



BK 1361 PG 063-067



MISC 2000 16564

JUDICIAL COUNCIL  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

00 DEC -6 PM 3:33

RECEIVED

## EASEMENT

This indenture made this 30<sup>th</sup> day of November 2000, by and between J. W. Properties, L.L.C., a Nebraska Limited Liability Company, hereinafter referred to as "Grantor", and Robert L. Arthalloney, Sr., and his guests and invitees, hereinafter referred to as "Grantee", to-wit:

## WITNESSETH:

That Grantor in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, does hereby grant and convey to Grantee the following:

A perpetual non-exclusive Easement for ingress and egress (except as otherwise provided herein) over and across the following described real estate :

A strip of land varying in width over and across a portion of the SW 1/4 SW 1/4 of Section 7, Township 15 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska and more particularly described as follows:

From the Southwest corner of Section 7, Township 15 North, Range 11 East; thence N 00°05'59" W along the West line of the SW 1/4 of said Section 7 a distance of 1224.36 feet; thence N 90°00'00" E a distance of 374.97 feet; thence S 00°07'59" E a distance of 218.65 feet to a point on the North line of a 0.43 acre tract of land as surveyed by Richard L. Hansen, LS-382, and dated June 21, 2000 and revised October 19, 2000; thence S 90°00'00" W along the North line of said surveyed 0.43 acre tract of land a distance of 15.00 feet to the Northwest corner of said surveyed 0.43 acres tract of land; thence S 00°07'59" E along the West line of said surveyed 0.43 acre tract of land a distance of 24.76 feet to the Point of Beginning; thence S 89°55'47" E a distance of 113.02 feet; thence N 00°05'25" W a distance of 24.90 feet to a point on the North line of said surveyed 0.43 acre tract of land; thence N 90°00'00" E along said North line a distance of 22.00 feet to the Northwest corner of a 0.23 acre tract of land surveyed by Richard L. Hansen, LS-382, and dated June 21, 2000 and revised October 19, 2000; thence S 00°05'25" E along the West line of said surveyed 0.23 acre tract of land a distance of 140.00 feet to the Southwest corner of said surveyed 0.23 acre tract of land; thence S 90°00'00" W along the South line of said surveyed 0.43 acre tract of land a distance of 22.00 feet; thence N 00°05'25" W a distance of 95.10 feet; thence N 89°55'47" W a distance of 113.01 feet to a point on the West line of said surveyed 0.43 acre tract of land; thence N 00°07'59" W along the West line of said surveyed 0.43 acre tract of land a distance of 20.00 feet to the Point of Beginning.

Myfiles/Realsetate/Stehno/Easement

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1  
FEE 7.15.11 FB 7.15.11  
BKP 7.15.11 C/O 7.15.11 COMP 7.15.11  
DEL 7.15.11 SCAN 7.15.11 FV 7.15.11

231827  
C00-244 Sec #35 n/a

Provided however, that all of the North-South portion of the easement including the area in common with the East-West portion of the easement shall be for the exclusive use of the Grantee herein for ingress/egress and parking. Further provided however, that Grantor shall reserve within the area of the North-South portion of the easement that is South of the East-West portion of the easement, the area in which the condenser unit currently exists and the right to enter said South portion for all reasons incidental to the condenser unit.

Attached hereto marked Exhibit "A" and incorporated in and made a part of this easement by reference is a survey diagram indicating such easement with the non-exclusive ingress and egress portions shown as enclosed diagonal lines and the exclusive ingress and egress and parking portion shown as enclosed intersecting diagonal lines.

Such easement shall run with the land as an appurtenance thereto and in favor of Grantee, their successors, heirs and assigns and the future owners of Part of the SW 1/4 SW 1/4 of Section 7, Township 15 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska and more particularly described as follows: From the Southwest corner of Section 7, Township 15 North, Range 11 East; thence N 00°05'59" W (assumed bearing) along the West line of the SW 1/4 of said Section 7 a distance of 1224.36 feet; thence N 90°00'00" E a distance of 375.75 feet; thence S 85°05'12" E a distance of 120.66 feet; thence S 00°05'25" E a distance of 208.31 feet to the Point of Beginning; thence N 90°00'00" E a distance of 69.98 feet; thence S 00°03'47" E a distance of 140.00 feet; thence S 90°00'00" W a distance of 69.91 feet; thence N 00°05'25" W a distance of 140.00 feet to the Point of Beginning; and containing 0.23 acres, more or less.

Grantor shall remain responsible for the maintenance and upkeep and repair of the easement provided however, that both Grantor and Grantee shall share equally the expenses of the non-exclusive easement and Grantee shall have all the expenses of the exclusive easement. Grantee shall maintain general liability insurance on said easement and Grantor shall be listed as an additional insured.

Grantee shall pay Grantor any real estate taxes due on the exclusive easement before they become delinquent. The amount due and owing Grantor shall be calculated by taking the total amount of taxes that are assessed against the entire track of property that the exclusive easement is upon and establish the portion of the tax that is due to the land value exclusive of buildings on said track by calculating the percentage of value that land has to the whole (land and buildings) as determined by the Assessor; then calculate the percentage of area the exclusive easement is upon said tract and multiplying it with the portion of the tax that is due to the land value exclusive of buildings.

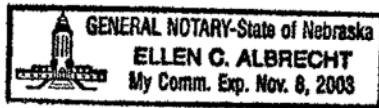
IN WITNESS WHEREOF, the Grantor has caused this easement to be signed on the day and year first above written.

J. W. Properties, L.L.C.,  
By: [Signature]  
John F. White, Manager

STATE OF NEBRASKA     )  
                                  )     ss.  
COUNTY OF SARPY     )

On this 30th day of November 2000, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came John F. White, Manager of J. W. Properties, L.L.C., a Nebraska Limited Liability Company,, to me personally known to be the identical person whose name is affixed to the foregoing instrument and who acknowledged the same to be his voluntary act and deed as manager on behalf of the Company.

Witness my hand notarial seal on this 30th day of November 2000.



[Signature]  
Notary Public

**Tract 2:**

Part c  
Nebraska &  
From th  
along the w  
feet; thenc  
Beginning;  
S 90°00'00  
containing (



LEG

1 INCH =

- ▲ - Subdivisional C  
 ○ - Computed Point  
 ● - 5/8" X 24" Re  
 ○ - 5/8" Open To  
 □ - 3/4" Pinch To  
 (C) - Computed Dist  
 (R) - Recorded Dist  
 (M) - Measured Dist  
 ▤ ... Ingress Egress  
 ▦ Ingress Egress  
 ▧ Parking

**TIES TO SUBDIVISIONAL CORNERS:**

- ① Southwest Corner of Section 7-15-11  
FOUND BRASS CAP FLUSH WITH CONCRETE IN  
CENTERLINE OF HIGHWAY  
90.00' E to 5/8" rebar

- ② W/4 Corner of Section 7-15-11  
FOUND BRASS CAP FLUSH WITH CONCRETE IN  
CENTERLINE HIGHWAY  
89.82' ENE to 60d spike in power pole

**LEGAL DESCRIPTION:**

**Tract 1:**

Part of the SW¼ SW¼ of Section 7, Township 15 North, Range 11 East of the 6th Principal Meridian, Douglas County, Nebraska and more particularly described as follows:

From the southwest corner of Section 7, Township 15 North, Range 11 East; thence N 00°05'59" W (assumed bearing) along the west line of the SW¼ of said Section 7 a distance of 1224.36 feet; thence N 90°00'00" E a distance of 375.75 feet; thence S 85°05'12" E a distance of 120.66 feet; thence S 00°05'25" E a distance of 208.31 feet to the Point of Beginning; thence continuing S 00°05'25" E a distance of 140.00 feet; thence S 90°00'00" W a distance of 134.94 feet; thence N 00°07'59" W a distance of 140.00 feet; thence N 90°00'00" E a distance of 135.04 feet to the Point of Beginning; and containing 0.43 Acres, more or less.

**Tract 2:**

Part of the SW¼ SW¼ of Section 7, Township 15 North, Range 11 East of the 6th Principal Meridian, Douglas County, Nebraska and more particularly described as follows:

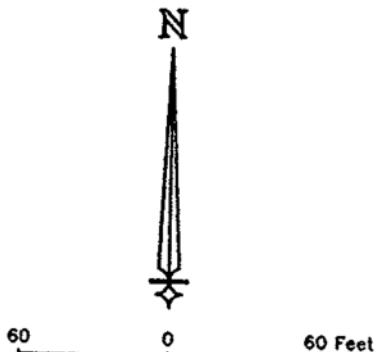
From the southwest corner of Section 7, Township 15 North, Range 11 East; thence N 00°05'59" W (assumed bearing) along the west line of the SW¼ of said Section 7 a distance of 1224.36 feet; thence N 90°00'00" E a distance of 375.75 feet; thence S 85°05'12" E a distance of 120.66 feet; thence S 00°05'25" E a distance of 208.31 feet to the Point of Beginning; thence N 90°00'00" E a distance of 69.88 feet; thence S 00°03'47" E a distance of 140.00 feet; thence S 90°00'00" W a distance of 69.91 feet; thence N 00°05'25" W a distance of 140.00 feet to the Point of Beginning; and containing 0.23 Acres, more or less.

**SURVEYOR'S CERTIFICATION:**

I hereby certify that the survey shown and described hereon was made under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

*Richard L. Hansen*  
Richard L. Hansen  
Registered Land Surveyor  
Registration No. LS-382  
Date: June 21, 2000  
Client: Bob Arthaloney  
Job No. 00-086  
Revised: October 19, 2000

Corrected distance from Southwest corner of Section 7 north, and added Ingress Egress easement.



**LEGEND**

1 INCH = 60 FEET

- △ - Subdivisional Corner Found (See Tie Text)
- - Computed Point (Not Set)
- - 5/8" X 24" Rebar Set
- - 5/8" Open Top Pipe Found
- - 3/4" Pinch Top Pipe Found
- (C) - Computed Distance
- (R) - Recorded Distance
- (M) - Measured Distance

... Ingress Egress Easement

⊞ Ingress Egress and Parking Easement

**INGRESS EGRESS EASEMENT DESCRIPTION:**

A strip of land varying in width over and across a portion of the SW¼ SW¼ of Section 7, Township 15 North, Range 11 East of the 6th Principal Meridian, Douglas County, Nebraska and more particularly described as follows:

From the southwest corner of Section 7, Township 15 North, Range 11 East; thence N 00°05'59" W along the west line of the SW¼ of said Section 7 a distance of 1224.36 feet; thence N 90°00'00" E a distance of 374.97 feet; thence S 00°07'59" E a distance of 218.65 feet to a point on the north line of a 0.43 Acre tract of land as surveyed by Richard L. Hansen, LS-382, and dated June 21, 2000 and revised October 19, 2000; thence S 90°00'00" W along the north line of said surveyed 0.43 Acre tract of land a distance of 15.00 feet to the northwest corner of said surveyed 0.43 Acre tract of land; thence S 00°07'59" E along the west line of said surveyed 0.43 Acre tract of land a distance of 24.76 feet to the Point of Beginning; thence S 89°55'47" E a distance of 113.02 feet; thence N 00°05'25" W a distance of 24.90 feet to a point on the north line of said surveyed 0.43 Acre tract of land; thence N 90°00'00" E along said north line a distance of 22.00 feet to the northwest corner of a 0.23 Acre tract of land surveyed by Richard L. Hansen, LS-382, and dated June 21, 2000 and revised October 19, 2000; thence S 00°05'25" E along the west line of said surveyed 0.23 Acre tract of land a distance of 140.00 feet to the southwest corner of said surveyed 0.23 Acre tract of land; thence S 90°00'00" W along the south line of said surveyed 0.43 Acre tract of land a distance of 22.00 feet; thence N 00°05'25" W a distance of 95.10 feet; thence N 89°55'47" W a distance of 113.01 feet to a point on the west line of said surveyed 0.43 Acre tract of land; thence N 00°07'59" W along the west line of said surveyed 0.43 Acre tract of land a distance of 20.00 feet to the Point of Beginning.

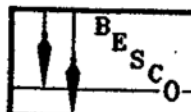
120

70.34(C)  
70.25(R)

336.26(M)  
336.27(R)  
S 00°02'00" E

70.0(R)  
9.90(M)

-15-11  
USH WITH CONCRETE IN  
Y  
spike in power pole  
reel "x" in light pole base  
iter manhole lid  
pike in power pole



BLAIR ENGINEERING &  
SURVEYING CO. INC.  
936 GRANT ST., P.O. Box 100  
BLAIR, NEBRASKA, 68008-0100  
(402) 426-9416