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BK 1428 PG 351-353



MISC 2002 05627

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

02 MAR 13 AM 8:26

RECEIVED

### CORRECTIVE PERMANENT EASEMENT

#### KNOW ALL MEN BY THESE PRESENTS:

SMITH & JOHNSON LAND COMPANY, LTD., a Nebraska limited partnership, GRANTOR, hereby amends hereby amends its Permanent Easement dated August 3, 2001, recorded at Book 1393, Pages 718-720, Miscellaneous Records, in the office of the Register of Deeds of Douglas County, Nebraska, and by these presents does hereby grant and convey unto Sanitary and Improvement District No. 254 of Douglas County, Nebraska, a Nebraska nonprofit corporation, hereinafter referred to as GRANTEE, and to its successors and assigns, a permanent easement, with rights of ingress and egress thereto, for the construction, operation and maintenance of Ginger Woods Sanitary Sewer Section V and appurtenances thereto, the parcel of land described as follows: to wit:

#### SEE ATTACHED EXHIBIT "A" PERMANENT EASEMENT LEGAL DESCRIPTION.

It is further agreed as follows:

1. That said Grantor for itself and its successors and assigns does confirm with said Grantee and its successors and assigns, that Grantor is well seized in fee of the above-described property and that it has the right to grant and convey this easement in the manner and form aforesaid, and that it will, and its successors and assigns, shall warrant and defend this permanent easement to said Grantee and its successors and assigns against the lawful claims and demands of all persons.
2. The sewage facilities shall be the sole and exclusive property of Grantee, and Grantee shall have the right to inspect, remove, repair, replace, improve, relocate, maintain, or otherwise operate the sewage facilities within the easement property, and Grantee may make such changes, alterations, substitutions or additions to the sewage facilities as it may from time to time deem advisable. Grantee, at its sole cost and expense, shall repair any damage caused to Grantor's property by any such removal, repair, improvement, relocation, changes, alterations, substitutions or additions.

Ret. Rickerson, Kruger & Ratz  
11422 Miracle Hills Drive  
Ste 401  
Omaha NE 68154-8600

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✓ 3782

FEE 15<sup>00</sup> FB 01-6000  
BKP 2-159 C/O COMP  
DEL SCAN CR FV

3. That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings, except a Temporary Construction Easement, between Grantor and Grantee; and that Grantor is executing and delivering this instrument, has not relied upon promises, inducements, or representations of Grantee or its agents or employees, except as set forth herein.

IN WITNESS WHEREOF, GRANTOR has or have executed this Permanent Easement on this 11 day of Feb., 2002.

GRANTOR:

SMITH & JOHNSON LAND COMPANY, LTD.,  
a Nebraska limited partnership,

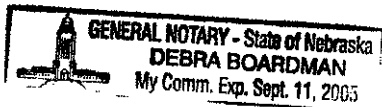
By: Jean Hanson

Name: Jean Hanson

Title: General Partner

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

February The foregoing instrument was acknowledged before me this 11 day of February, 2002, by Jean Hanson, General Partner, on behalf of Smith & Johnson Land Company, Ltd., a Nebraska limited partnership.



Debra Boardman  
Notary Public

## LEGAL DESCRIPTION

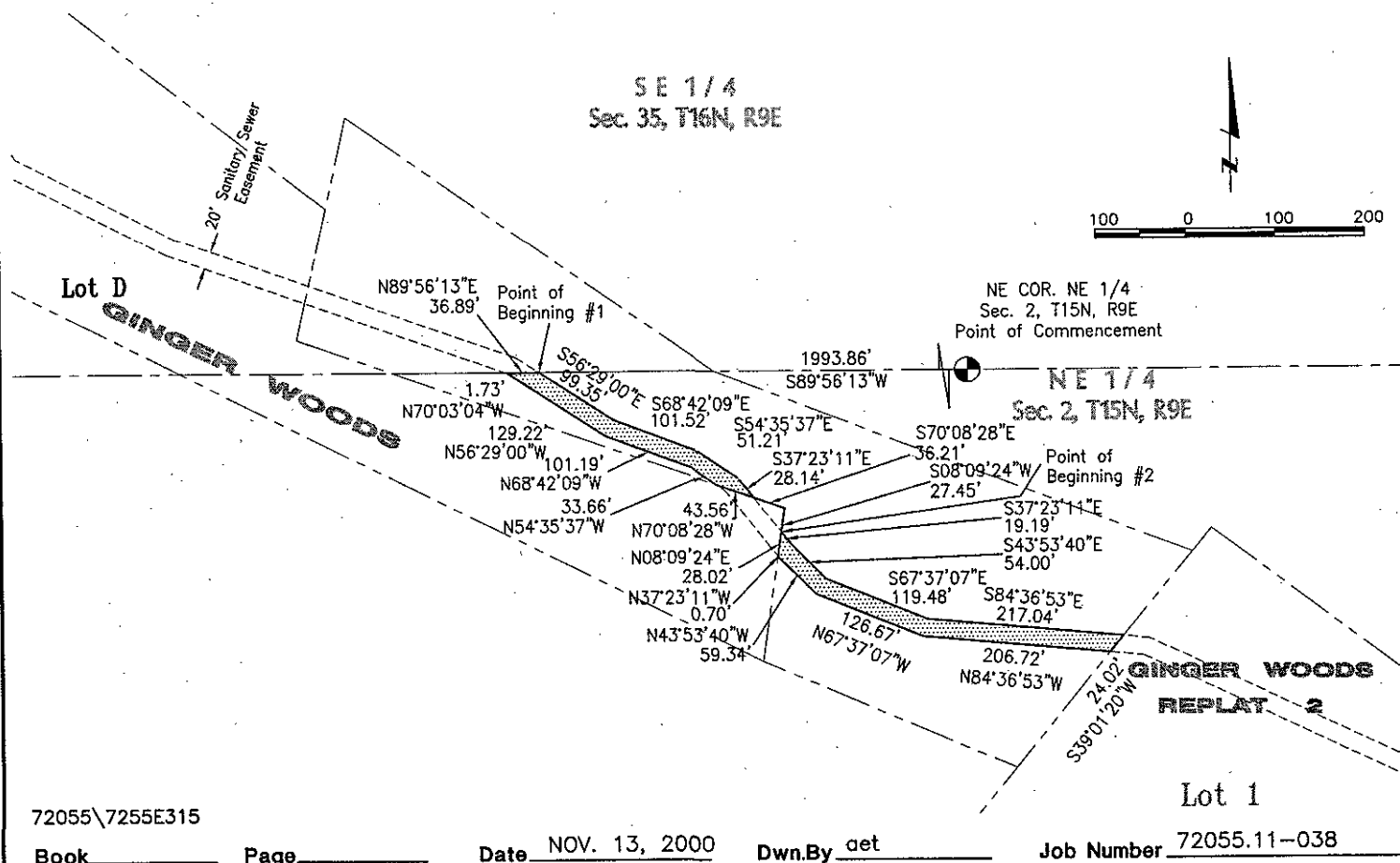
A permanent easement twenty (20') foot in width for the construction and maintenance of sanitary sewers and related facilities over that part of the Northeast Quarter of Section 2, Township 15 North, Range 9 East of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the northeast corner of said Northeast Quarter of Section 2; Thence South 89°56'13" West (assumed bearings) for 1993.86 feet along the north line of the said Northeast Quarter of Section 2 to the TRUE POINT OF BEGINNING; Thence South 56°29'00" East for 99.35 feet; Thence South 68°42'09" East for 101.52 feet; Thence South 54°35'37" East for 51.21 feet; Thence South 37°23'11" East for 28.14 feet to the north line of Lot D, GINGER WOODS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Thence North 70°08'28" West for 43.56 feet along said north line; Thence North 54°35'37" West for 33.66 feet; Thence North 68°42'09" West for 101.19 feet; Thence North 56°29'00" West for 129.22 feet; Thence North 70°03'04" West for 1.73 feet to the north line of the said Northeast Quarter of Section 2; Thence North 89°56'13" East for 36.89 feet to the Point of Beginning.

Contains 5506 square feet.

## TOGETHER WITH LEGAL DESCRIPTION

A permanent easement twenty (20') foot in width for the construction and maintenance of sanitary sewers and related facilities over that part of the Northeast Quarter of Section 2, Township 15 North, Range 9 East of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the northeast corner of said Northeast Quarter of Section 2; Thence South 89°56'13" West (assumed bearings) for 1993.86 feet along the north line of the said Northeast Quarter of Section 2; Thence South 56°29'00" East for 99.35 feet; Thence South 68°42'09" East for 101.52 feet; Thence South 54°35'37" East for 51.21 feet; Thence South 37°23'11" East for 28.14 feet to the north line of Lot D, GINGER WOODS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Thence North 70°08'28" East for 36.21 feet along said north line to the northeast corner thereof; Thence South 08°09'24" West for 27.45 feet along the east line of said Lot D to the TRUE POINT OF BEGINNING; Thence South 37°23'11" East for 19.19 feet; Thence South 43°53'40" East for 54.00 feet; Thence South 67°37'07" East for 119.48 feet; Thence South 84°36'53" East for 217.04 feet to the west line of Lot 1, GINGER WOODS REPLAT 2, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Thence South 39°01'20" West for 24.02 feet along said west line; Thence North 84°36'53" West for 206.72 feet; Thence North 67°37'07" West for 126.67 feet; Thence North 43°53'40" West for 59.34 feet; Thence North 37°23'11" West for 0.70 feet to the east line of said Lot D; Thence North 08°09'24" East for 28.02 feet to the Point of Beginning.

Contains 8031 square feet.



**lamp, rynearson & associates, inc.**

engineers

surveyors

planners

14710 west dodge road, suite 100  
omaha, nebraska 68154-2029

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fax 402-496-2730