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2004 APR 15 P 3:48

INST. NO 2004

LANCASTER COUNTY, NE

023167

BLOCK	NO
CODE	HOBIC 3
CHECKED	<input checked="" type="checkbox"/>
ENTERED	<input checked="" type="checkbox"/>
EDITED	<input checked="" type="checkbox"/>

NONEXCLUSIVE UTILITY EASEMENT

JTS Enterprises, LLC, a Nebraska limited liability company ("Grantor"), in consideration of the City of Lincoln, Nebraska's grant of utility service to the Benefited Properties, defined below, and other good and valuable consideration, does hereby create, establish and grant to **JTS Enterprises, LLC**, a Nebraska limited liability company, for its benefit and the benefit of its successors and assigns ("Grantee"), the right, privilege and easement to construct, reconstruct, maintain operate, and replace utilities in, over and through that portion of Lot 1, Horizon Business Center 3rd Addition, Lincoln, Lancaster County, Nebraska, described on Exhibit "A" which is attached hereto and incorporated herein by this reference ("Easement Premises"), for the purpose of providing service to Lot 2 and Lot 3, Horizon Business Center 3rd Addition, Lincoln, Lancaster County, Nebraska ("Benefited Properties").

This easement is subject to the following terms and conditions:

- (1) The sole rights granted herein are perpetual nonexclusive rights to use the Easement Premises for the purpose of constructing, reconstructing, maintaining, operating, and replacing utilities to provide service to the Benefited Properties.
- (2) Grantee shall be responsible for constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing any utilities installed within the Easement Premises for the benefit of the Benefited Properties.
- (3) This easement shall be permanent and shall be appurtenant to and run with the Benefited Properties.
- (4) Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the Easement Premises for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed.
- (5) Grantor covenants that it is the owner of the Easement Premises and has legal right, title and capacity to grant the access easement granted herein.

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IN WITNESS WHEREOF this easement has been executed on this 15th day of April, 2004.

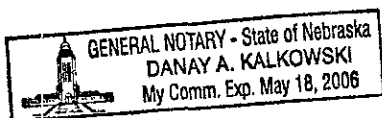
JTS ENTERPRISES, LLC, a Nebraska limited liability company, Grantor

By: [Signature]
John F. Schleich, Member

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing was acknowledged before me this 15th day of April, 2004, by John F. Schleich, Member of **JTS Enterprises, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.

[Signature]
Notary Public



O'ISSON & ASSOC.

**LEGAL DESCRIPTION
PRIVATE UTILITY EASEMENT**

A LEGAL DESCRIPTION FOR PRIVATE UTILITY EASEMENT PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 1, HORIZON BUSINESS CENTER 3RD ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 48 MINUTES 40 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 36.89 FEET TO A POINT, THENCE NORTH 02 DEGREES 28 MINUTES 53 SECONDS WEST, A DISTANCE OF 12.51 FEET TO **THE TRUE POINT OF BEGINNING**, THENCE CONTINUING NORTH 02 DEGREES 28 MINUTES 53 SECONDS WEST, A DISTANCE OF 10.01 FEET TO A POINT, THENCE NORTH 89 DEGREES 48 MINUTES 40 SECONDS EAST, A DISTANCE OF 91.51 FEET TO A POINT, THENCE SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE SOUTH 89 DEGREES 48 MINUTES 40 SECONDS WEST, A DISTANCE OF 91.11 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 913.10 SQUARE FEET OR 0.0210 ACRES, MORE OR LESS.

April 14, 2004
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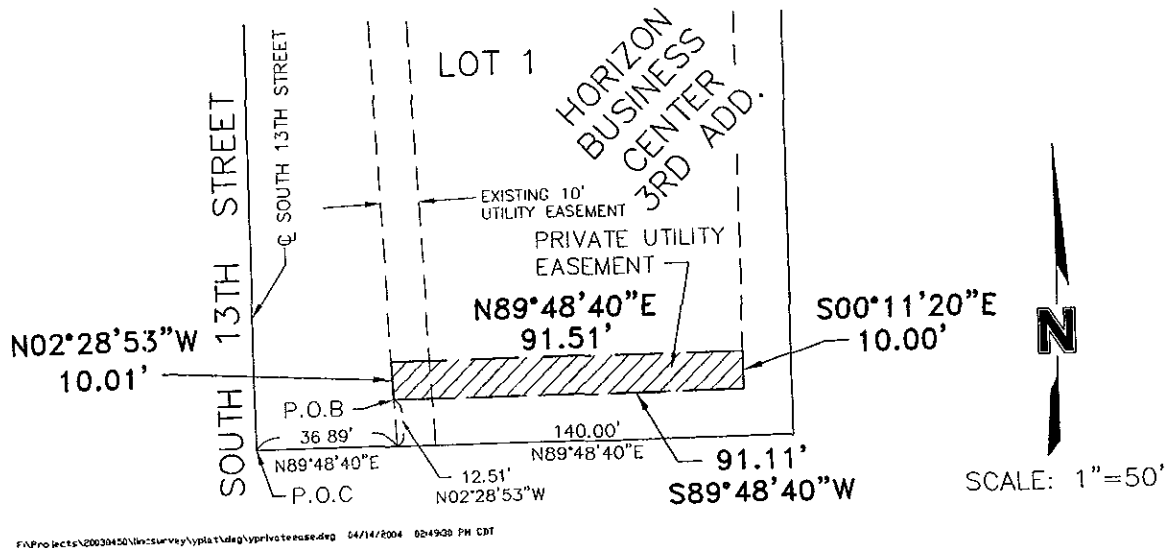


Exhibit "A"