

FILED SARPY CO. NE.
INSTRUMENT NUMBER
99-019722

99 JUN 22 PM 1:22

Glenn J. Lewand

REGISTER OF DEEDS

99-19722

Counter ma
Verify S
D.E. D
Proof AK
Fee \$ 17.50
Ck Cash Chg

AFTER RECORDING RETURN TO:

JAMES F. KASHER
CROKER, HUCK, KASHER, DeWITT,
ANDERSON & GONDERINGER, P.C.
2120 S 72 ST STE 1250
OMAHA NE 68124

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT **HILLTOP INDUSTRIAL PARK, L.L.C.**, a Nebraska limited liability company, (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and no/100ths Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto **SANITARY AND IMPROVEMENT DISTRICT NO. 189 OF SARPY COUNTY, NEBRASKA**, (hereinafter referred to as "Grantee"), its successors and assigns, a perpetual easement and connection right over, under, on and across that real estate in Sarpy County, Nebraska, more particularly described as follows:

That part of Lots 1, 2, 3, 15 and 16, Hilltop Industrial Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described on Exhibit "A" attached hereto and incorporated herein.

The scope and purpose of said easement is for the use, construction, repair, maintenance, replacement and renewal of storm sewer pipe line, including related appurtenances, and the transmission through said sewers of storm and other run-off water. The Grantee and its contractor and engineers shall have full right and authority to enter upon said easementway in order to perform any of the acts and functions described within the scope and purposes of such easement.

By accepting and recording this perpetual easement grant, said Grantee, Sanitary and Improvement District No. 189 of Sarpy County, Nebraska, agrees forthwith to make good or cause to be made good to the owner or owners of the property in which same are constructed, any and all damage that may be done by reason of construction, alterations, maintenance, inspection, repairs or reconstruction in the way of damage to trees, grounds, or other improvements thereon, including crops, vines and gardens.

Grantor herein, for itself, its successors and assigns, does hereby covenant and agree with the said Grantee and its successors and assigns that at the time of the execution and delivery of these presents, Grantor is lawfully seized of said premises; that Grantor has good right and lawful authority to grant said perpetual sanitary outfall sewer easement; and Grantor further hereby covenants to warrant and defend said easementway against the lawful claims of all persons whomsoever.

This instrument shall be binding on the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the 22 day of JUNE, 1999.

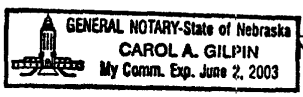
HILLTOP INDUSTRIAL PARK, L.L.C.

By: *[Signature]*
Title: Member

99-19722A

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

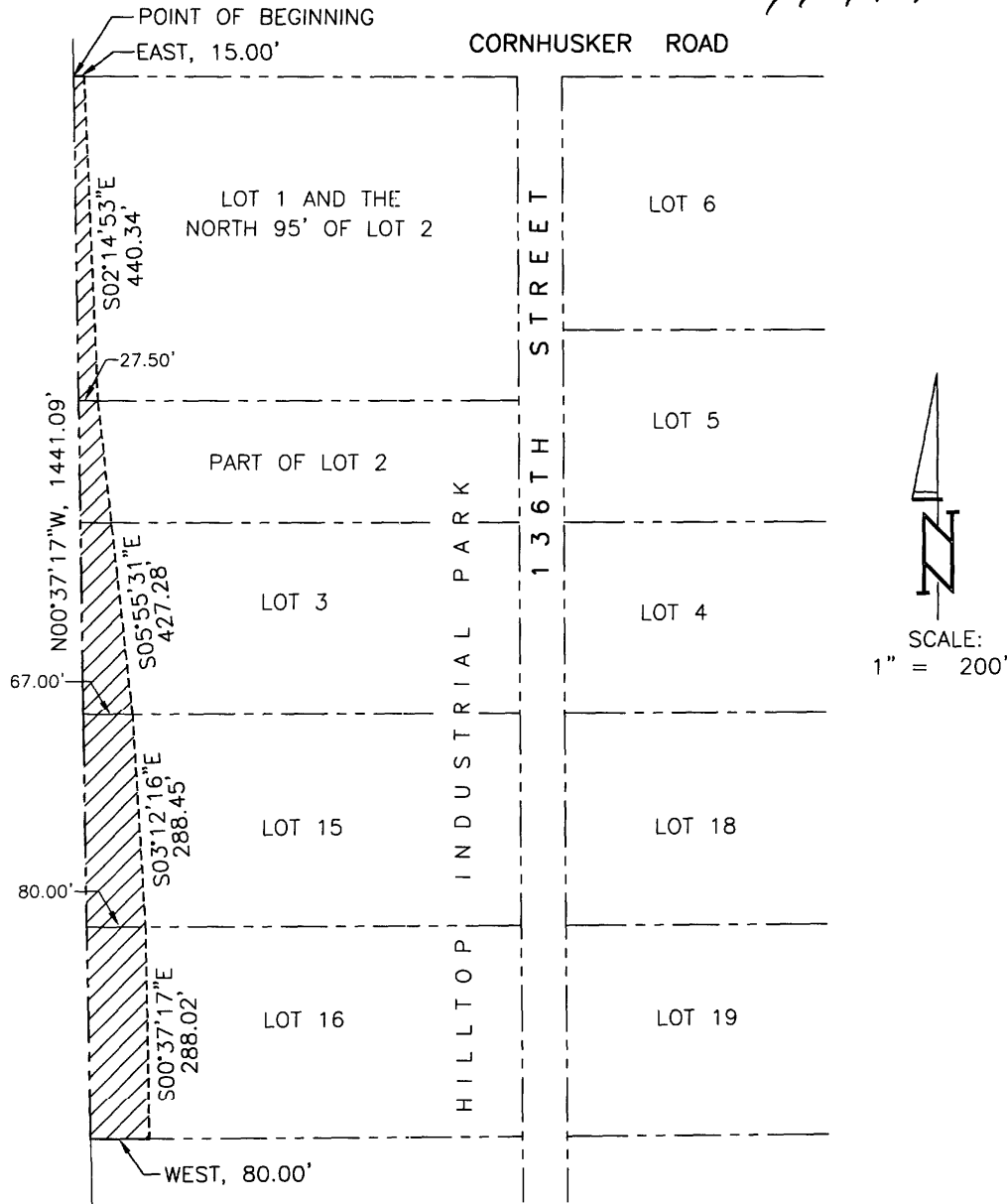
The foregoing instrument was acknowledged before me this 22 day of June, 1999, by Rudolph Mudra, Member of Hilltop Industrial Park, L.L.C., on behalf of the company.



Carol A. Gilpin

Notary Public

99-19722B



LEGAL DESCRIPTION

THAT PART OF LOTS 1, 2, 3, 15 AND 16, HILLTOP INDUSTRIAL PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 1;

THENCE EAST (ASSUMED BEARING) 15.00 FEET ON THE NORTH LINE OF SAID LOT 1;

THENCE S02°14'53"E 440.34 FEET TO THE SOUTH LINE OF THE NORTH 95.00 FEET OF SAID LOT 2;

THENCE S05°55'31"E 427.28 FEET TO THE SOUTH LINE OF SAID LOT 3;

THENCE S03°12'16"E 288.45 FEET TO THE SOUTH LINE OF SAID LOT 15;

THENCE S00°37'17"E 288.02 FEET ON A LINE 80.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 16 TO THE SOUTH LINE THEREOF;

THENCE WEST 80.00 FEET ON THE SOUTH LINE OF SAID LOT 16 TO THE SW CORNER THEREOF;

THENCE N00°37'17"W 1441.09 FEET ON THE WEST LINES OF SAID LOTS 1, 2, 3, 15 AND 16 TO THE POINT OF BEGINNING.

S.I.D. NO. 189, SARPY COUNTY TD2 FILE NO. 1086-105-E1 DATE: JUNE 21, 1999
THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

EXHIBIT "A"