

Jamp, Myerson & Associates
14747 California St.
Omaha, NE 68134-1979
D. Amy Kathol



PERMANENT STORM SEWER AND DRAINAGEWAY EASEMENT

THAT Gottsch Enterprises, a Nebraska General Partnership, hereinafter referred to as GRANTOR, (whether one or more), for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the Sanitary and Improvement District No. 404 of Douglas County, Nebraska, hereinafter referred to as SID, and to its successors and assigns, an easement for the right to construct, maintain and operate a Permanent Storm Sewer and Drainageway (hereafter "Sewer") on the real property that is legally described on the attached Exhibits "A" through "A-2" as more specifically shown on "A-3" through "A-7".

TO HAVE AND TO HOLD unto said SID, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining or operating said Sewer at the will of the SID. The GRANTOR may, following construction of said Sewer, continue to use the surface of the easement property for other purposes, subject to the right of the SID to use the same for the purposes herein expressed. It is further agreed as follows:

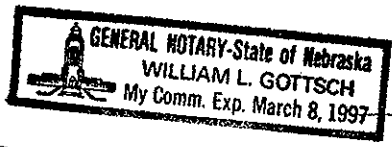
1. This easement runs with the land. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures, shall be placed in, on, over, or across said easement strip by GRANTOR, his or their successors and assigns without express approval of the SID. Improvements which may be approved by SID include landscaping or road, street or parking area surfacing or pavement. These improvements and any trees, grass or shrubbery placed on said easement shall be maintained by GRANTOR, its successors or assigns.
 2. That SID will replace or rebuild any and all damage to improvements caused by SID exercising its rights of inspecting, maintaining or operating said Sewer, except that, damage to, or loss of, trees and shrubbery will not be compensated for by SID.
 3. That SID shall cause any trench made on said easement strip to be properly refilled and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee, or representative of the SID and any of said construction and work.
 4. That said GRANTOR, for itself and for its successors and assigns, does hereby confirm with the said SID and its successors and assigns, that GRANTOR is well seized in fee of the above described property and that it has the right to grant and convey this easement in the manner and form aforesaid, and that it and its successors and assigns shall warrant and defend this easement to said SID and its assigns against the lawful claims and demands of all persons.
 5. That said easement is granted upon the condition that the SID will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, trees within the easement area as necessary for construction.
 6. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings between the GRANTOR and the SID or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the SID or its agents or employees, except as are set forth herein.
 7. In the event of annexation by the City of Elkhorn, then this easement shall transfer to the City.
- IN WITNESS WHEREOF, GRANTOR has executed this easement this 10th day of October, 1995.

GRANTOR: Gottsch Enterprises, a Nebraska General Partnership

By: *Brett Gottsch*
Brett Gottsch, Partner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 10 day of Oct, 1995 by Brett Gottsch, Partner of Gottsch Enterprises, a Nebraska General Partnership, on behalf of the partnership.



William L. Gottsch
Notary Public

RECEIVED

SEP 6 2 15 PM '96

GEORGE J. BUTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

10/30 6:15:11 01-6000
FEE 70.50 R
DEL. G/O G/O IP
LEGAL PG 159 SCAN gnw

48

LEGAL DESCRIPTION

That part of Section ^{DDW}6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the southwest corner of the Southeast Quarter of Section 6; ^{DDW}

Thence North 86°46'20" East (bearings referenced to the Nebraska State Plane System NAD 1983) for 370.73 feet along the south line of the Southeast Quarter of Section 6; ^{DDW}

Thence North 03°13'40" West for 161.47 feet to the north right of way line of West Maple Road (State Highway # 64) and the TRUE POINT OF BEGINNING;

Thence North 44°41'20" West for 566.27 feet;

Thence North 50°02'32" West for 94.10 feet;

Thence North 57°36'36" West for 69.40 feet;

Thence North 64°43'07" West for 109.06 feet;

Thence North 71°29'49" West for 132.62 feet;

Thence North 89°50'52" West for 339.25 feet;

Thence South 83°03'20" West for 358.18 feet;

Thence South 88°08'31" West for 335.32 feet;

Thence North 00°00'00" East for 174.26 feet;

Thence North 12°39'57" West for 261.16 feet;

Thence South 81°37'37" West for 466.98 feet;

Thence North 56°04'13" West for 198.86 feet;

Thence North 00°35'37" West for 193.01 feet;

Thence North 05°32'23" East for 300.40 feet;

Thence North 10°56'32" West for 152.78 feet;

Thence North 03°47'50" West for 226.50 feet;

Thence North 30°55'26" East for 247.13 feet;

Thence North 19°20'40" East for 199.25 feet;

Thence North 45°32'08" East for 151.33 feet;

Thence North 89°32'17" East for 124.00 feet;

Thence North 40°36'05" East for 46.10 feet;

Thence North 05°18'52" West for 129.56 feet;

Thence North 47°02'57" West for 375.71 feet;

Thence North 13°49'23" West for 456.21 feet;

Thence North 01°20'58" West for 428.14 feet;

Thence South 86°40'52" West for 100.00 feet;

Thence North 02°28'26" West for 791.87 feet;

Thence North 87°30'40" East for 35.00 feet;

Thence North 04°07'04" East for 210.66 feet;

Thence North 37°35'43" East for 269.11 feet;

Thence North 02°41'45" West for 110.00 feet to the north line of the Northwest Quarter of Section 6; ^{DDW}

Thence North 87°18'15" East for 503.80 feet along the north line of the Northwest Quarter of Section 6 (centerline of Fort Street);

March 2, 1995

LAMP, RYNEARSON & ASSOCIATES, INC.

93014-1256 (SID Boundary for Golf Course)

Page 1 of 2

Exhibit "A"

LEGAL DESCRIPTION (continued)

Thence South 29°09'26" East for 496.54 feet;
 Thence South 02°50'07" West for 216.68 feet;
 Thence South 87°58'13" East for 807.64 feet;
 Thence South 54°11'54" East for 763.11 feet;
 Thence South 16°58'19" West for 125.53 feet;
 Thence South 66°29'50" West for 210.00 feet;
 Thence South 01°18'48" West for 160.00 feet;
 Thence South 76°40'09" East for 200.00 feet;
 Thence South 06°48'34" East for 200.00 feet;
 Thence South 32°09'16" East for 473.65 feet;
 Thence South 90°00'00" East for 134.83 feet;
 Thence North 59°06'25" East for 147.23 feet;
 Thence North 13°19'51" East for 1117.06 feet;
 Thence North 50°53'32" East for 92.18 feet;
 Thence North 82°07'30" East for 212.13 feet;
 Thence South 47°12'56" East for 134.34 feet;
 Thence South 22°20'07" East for 228.70 feet;
 Thence South 15°42'30" East for 315.00 feet;
 Thence North 72°04'41" East for 210.00 feet;
 Thence North 70°17'29" East for 328.22 feet;
 Thence North 67°04'08" East for 458.91 feet;
 Thence South 33°23'18" East for 71.36 feet;
 Thence South 34°00'56" West for 248.99 feet;
 Thence South 21°56'55" West for 291.03 feet;
 Thence South 26°22'35" West for 388.85 feet;
 Thence South 42°00'49" West for 194.17 feet;
 Thence South 35°44'40" West for 215.31 feet;
 Thence South 14°13'44" West for 109.69 feet;
 Thence South 27°20'09" West for 243.54 feet;
 Thence South 18°00'39" West for 195.34 feet;
 Thence South 39°25'04" West for 330.85 feet;
 Thence South 42°30'17" West for 742.21 feet;
 Thence South 21°03'37" West for 131.60 feet;
 Thence South 04°49'24" West for 130.59 feet;
 Thence South 06°19'03" East for 516.11 feet;
 Thence South 01°07'25" East for 216.22 feet;
 Thence South 07°30'26" East for 348.48 feet to the north right of way line of
 West Maple Road;
 Thence South 85°54'19" West for 541.73 feet to the Point of Beginning.
 Contains 294.56 acres.

NE
NW } NE
SE }
SW }

NE
NW } NW
SE }
SW }

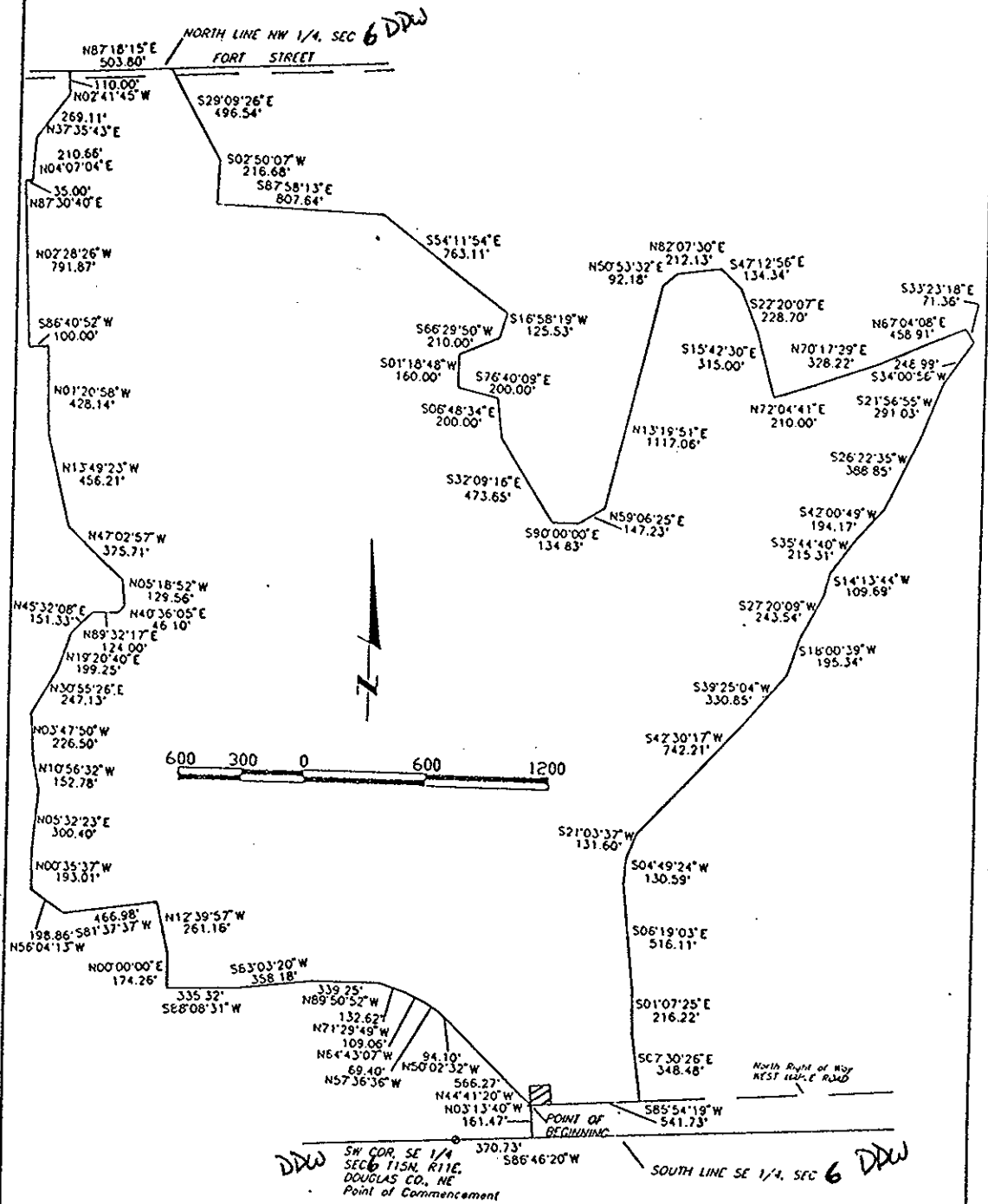
NW
SE } SE
SW }

NE
NW } SW
SE }
SW }

March 2, 1995.
LAMP, RYNEARSON & ASSOCIATES, INC.
93014-1256 (SID Boundary for Golf Course)

Exhibit "A-1"

SID BOUNDARY

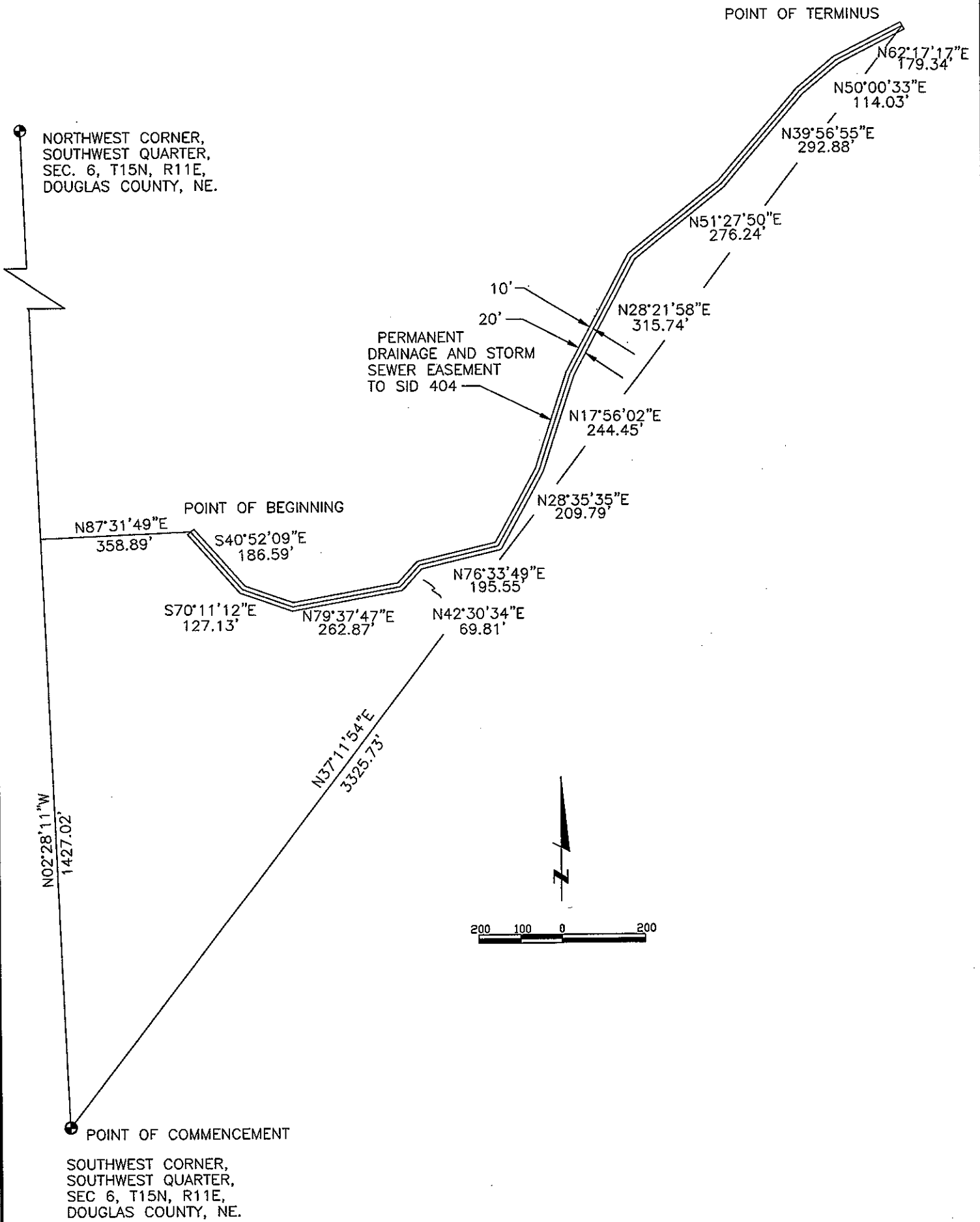


Book _____ Page _____ Date March 5, 1995 Job Number 93014-1256

lamp, ryneason & associates, inc.
 engineers surveyors planners
 14747 california street omaha, nebraska 68154-1979
 402-496-2498
 FAX 402-496-2730

Exhibit "A-2"

EXHIBIT A-3



9451\DA3

Book _____ Page _____ Date OCTOBER 10, 1995 Dwn.By AET Job Number 94951-6410



lamp, rynearson & associates, inc.
engineers surveyors planners

14747 california street

omaha, nebraska 68154-1979

402-496-2498
FAX 402-496-2730

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of drainageways and storm sewers over a twenty foot (20') strip easement in the West Half of Section 6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 6;

Thence North 02°28'11" West (bearings referenced to the Nebraska State Plane System, NAD 1983) for 1427.02 feet along the west line of the said Southwest Quarter of Section 6;

Thence North 87°31'49" East for 358.89 feet to the TRUE POINT OF BEGINNING on the centerline of said twenty foot strip easement;

Thence South 40°52'09" East for 186.59 feet;

Thence South 70°11'12" East for 127.13 feet;

Thence North 79°37'47" East for 262.87 feet;

Thence North 42°30'34" East for 69.81 feet;

Thence North 76°33'49" East for 195.55 feet;

Thence North 28°35'35" East for 209.79 feet;

Thence North 17°56'02" East for 244.45 feet;

Thence North 28°21'58" East for 315.74 feet;

Thence North 51°27'50" East for 276.24 feet;

Thence North 39°56'55" East for 292.88 feet;

Thence North 50°00'33" East for 114.03 feet;

Thence North 62°17'17" East for 179.34 feet to the Point of Terminus.

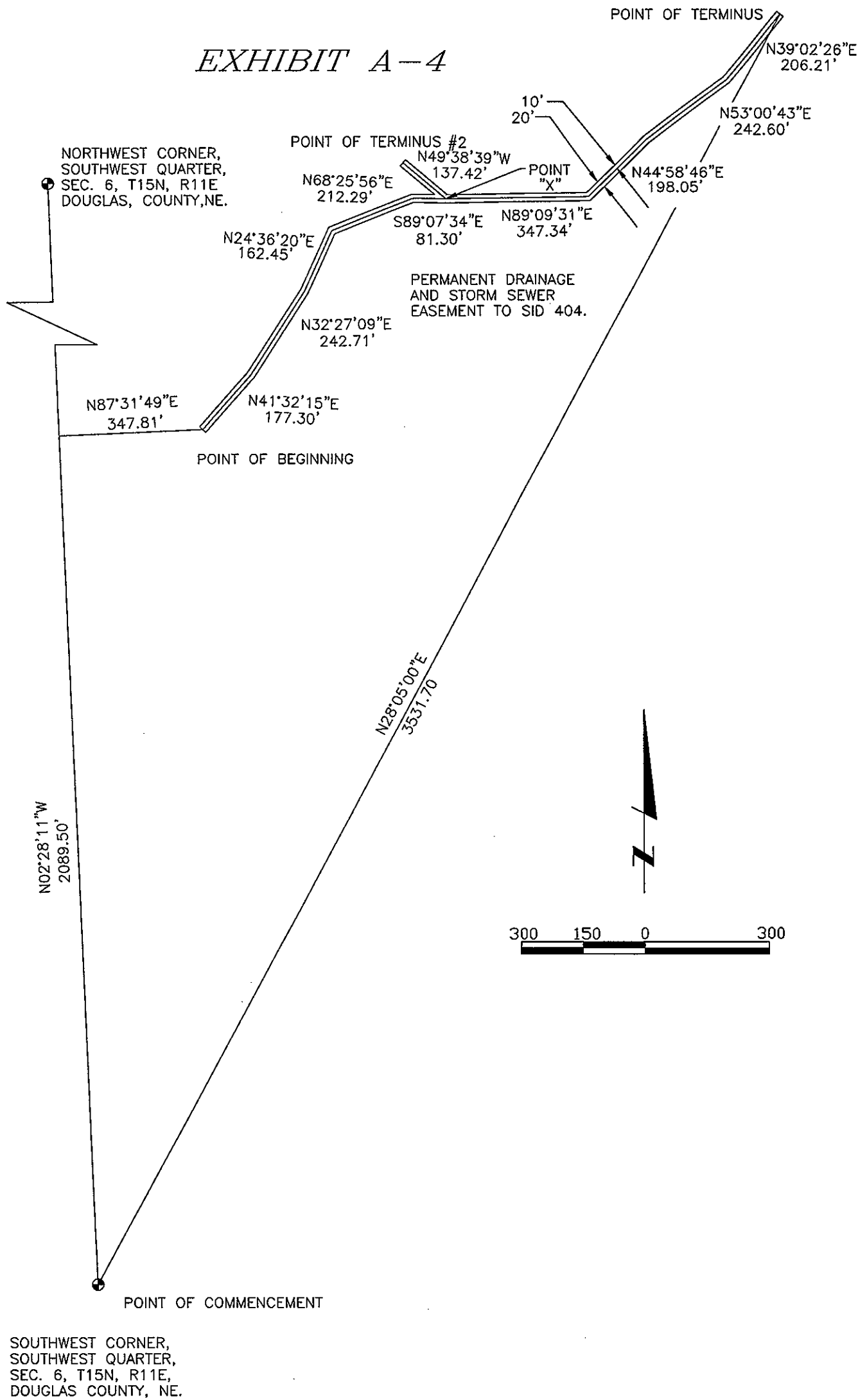
Said Point of Terminus lies North 37°11'54" East for 3325.73 feet from the Point of Commencement.

SE NW
NE } SW
NW }
SW

EXHIBIT A-3

October 10, 1995
LAMP, RYNEARSON & ASSOCIATES, INC.
94951-6410

EXHIBIT A-4



9450\DB3

Book _____ Page _____ Date OCTOBER 10, 1995 Dwn.By AET Job Number 94951-6410



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LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of drainageways and storm sewers over a twenty foot (20') strip easement in the West Half of Section 6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 6;

Thence North 02°28'11" West (bearings referenced to the Nebraska State Plane System, NAD 1983) for 2089.50 feet along the west line of the said Southwest Quarter of Section 6;

Thence North 87°31'49" East for 347.81 feet to the TRUE POINT OF BEGINNING on the centerline of said twenty foot strip easement;

Thence North 41°32'15" East for 177.30 feet;

Thence North 32°27'09" East for 242.71 feet;

Thence North 24°36'20" East for 162.45 feet;

Thence North 68°25'56" East for 212.29 feet;

Thence South 89°07'34" East for 81.30 feet to Point "X";

Thence North 89°09'31" East for 347.34 feet;

Thence North 44°58'46" East for 198.05 feet;

Thence North 53°00'43" East for 242.60 feet;

Thence North 39°02'26" East for 206.21 feet to the Point of Terminus.

Said Point of Terminus lies North 28°05'00" East for 3531.70 feet from the Point of Commencement.

SW NW
NW SW

TOGETHER WITH a twenty foot (20') strip easement Beginning at Point "X";

Thence North 49°38'39" West for 137.42 feet to a second Point of Terminus.

EXHIBIT A-4

October 10, 1995
LAMP, RYNEARSON & ASSOCIATES, INC.
94951-6410

EXHIBIT A-5

NORTHWEST CORNER,
NORTHWEST QUARTER,
SEC. 6, T15N, R11E,
DOUGLAS COUNTY, NE.

POINT OF TERMINUS

PERMANENT
DRAINAGE AND STORM
SEWER EASEMENT
TO SID 404.

N18°53'18"E
230.19'

N25°53'19"E
265.97'

N87°28'08"E
506.14'

N57°20'52"E
71.40'

POINT OF
COMMENCEMENT

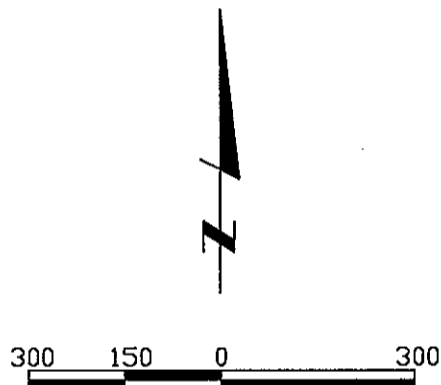
10'
20'

N02°31'52"W
1,362.08'

N°20'06"E
2003.57'

POINT OF COMMENCEMENT

SOUTHWEST CORNER
NORTHWEST QUARTER
SEC. 6, T15N, R11E,
DOUGLAS COUNTY, NE.



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Book _____ Page _____ Date OCTOBER 10, 1995 Dwn.By AET Job Number 94951-6410



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LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of drainageways and storm sewers over a twenty foot (20') strip easement in the Northwest Quarter of Section 6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Section 6;

Thence North 02°31'52" West (bearings referenced to the Nebraska State Plane System, NAD 1983) for 1362.08 feet along the west line of the said Northwest Quarter of Section 6;

Thence North 87°28'08" East for 506.14 feet to the TRUE POINT OF BEGINNING on the centerline of said twenty foot strip easement;

Thence North 57°20'52" East for 71.40 feet;

Thence North 25°53'19" East for 265.97 feet;

Thence North 18°53'18" East for 230.19 feet to the Point of Terminus;

Said Point of Terminus lies North 20°20'06" East for 2003.57 feet from the Point of Commencement.

NW NW

EXHIBIT A-5

October 10, 1995
LAMP, RYNEARSON & ASSOCIATES, INC.
94951-6410

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of drainageways and storm sewers over a twenty foot (20') strip easement in the Northwest Quarter of Section 6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 6;

Thence North $87^{\circ}18'15''$ East (bearings referenced to the Nebraska State Plane System, NAD 1983) for 1086.08 feet along the north line of the said Northwest Quarter of Section 6;

Thence South $02^{\circ}41'45''$ East for 438.81 feet to the TRUE POINT OF BEGINNING on the centerline of said twenty foot strip easement;

Thence South $89^{\circ}45'21''$ East for 268.15 feet;

Thence North $66^{\circ}54'29''$ East for 62.27 feet to the Point of Terminus;

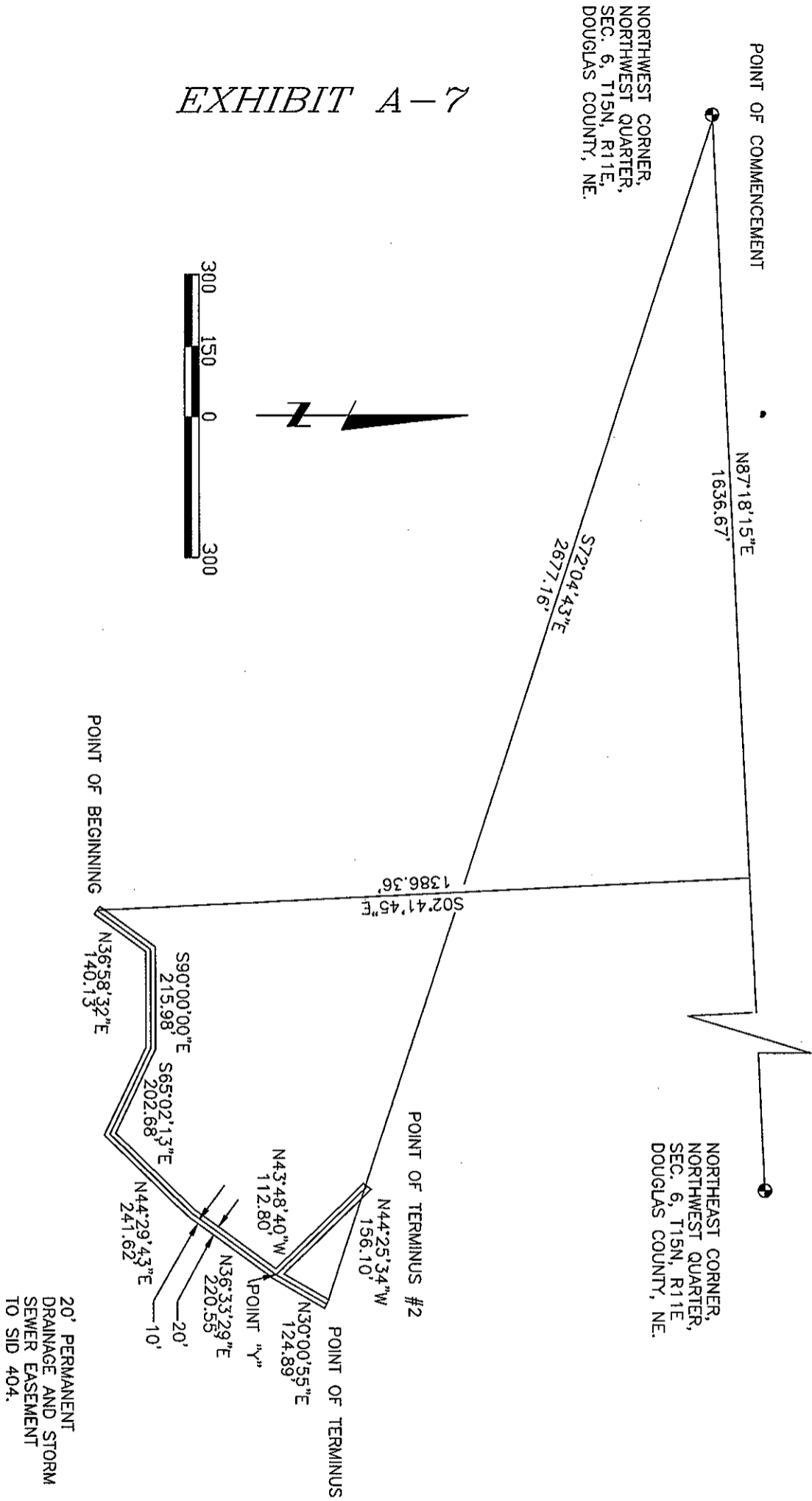
Said Point of Terminus lies South $75^{\circ}43'46''$ East for 1476.51 feet from the Point of Commencement.

NW NW

EXHIBIT A-6

October 10, 1995
LAMP, RYNEARSON & ASSOCIATES, INC.
94951-6410

EXHIBIT A-7



9451\DA-7

Book _____ Page _____ Date OCTOBER 10, 1995 Dwn.By AET Job Number 94951-6410



lamp, rynearson & associates, inc.
engineers surveyors planners

14747 california street

omaha, nebraska 68154-1979

402-498-2498
FAX 402-498-2730



LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of drainageways and storm sewers over a twenty foot (20') strip easement in the Northwest Quarter of Section 6, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 6;

Thence North 87°18'15" East (bearings referenced to the Nebraska State Plane System, NAD 1983) for 1636.67 feet along the north line of the said Northwest Quarter of Section 6;

Thence South 02°41'45" East for 1386.36 feet to the TRUE POINT OF BEGINNING on the centerline of said twenty foot strip easement;

Thence North 36°58'32" East for 140.13 feet;

Thence South 90°00'00" East for 215.98 feet;

Thence South 65°02'13" East for 202.68 feet;

Thence North 44°29'43" East for 241.62 feet;

Thence North 36°33'29" East for 220.55 feet to Point "Y";

Thence North 30°00'55" East for 124.89 feet to the Point of Terminus;

Said Point of Terminus lies South 72°04'43" East for 2677.16 feet from the Point of Commencement.

TOGETHER WITH a twenty foot (20') strip easement Beginning at Point "Y";

Thence North 43°48'40" West for 112.80 feet;

Thence North 44°25'34" West for 156.10 feet to a second Point of Terminus.

NE } NW
SE }

EXHIBIT A-7

October 10, 1995
LAMP, RYNEARSON & ASSOCIATES, INC.
94951-6410