



BK 1450 PG 721-723



MISC 2002 16543

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

02 JUL 23 AM 11:31

RECEIVED

GRANT OF EASEMENT

PERMANENT UTILITY EASEMENT

This Grant of Easement made this 28th day of JUNE, 2002, between Charvat and Associates, Inc., hereinafter referred to as "Grantor", in favor of the City of Valley, Nebraska, hereinafter referred to as "Grantee."

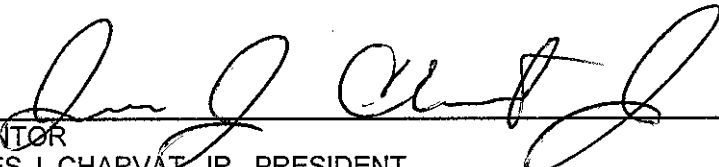
THAT, said Grantor in consideration of the sum of Two dollars (\$ 2.00), and other valuable consideration, the following grants and agreements are made:

1. Grantor does hereby grant and confirm unto the Grantee the right to use the parcel of land described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

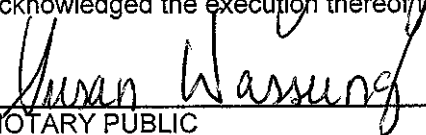
2. Grantor does hereby grant and confirm unto the Grantee, together with the right of ingress and egress from said premises for the purpose of constructing (including grading), inspecting and maintaining or operating a water main pipe at the will of the Grantee.
3. That no grading, fill or fill material, embankment work, buildings, improvements, or other structures shall be placed in, on, over or across said easement strip by Grantor, his successors and assigns, without express approval of the Grantee. Improvements which may be approved by the Grantee include landscaping, grading for roadways or development and 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, his successors or assigns.
4. Grantee shall cause any disturbance of grade made on said easement 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 Grantee and any of said construction work.
5. That said Grantor for himself and his successors and assigns, do confirm with the Grantee, that he the Grantor is well seized in fee of the above-described property and that he has the right to grant and convey this easement in the manner and form aforesaid, and that he will, and his successors and assigns, shall warrant and defend this easement to Grantee against the lawful claims and demands of all persons. This easement runs with the land.
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 Grantee or its agents; and that the Grantor, in executing and delivering this instrument, has not relied upon any promises, inducements or representations of the Grantee or its agents or employees except as are set forth herein.

IN WITNESS WHEREOF, said Grantor has executed this easement on the date first written above.

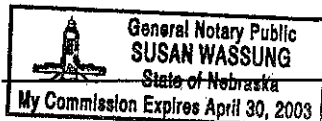

 GRANTOR
 JAMES J. CHARVAT, JR., PRESIDENT
 CHARVAT AND ASSOCIATES, INC.

STATE OF NEBRASKA)
 COUNTY OF Douglas)SS
~~SARPY~~)

On this 28th day of June, 2002, before me, a Notary Public in and for said County and State, personally appeared James J. Charvat, Jr. who executed the above and foregoing easement acknowledged the execution thereof to be their voluntary act and deed.
President of Charvat and Associates, Inc.


 NOTARY PUBLIC

My Commission expires

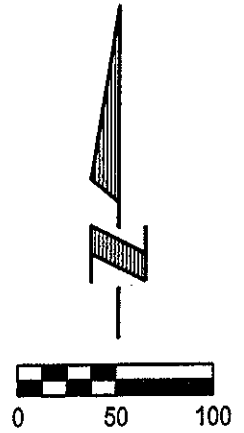


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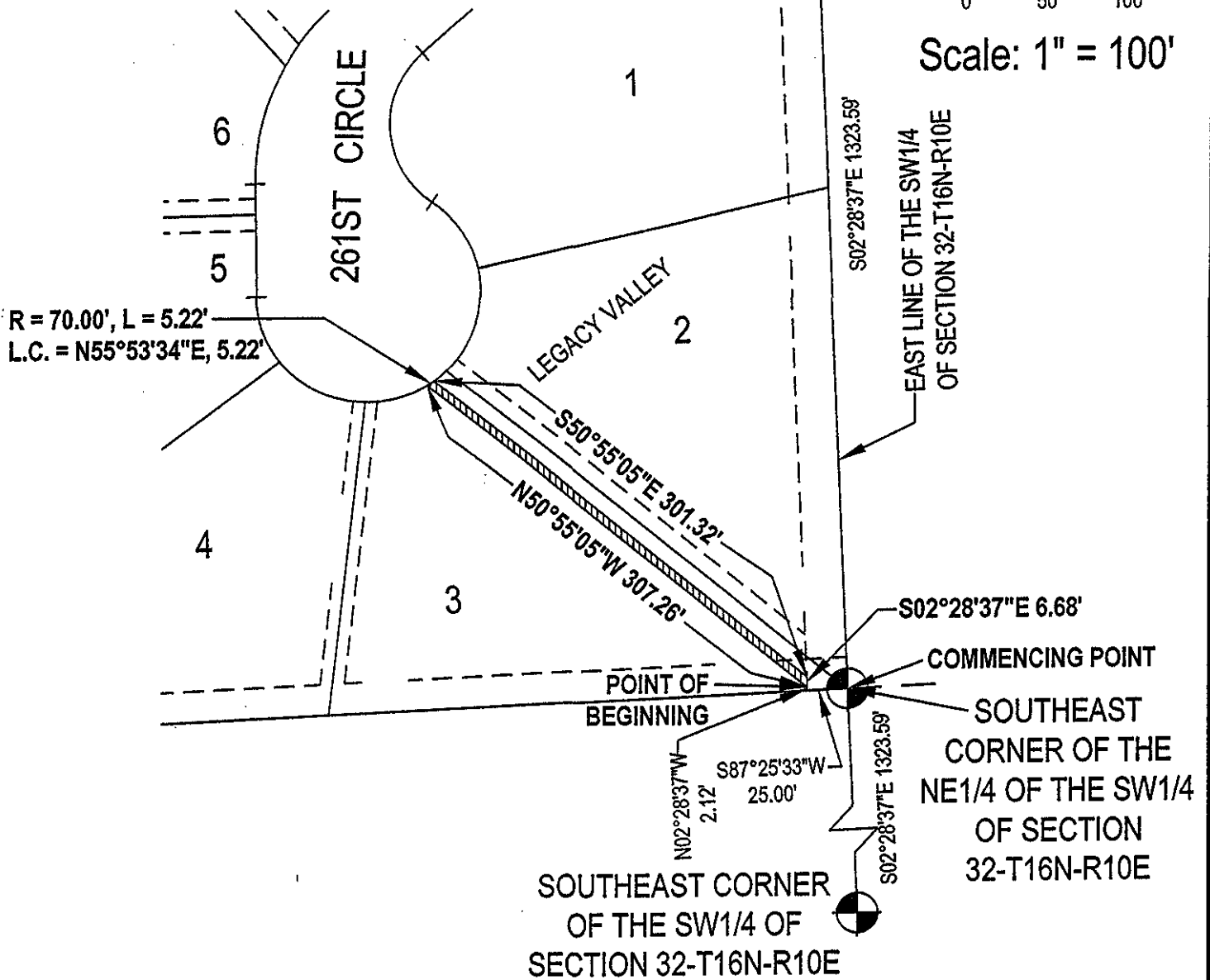
FEE 15.50 FB V1-22269
 BKP _____ C/O _____ COMP [Signature]
 DEL _____ SCAN [Signature] FV _____

EXHIBIT "A"

NORTHEAST CORNER
OF THE SW1/4 OF
SECTION 32-T16N-R10E



Scale: 1" = 100'



SHEET 1 OF 2

SEE SHEET 2 OF 2
FOR LEGAL DESCRIPTION



E&A CONSULTING GROUP, INC.
ENGINEERS • PLANNERS • SURVEYORS
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

Drawn by: KC Chkd by: *WAC* Date: *4-21-02* Chkd by: _____ Date: _____

Job No.: 2001171.01 Date: 04-25-2002

PERMANENT UTILITY EASEMENT

LEGAL DESCRIPTION
PERMANENT UTILITY EASEMENT
CHARVAT AND ASSOCIATES INC.
WARRANTY DEED, BOOK 2110, AT PAGE 519.

A PERMANENT UTILITY EASEMENT LOCATED IN LOT 3, LEGACY VALLEY, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 10 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3, LEGACY VALLEY, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE NE 1/4 OF SAID SW 1/4 OF SECTION 32; THENCE S87°25'33"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID LOT 3, LEGACY VALLEY, SAID LINE ALSO BEING THE SOUTH LINE OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 32, A DISTANCE OF 25.00 FEET; THENCE N02°28'37"W, A DISTANCE OF 2.12 FEET TO THE POINT OF BEGINNING; THENCE N50°55'05"W, A DISTANCE OF 307.26 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 261ST CIRCLE, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 3, LEGACY VALLEY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 261ST CIRCLE, SAID LINE ALSO BEING SAID NORTHERLY LINE OF LOT 3, LEGACY VALLEY ON A CURVE TO THE LEFT WITH A RADIUS OF 70.00 FEET, A DISTANCE OF 5.22 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N55°53'34"E, A DISTANCE OF 5.22 FEET; THENCE S50°55'05"E, A DISTANCE OF 301.32 FEET; THENCE S02°28'37"E, A DISTANCE OF 6.68 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT UTILITY EASEMENT CONTAINS AN AREA OF 1,521 SQUARE FEET OR 0.035 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2
FOR DRAWING

SHEET 2 OF 2



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Drawn by: KC Chkd by: *WDC* Date: *6-21-02* Chkd by: _____ Date: _____

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**PERMANENT
UTILITY EASEMENT**