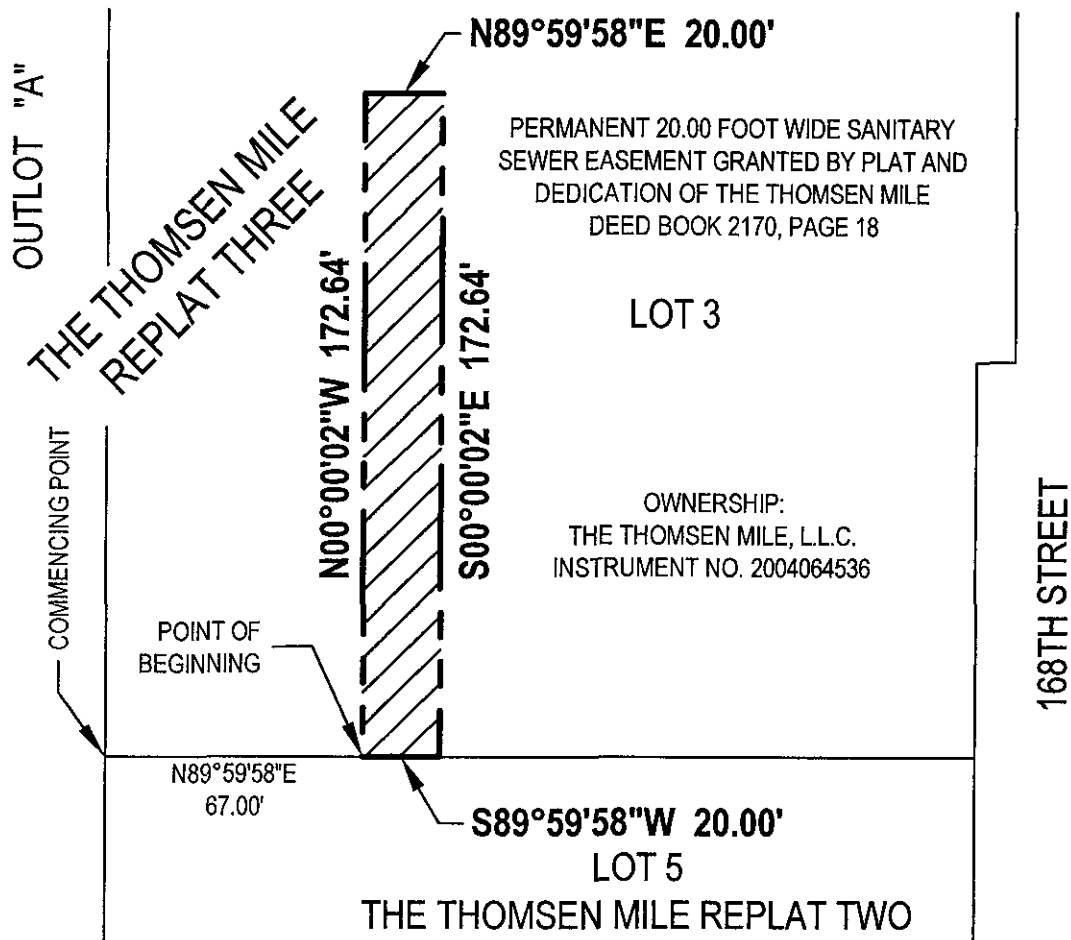
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 12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

PART OF A 20.00 FOOT WIDE SANITARY SEWER EASEMENT TO BE RELEASED

DOUGLAS COUNTY, NEBRASKA

Drawn by: DAS Chkd by: Chkd by:
 Job No.: 97046.12 Date: 08/30/2005 SHEET 1 OF 1

EXHIBIT "C"



LEGAL DESCRIPTION:

OWNERSHIP:
 THE THOMSEN MILE L.L.C.
 INSTRUMENT NO. 2004064536

A PERMANENT 20.00 FOOT WIDE SANITARY SEWER EASEMENT TO BE RELEASED, LOCATED IN LOT 3, THE THOMSEN MILE REPLAT THREE, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 5, THE THOMSEN MILE REPLAT TWO, A SUBDIVISION LOCATED IN SAID SE1/4 OF SECTION 4, SAID POINT ALSO BEING ON THE EAST LINE OF OUTLOT "A", SAID THE THOMSEN MILE REPLAT THREE; THENCE N89°59'58"E (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 5, THE THOMSEN MILE REPLAT TWO, A DISTANCE OF 67.00 FEET TO THE POINT OF BEGINNING; THENCE N00°00'02"W, A DISTANCE OF 172.64 FEET; THENCE N89°59'58"E, A DISTANCE OF 20.00 FEET; THENCE S00°00'02"E, A DISTANCE OF 172.64 FEET TO A POINT ON SAID SOUTH LINE OF LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID NORTH LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO; THENCE S89°59'58"W ALONG SAID SOUTH LINE OF LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID NORTH LINE OF LOT 5, THE THOMSEN MILE REPLAT TWO, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT 20.00 FOOT WIDE SANITARY SEWER EASEMENT CONTAINS AN AREA OF 3,453 SQUARE FEET OR 0.079 ACRES, MORE OR LESS.



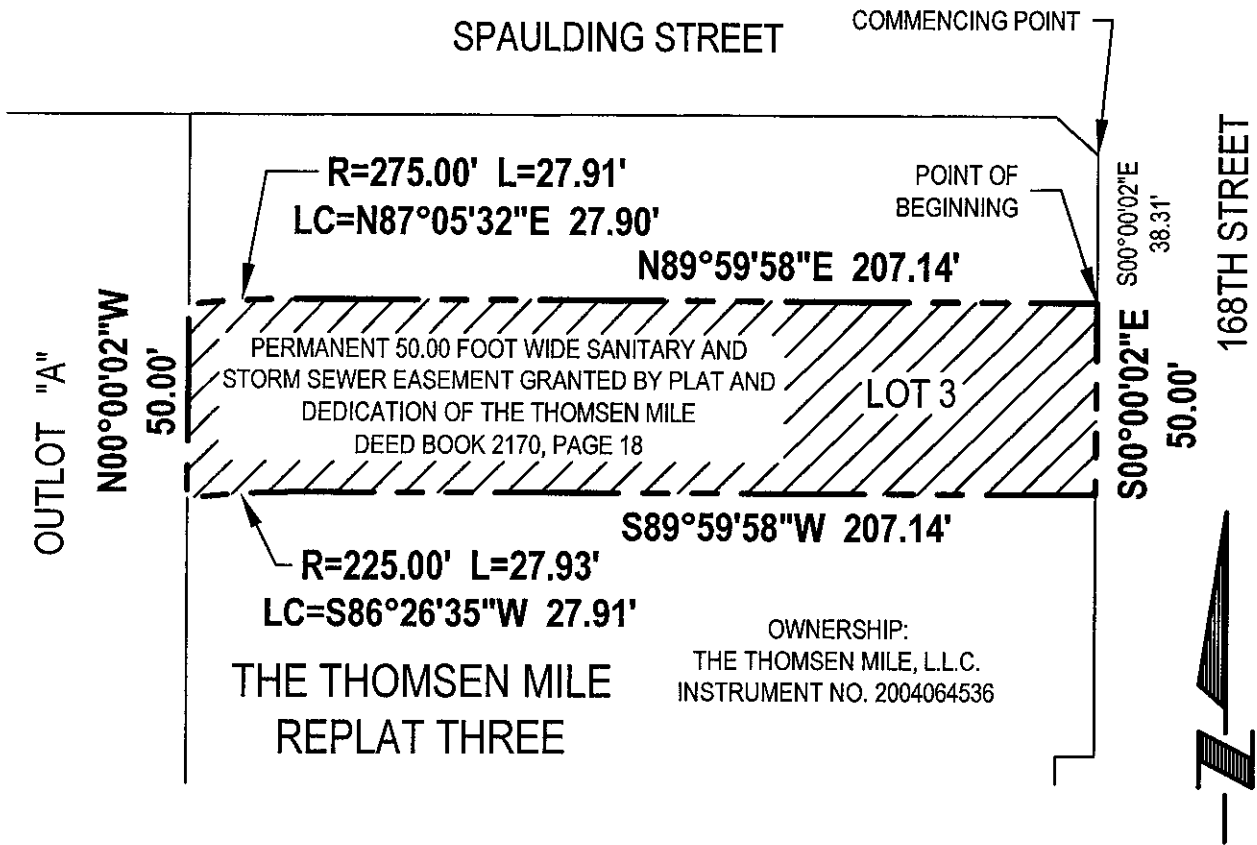
E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 12001 Q STREET OMAHA, NE 68137 PHONE: (402) 896-4700

PERMANENT 20.00 FOOT WIDE SANITARY SEWER EASEMENT TO BE RELEASED
 DOUGLAS COUNTY, NEBRASKA

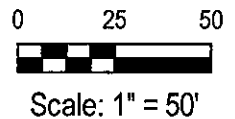
Drawn by: DAS Chkd by: _____ Chkd by: _____

Job No.: 97046.13 Date: 10/13/2005 SHEET 1 OF 1

EXHIBIT "D"



LEGAL DESCRIPTION:
 OWNERSHIP:
 THE THOMSEN MILE L.L.C.
 INSTRUMENT NO. 2004064536



A PERMANENT 50.00 FOOT WIDE SANITARY SEWER AND STORM SEWER EASEMENT TO BE RELEASED, LOCATED IN LOT 3, THE THOMSEN MILE REPLAT THREE, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SPAULDING STREET AND THE WESTERLY RIGHT-OF-WAY LINE OF 168TH STREET; THENCE S00°00'02"E (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF 168TH STREET, A DISTANCE OF 38.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°00'02"E ALONG SAID EASTERLY LINE OF LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF SPAULDING STREET, A DISTANCE OF 50.00 FEET; THENCE S89°59'58"W, A DISTANCE OF 207.14 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 225.00 FEET, A DISTANCE OF 27.93 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°26'35"W, A DISTANCE OF 27.91 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID POINT ALSO BEING ON THE EAST LINE OF OUTLOT "A", SAID THE THOMSEN MILE REPLAT THREE; THENCE N00°00'02"W, A DISTANCE OF 50.32 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 275.00 FEET, A DISTANCE OF 27.91 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N87°05'32"E, A DISTANCE OF 27.90 FEET; THENCE N89°59'58"E, A DISTANCE OF 207.14 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT 50.00 FOOT WIDE SANITARY SEWER AND STORM SEWER EASEMENT CONTAINS AN AREA OF 11,753 SQUARE FEET OR 0.270 ACRES, MORE OR LESS.



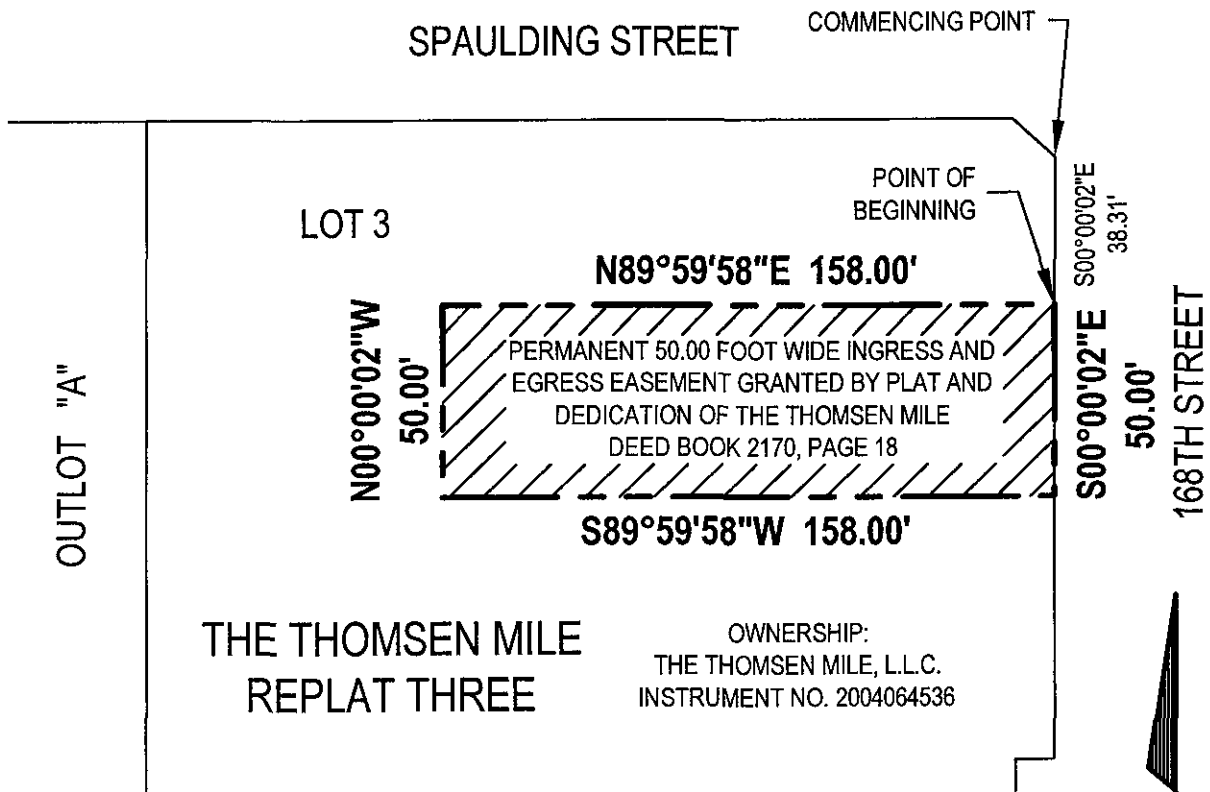
E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 12001 Q STREET OMAHA, NE 68137 PHONE: (402) 885-4700

**PERMANENT 50.00 FOOT WIDE SANITARY
 SEWER AND STORM SEWER EASEMENT
 TO BE RELEASED
 DOUGLAS COUNTY, NEBRASKA**

Drawn by: DAS Chkd by: _____ Chkd by: _____

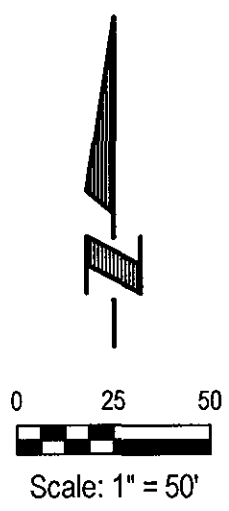
Job No.: 97046.13 Date: 10/13/2005 SHEET 1 OF 1

EXHIBIT "E"



THE THOMSEN MILE
REPLAT THREE

OWNERSHIP:
THE THOMSEN MILE, L.L.C.
INSTRUMENT NO. 2004064536



LEGAL DESCRIPTION:

OWNERSHIP:
THE THOMSEN MILE L.L.C.
INSTRUMENT NO. 2004064536

A PERMANENT 50.00 FOOT WIDE INGRESS AND EGRESS EASEMENT TO BE RELEASED, LOCATED IN LOT 3, THE THOMSEN MILE REPLAT THREE, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SPAULDING STREET AND THE WESTERLY RIGHT-OF-WAY LINE OF 168TH STREET; THENCE S00°00'02"E (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF 168TH STREET, A DISTANCE OF 38.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°00'02"E ALONG SAID EASTERLY LINE OF LOT 3, THE THOMSEN MILE REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF SPAULDING STREET, A DISTANCE OF 50.00 FEET; THENCE S89°59'58"W, A DISTANCE OF 158.00 FEET; THENCE N00°00'02"W, A DISTANCE OF 50.00 FEET; THENCE N89°59'58"E, A DISTANCE OF 158.00 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT 50.00 FOOT WIDE SANITARY SEWER EASEMENT CONTAINS AN AREA OF 7,900 SQUARE FEET OR 0.181 ACRES, MORE OR LESS.



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12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

PERMANENT 50.00 FOOT WIDE INGRESS
AND EGRESS EASEMENT TO BE RELEASED
DOUGLAS COUNTY, NEBRASKA

Drawn by: DAS Chkd by: _____ Chkd by: _____
Job No.: 97046.13 Date: 10/13/2005 SHEET 1 OF 1