

GRANT OF EASEMENT

PERMANENT SEWER EASEMENT

This Indenture and Grant of Easement made the 24th day of September, 1979, between Matilda Jort hereinafter referred to as "Grantors", in favor of Sanitary and Improvement District No. 229, Douglas County, Nebraska, hereinafter referred to as SID, and its successors and assigns, including but not in limitation of the City of Omaha, Douglas County, Nebraska, a municipal corporation, hereinafter referred to as "City".

WITNESSETH:

THAT, said Grantor(s) in consideration of the sum of One Dollar (\$1.00), and other valuable consideration, to Grantor(s) in hand paid by said SID, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said SID and City and their assigns forever, the right to use, construct, build, lay, maintain, repair and reconstruct a sanitary or storm sewer pipe or both for the passage of water and sewage, together with all appurtenances, wires, lines, poles, structures, and other applicable equipment pertaining to any sewer, in through, over and under the parcel of land described as follows, to-wit:

See Exhibits "A"

No buildings, improvements or structures, shall be placed, in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of said SID and said City: provided, however, that a paved macadam, rocked, asphalt or other hard surfaced street or parking lot and trees, grass and shrubbery, may be installed within said easement by Grantor, his or their successors and assigns, and that in the event it becomes necessary to remove or replace said sewer line, the removal or repair of said street or parking lot shall be done at the expense of the SID and its successors and assigns and said premises shall be restored by SID and its successors and assigns to the condition thereof before said removal or repair.

Said SID shall cause any trench made on aforesaid realty to be properly re-filled, and shall cause grass seed to be sown over said trench, and shall cause the premises to be left in a neat and orderly condition.

The easement is also for the benefit of any contractor, agent, employee and representative of the SID in any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors, and administrators does or do confirm with the said SID and their assigns, that he or they, the Grantor(s) is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators, shall warrant and defend this easement to said SID and their assigns against the lawful claims and demands of all persons. This easement runs with the land.

The consideration recited includes damages for change in grade, if any, and any and all claims for damages arising from change of grade or grading are hereby waived.

*

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hands and seal(s) the day and year first above written.

Matilda Jort

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On the 29th day of September, 1979, before me, a Notary Public in and for said County, personally came Matilda Jort who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the foregoing instrument and acknowledge the instrument to be his, her, (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.



My Commission Expires:

February 24, 1981

Paula A. Frouch
Notary Public

* That in consideration of the amount of payment accepted by Grantor, Grantor, its heirs, executors and assigns shall be entitled to connect to the sewer system of the Grantee as installed in the easement area free of charge.

PERMANENT SEWER AND DRAINAGE EASEMENT

EXHIBIT "A"

A permanent sewer and drainage easement located in Lot 65, The Knolls, a subdivision located in the SW 1/4 of Section 4, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the Westerly right-of-way line of Interstate Highway No. 680 and the Southerly line of said Lot 65, The Knolls, said point also being the Southeast corner of said Lot 65; The Knolls; thence N73°23'35"W (assumed bearing) along said Southerly line of Lot 65, The Knolls, a distance of 20.00 feet; thence N16°36'25"E, a distance of 291.63 feet; thence S73°23'35"E, a distance of 20.00 feet to a point on said Westerly right-of-way line of Interstate Highway No. 680; thence S16°36'25"W, along said Westerly right-of-way line of Interstate Highway No. 680, a distance of 291.63 feet to the Point of Beginning.

2/27/79

#766

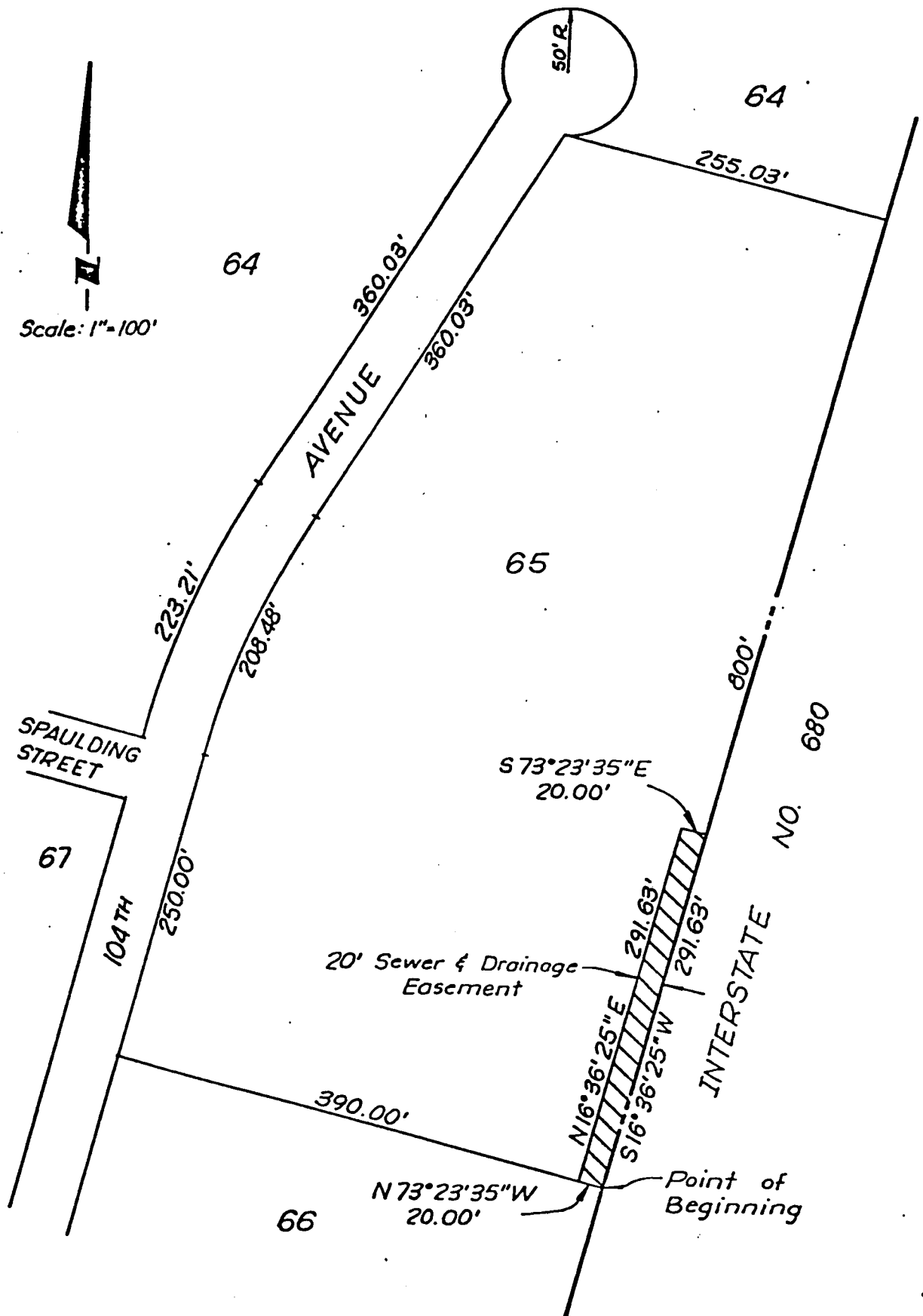
EXHIBIT "A"

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SEWER AND DRAINAGE EASEMENT

S. & I. D. No. 229

DOUGLAS COUNTY, NEBRASKA



KNOLLS ADDITION
ELLIOTT & ASSOC.
#766 2/27/79

2 Misc

RECEIVED
1980 FEB 25 PM 4: 19
C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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