

THIS INDENTURE, made this 20th day of March, 1968,

between Eugene J. Potach and Eleanor A. Potach hereinafter referred to as "Grantor(s)", and Sanitary and Improvement District No. 98 of Douglas County, Nebraska, hereinafter called "S. I. D. # 98".

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 S. I. D. # 98, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said S. I. D. # 98, their successors and assigns forever, a permanent sewer and drainage easement for the right to use, construct, build, lay, maintain, repair and construct sanitary or storm sewer pipe, or both, for the passage of sewer water and sewage together with all appurtenances, wires, lines, poles, structures, and other applicable equipment pertaining to any sewer, or drainage facility, in, through, over and under the parcel of land more particularly described as a PERMANENT EASEMENT on Exhibit "A" attached hereto which by reference is made a part hereof. The said permanent easement described on Exhibit "A" shall run with the land.

No buildings, improvements, or structures, shall be placed in, on, over, or across said permanent easement by the undersigned, his or their successors and assigns without express approval of S. I. D. # 98, their successors and assigns. Any trees, grass, and shrubbery placed on said permanent easement ~~shall~~ ^{may} be maintained by Grantor(s), his, or their heirs, successors and assigns.

That said Grantor(s) in consideration of the above stated consideration does or do hereby grant and confirm unto said S. I. D. # 98, their successors and assigns, the right to use the parcel of described real estate more particularly described as a CONSTRUCTION EASEMENT on Exhibit "A" for construction purposes. The said construction easement runs with the land and terminates thirty (30) days after the improvement is completed.

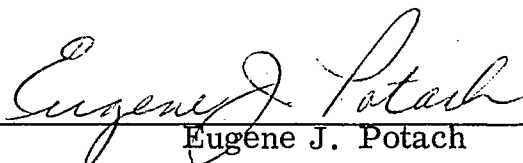
Said easements are granted upon the condition that S. I. D. # 98 will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, gardens and lawns within the area of said easements as necessary for construction, with the following exceptions:

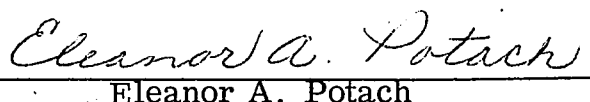
S. I. D. # 98 shall cause any trench made on aforesaid realty to be properly refilled, and shall cause the area disturbed by said easements to be sodded (sodded, seeded, paved, etc.) upon the completion of construction and shall cause the premises to be left in a neat and orderly condition. The easements are also for the benefit of any contractor, agent, employee and representative of S. I. D. # 98 and 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 S. I. D. # 98 and its 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 these easements in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators, shall warrant and defend these easements unto said S. I. D. # 98, their successors and assigns against lawful claims and demands of all persons. This easement runs with the land.

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

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


Eugene J. Potach


Eleanor A. Potach

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 20th day of March, 1968, before me a Notary

Public, in and for said County, personally came the above named:

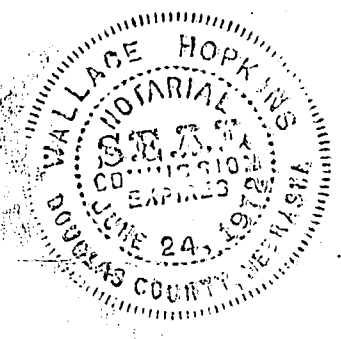
Eugene J. Potach and Eleanor A. Potach

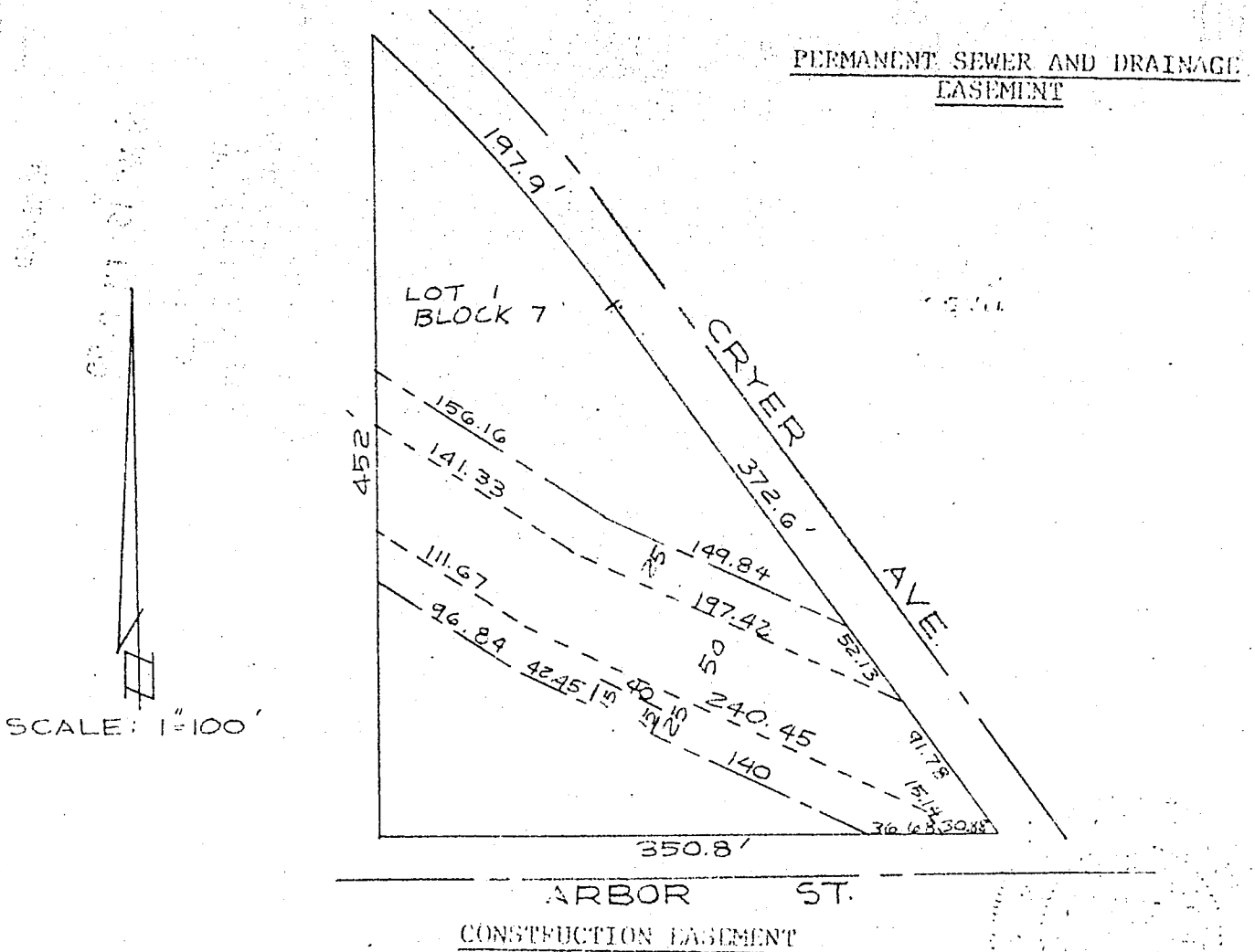
who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the above instrument and acknowledged the instrument to be his, her (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.

Wallace Hopkins

My Commission expires 24 June 1972





That part of Lot 1, Block 7, Happy Hollow View, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of said Lot 1; thence West on the South Line of said Lot 1, 67.56 feet; thence N 64° 35' 45" W, 140.00 feet; thence N 25° 20' 15" E, 15.0 feet; thence N 64° 35' 45" W, 40.0 feet; thence S 25° 20' 15" W, 15.0 feet; thence N 64° 35' 45" W, 42.45 feet; thence N 56° 11' 25" W, 96.84 feet to a point on the West line of said Lot 1, said point being 140.00 feet North of the Southwest corner of said Lot 1; thence North on the West line of said Lot 1, 170.20 feet; thence S 56° 11' 25" E, 156.16 feet; thence S 64° 35' 45" E, 149.84 feet to the Southwesterly R.O.W. Line of Cryer Avenue; thence S 35° 56' 15" E on the Southwesterly R.O.W. Line of Cryer Avenue 145.91 feet to the point of beginning (South line of said Lot 1 assumed East-West in direction).

PERMANENT EASEMENT

That part of Lot 1, Block 7, Happy Hollow View, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: Beginning at the Southeast corner of said Lot 1, thence West on the South line of said Lot 1, 30.88 feet; thence N 35° 56' 15" W, 15.14 feet; thence N 64° 35' 45" W, 240.45 feet; thence N 56° 11' 25" W, 111.67 feet to a point on the West line of said Lot 1, said point being 174.95 feet North of the Southwest corner of said Lot 1, 60.10 feet; thence S 56° 11' 25" E, 141.33 feet; thence S 64° 35' 45" E, 197.42 feet to a point on the Southwesterly R.O.W. Line of Cryer Avenue; thence S 35° 56' 15" E, 91.78 feet to the point of beginning (South Line of said Lot 1 assumed East-West in direction).

GRANTOR: POTACH, Eugene J. and Eleanor A.

GRANTEE: SANITARY & IMPROVEMENT DISTRICT NO. 98 OF DOUGLAS COUNTY, NEBR.

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ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
 16 DAY April 1968 AT 2:50 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS

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