

FILED SARPY CO. NE.

INSTRUMENT NUMBER  
**2002 40520**

2002 OCT 15 A 11:29

*Sharon G. Dowling*

REGISTER OF DEEDS

Counter ST A  
 Verify X  
 D.E. Sm  
 Proof D  
 Fee \$ 29.00  
 OK   Chg

AFTER RECORDING RETURN TO:

3069

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 15, 16, 17 (Exhibit "A"), 22, 23 (Exhibit "B"), 24, 25 and 26 (Exhibit "C"), Hilltop Industrial Park, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, more particularly described on Exhibits "A", "B", and "C" 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.

A

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 storm 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.

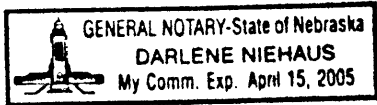
IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the 15 day of OCT, 2002.

HILLTOP INDUSTRIAL PARK, L.L.C.

By: [Signature]  
Title: President

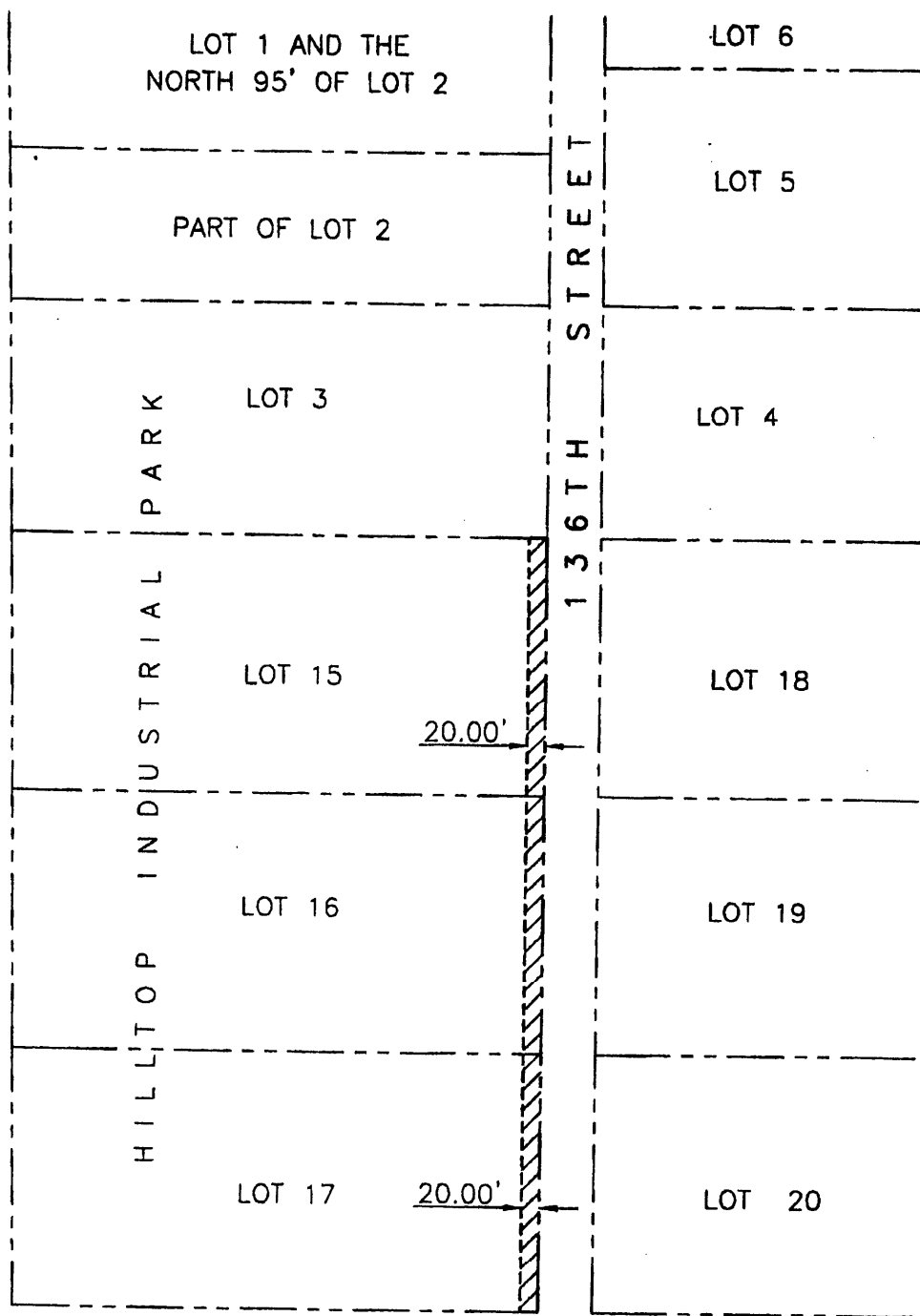
STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of October, 2002, by Rudolph R. Mudra, President of Hilltop Industrial Park, L.L.C., on behalf of the company.



[Signature]  
Notary Public

B



SCALE:  
1" = 200'

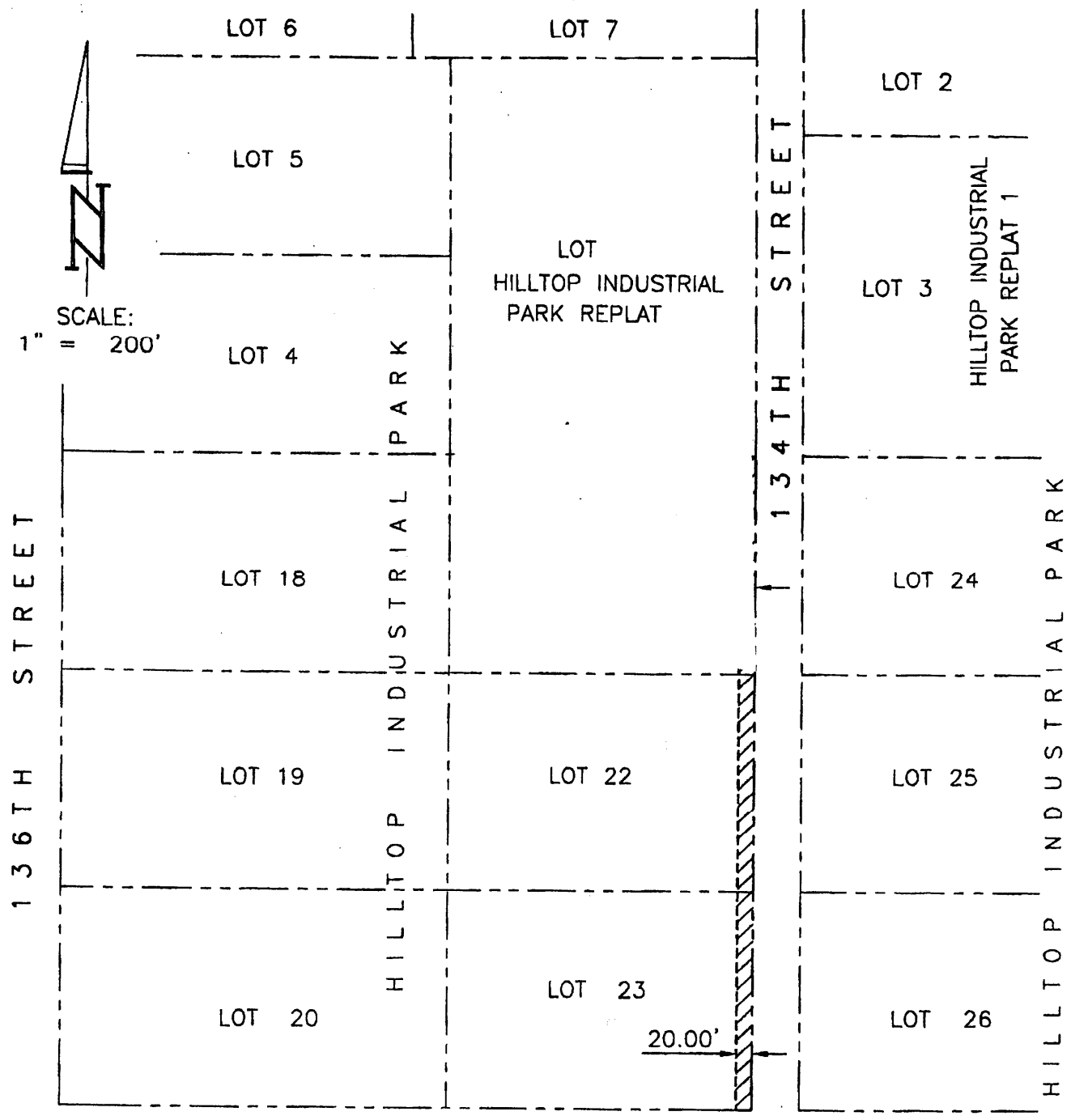
### LEGAL DESCRIPTION

THE EAST 20.00 FEET OF LOTS 15, 16 AND 17, HILLTOP INDUSTRIAL PARK,  
A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY,  
NEBRASKA.

S.I.D. NO. 189, SARPY COUNTY TD2 FILE NO. 1086-105-E2 DATE: JUNE 21, 1999  
THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

EXHIBIT "A"

C

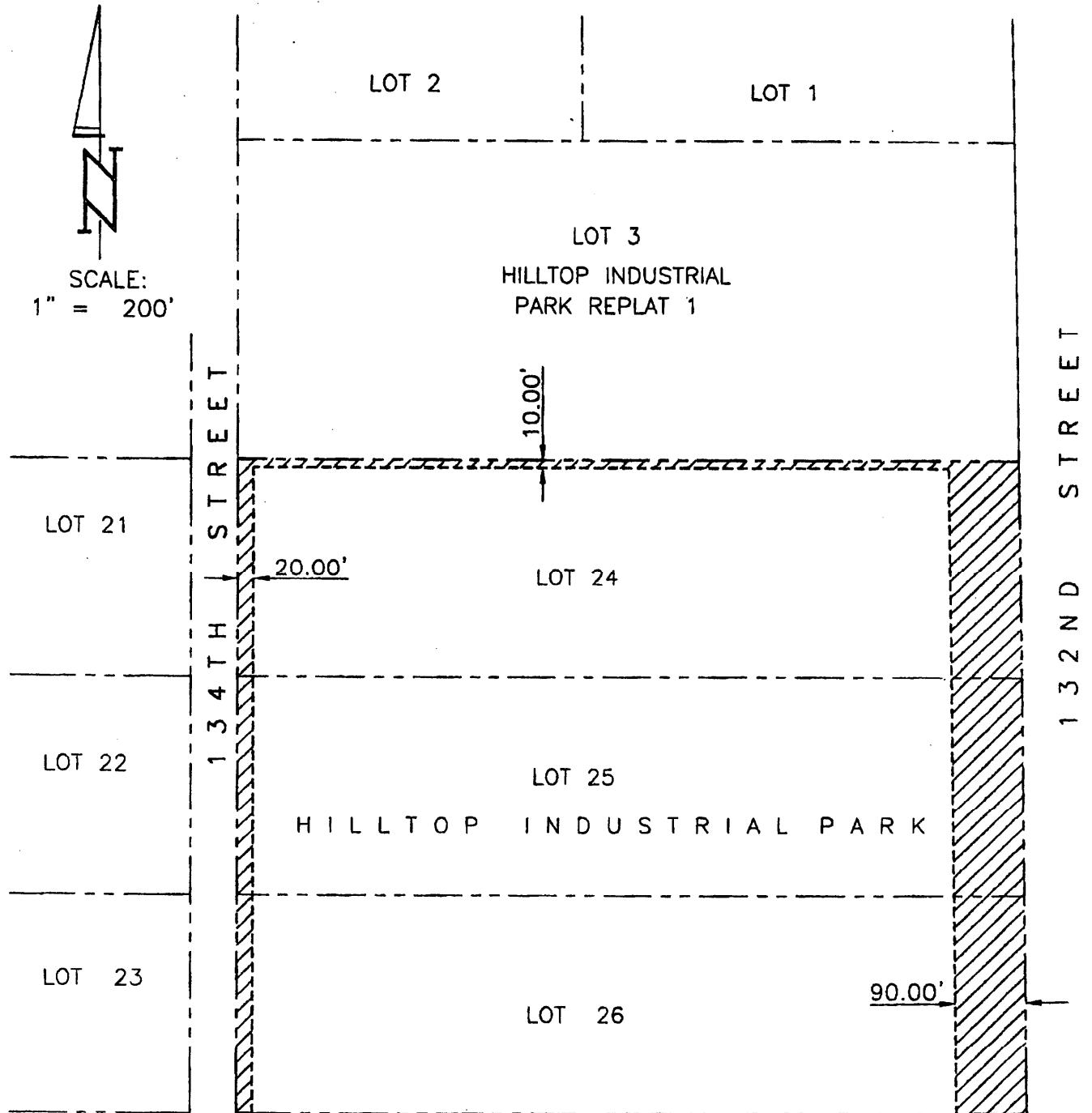


### LEGAL DESCRIPTION

THE EAST 20.00 FEET OF LOTS 22 AND 23, HILLTOP INDUSTRIAL PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.

S.I.D. NO. 189, SARPY COUNTY TD2 FILE NO. 1086-105-E4 DATE: JUNE 21, 1999  
THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

2002 40520 D



### LEGAL DESCRIPTION

THE WEST 20.00 FEET AND THE EAST 90.00 FEET OF LOTS 24, 25 AND 26, HILLTOP INDUSTRIAL PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, TOGETHER WITH THE NORTH 10.00 FEET OF SAID LOT 24 EXCEPT THE WEST 20.00 FEET THEREOF AND EXCEPT THE EAST 90.00 FEET THEREOF.

S.I.D. NO. 189, SARPY COUNTY TD2 FILE NO. 1086-105-E5 DATE: JUNE 21, 1999  
THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

EXHIBIT "C"