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By

RICHARD N TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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### Grant of Easements

FOR VALUABLE CONSIDERATION, Benson Park Plaza, L.L.C., a Nebraska limited liability company ("Grantor"), owner of the following described real estate, does hereby grant and convey unto the City of Omaha, Douglas County Nebraska, ("Grantee") the following:

1. permanent drainage way and storm sewer easements over, under and upon the real estate as shown and described on Exhibits A -1 and A-2 attached hereto; the purpose of said easements being to construct, improve, develop, renew, repair, use and replace sanitary sewer mains and manholes together with other related sewer structures, storm sewers, swales and other drainage structures under, on and over said easement way;

2. permanent sidewalk easements over and upon the real estate as shown and described on Exhibits B-1, B-2, B-3, and B-4 attached hereto; the purpose of said easement being to construct, improve, renew, repair, use and replace sidewalks on and over said easement way;

3. permanent sidewalk and traffic control facility easements over, under and upon the real estate as shown and described on Exhibits C-1, C-2, and C-3 attached hereto; the purpose of said easements being to construct, improve, renew, repair, use and replace sidewalks and traffic control facilities under, on and over said easement way; and,

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FEE 69.00 FB \_\_\_\_\_  
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4. a permanent traffic control facility easement over, under and upon the real estate as shown and described on Exhibit D attached hereto; the purpose of said easement being to construct, improve, renew, repair, use and replace traffic control facilities under, on and over said easement way.

For convenience of reference, the areas affected by the above-described easements are individually referred to herein as an "Easement Area" and collectively as "Easement Areas." The above-described easements are granted subject to the following terms and conditions:

A. Grantee shall use and maintain the Easement Areas and all equipment and facilities of Grantee in a manner which will cause the least disruption to Grantor's possession and operations on the property adjacent to the Easement Areas (and Grantor's use of the surface of the Easement Areas themselves, if feasible given the nature of the equipment and facilities installed by Grantee) as is reasonably practicable under the circumstances.

B. Grantee shall at all times maintain the Easement Areas and Grantee's equipment and facilities therein in good condition and repair. Grantee shall promptly complete all construction, installation, maintenance and repair work within the Easement Areas and shall restore the areas affected by such work to substantially the same condition as existed prior to the start of such work, except for the permanent improvements installed by Grantor within such areas.

C. Grantor reserves the right to use the Easement Areas in a manner that does not unreasonably interfere with the easement rights herein granted.

D. Grantee shall indemnify, protect, defend and hold Grantor, its successors and assigns, and their respective employees and agents, harmless from and against all

claims, actions, losses, damages, costs, expenses and liabilities arising out of actual or alleged injury to or death of any person or loss of or damages to property in or upon the Easement Areas and areas adjacent thereto, including the person and property of Grantor, its employees or agents, arising from the acts or omissions of Grantee, its employees, contractors or agents.

EXECUTED this 14<sup>th</sup> day of June, 2000.

Benson Park Plaza, L.L.C.,  
a Nebraska limited liability company

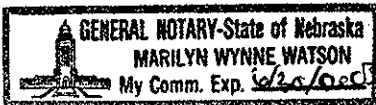
By: Northwood Properties, Inc.,  
a Nebraska corporation, Manager

By: Theodore M. Seldin  
Theodore M. Seldin, President

STATE OF NEBRASKA     )  
  )  
COUNTY OF DOUGLAS    )     SS.

On the day and year last-above written before me, the undersigned, a Notary Public, duly commissioned and qualified for said County, personally came Theodore M. Seldin, President of Northwood Properties, Inc., who is the Manager of Benson Park Plaza, L.L.C., to me known to be the identical person whose name is subscribed to the foregoing Grant of Easements and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said limited liability company.

WITNESS my hand and Notarial Seal on the day and year last above written.

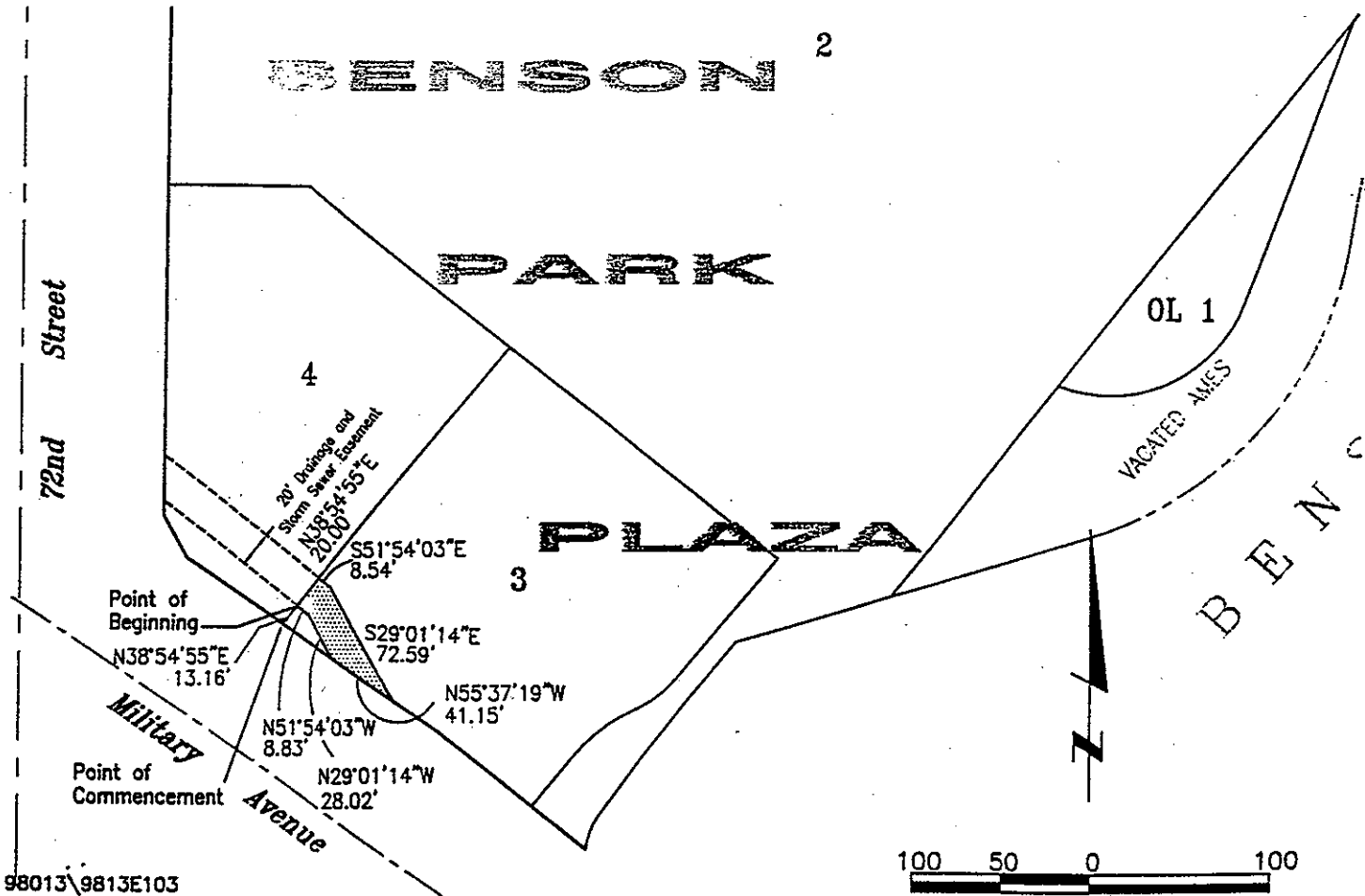


Marilyn Wynne Watson  
Notary Public

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of drainageways and storm sewers over that part of Lot 3, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the west corner of said Lot 3;  
 Thence North 38°54'55" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 13.16 feet along the northwest line of said Lot 3 to the TRUE POINT OF BEGINNING;  
 Thence continuing North 38°54'55" East for 20.00 feet along said northwest line;  
 Thence South 51°54'03" East for 8.54 feet;  
 Thence South 29°01'14" East for 72.59 feet to the southwest line of said Lot 3;  
 Thence North 55°37'19" West for 41.15 feet along said southwest line;  
 Thence North 29°01'14" West for 28.02 feet parallel with and twenty foot (20') southwest of the penultimate line;  
 Thence North 51°54'03" West for 8.83 feet to the Point of Beginning.  
 Contains 0.03 acre.



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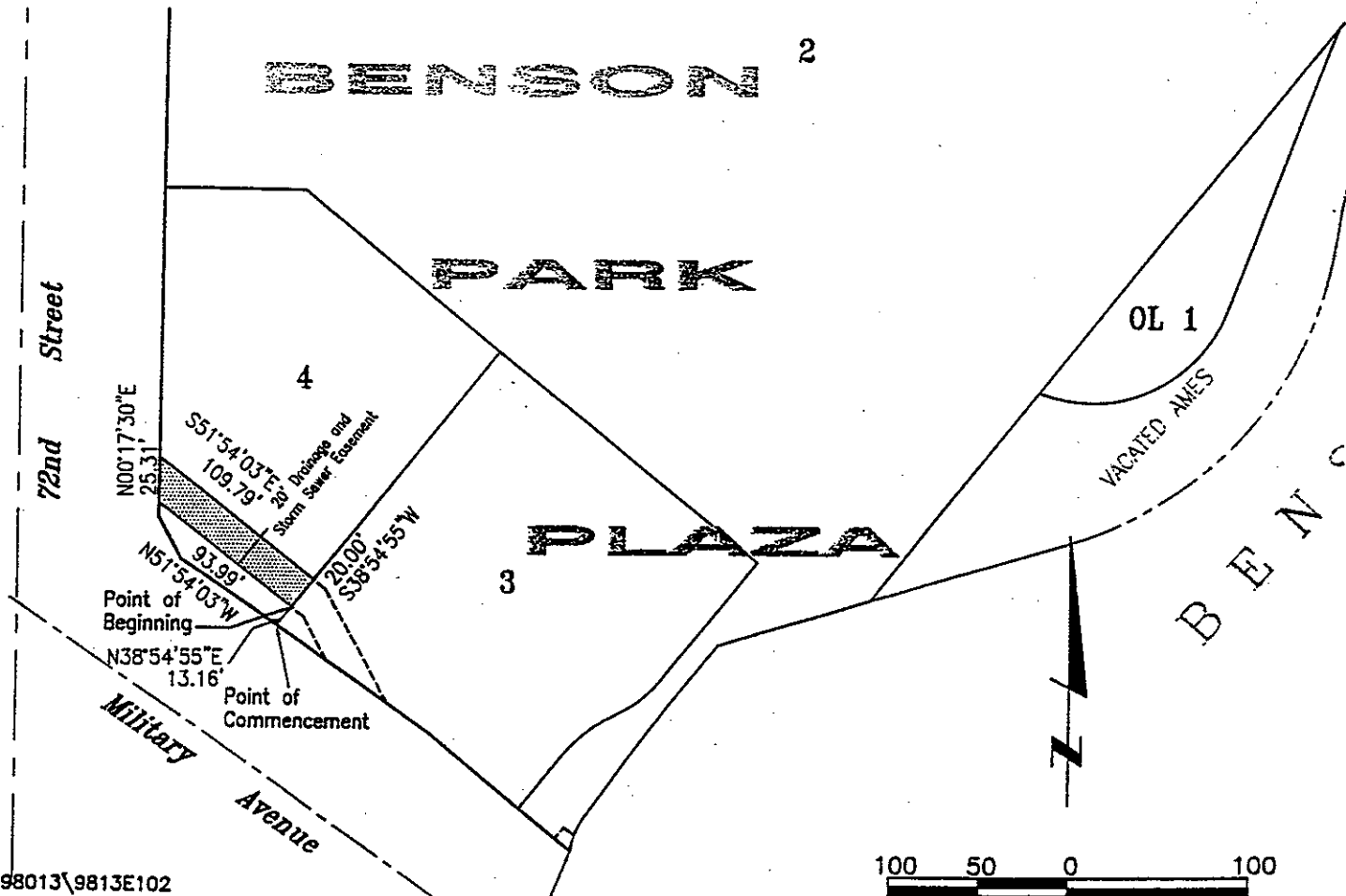
14710 west dodge road, suite 100  
 omaha, nebraska 68154-2029

ph 402-496-2498  
 fax 402-496-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of drainageways and storm sewers over that part of Lot 4, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

- Commencing at the south corner of said Lot 4;
  - Thence North 38°54'55" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 13.16 feet along the southeast line of said Lot 4 to the TRUE POINT OF BEGINNING;
  - Thence North 51°54'03" West for 93.99 feet to the west line of said Lot 4;
  - Thence North 00°17'30" East for 25.31 feet along said west line;
  - Thence South 51°54'03" East for 109.79 feet parallel with and twenty foot (20') northeast of the penultimate line to the southeast line of said Lot 4;
  - Thence South 38°54'55" West for 20.00 feet to the Point of Beginning.
- Contains 2038 square feet



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 engineers                      surveyors                      planners

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**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 2, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the south corner of said Lot 2;  
Thence North 51°02'25" West (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 11.00 feet along the southwest line of said Lot 2;  
Thence North 38°57'35" East for 8.00 feet;  
Thence South 51°02'25" East for 7.13 feet to the east line of said Lot 2;  
Thence along a curve to the left (having a radius of 39.00 feet and a long chord bearing South 13°07'44" West for 8.89 feet) for an arc length of 8.91 feet along said east line to the Point of Beginning.  
Contains 71 square feet.

**BENSON  
PARK  
PLAZA**

2

4

3

OL 1

VACATED AMF

72nd Street

Military Avenue

S51°02'25"E

7.13'

N38°57'35"E

8.00'

N51°02'25"W

11.00'

R=39.00'

S13°07'44"W

C=8.89'

A=8.91'

Sidewalk Easement  
Point of Beginning



100 50 0 100

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omaha, nebraska 68154-2029

ph 402-498-2498  
fax 402-498-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 10, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the southwest corner of said Lot 10;  
 Thence along a curve to the right (having a radius of 350.00 feet and a long chord bearing South 73°46'15" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 34.52 feet) for an arc length of 34.53 feet along the south line of said Lot 10;

Thence along a curve to the left (having a radius of 350.00 feet and a long chord bearing South 74°35'35" East for 44.55 feet) for an arc length of 44.58 feet along the south line of said Lot 10;

Thence South 78°14'30" East for 233.25 feet along the south line of said Lot 10 to the TRUE POINT OF BEGINNING;

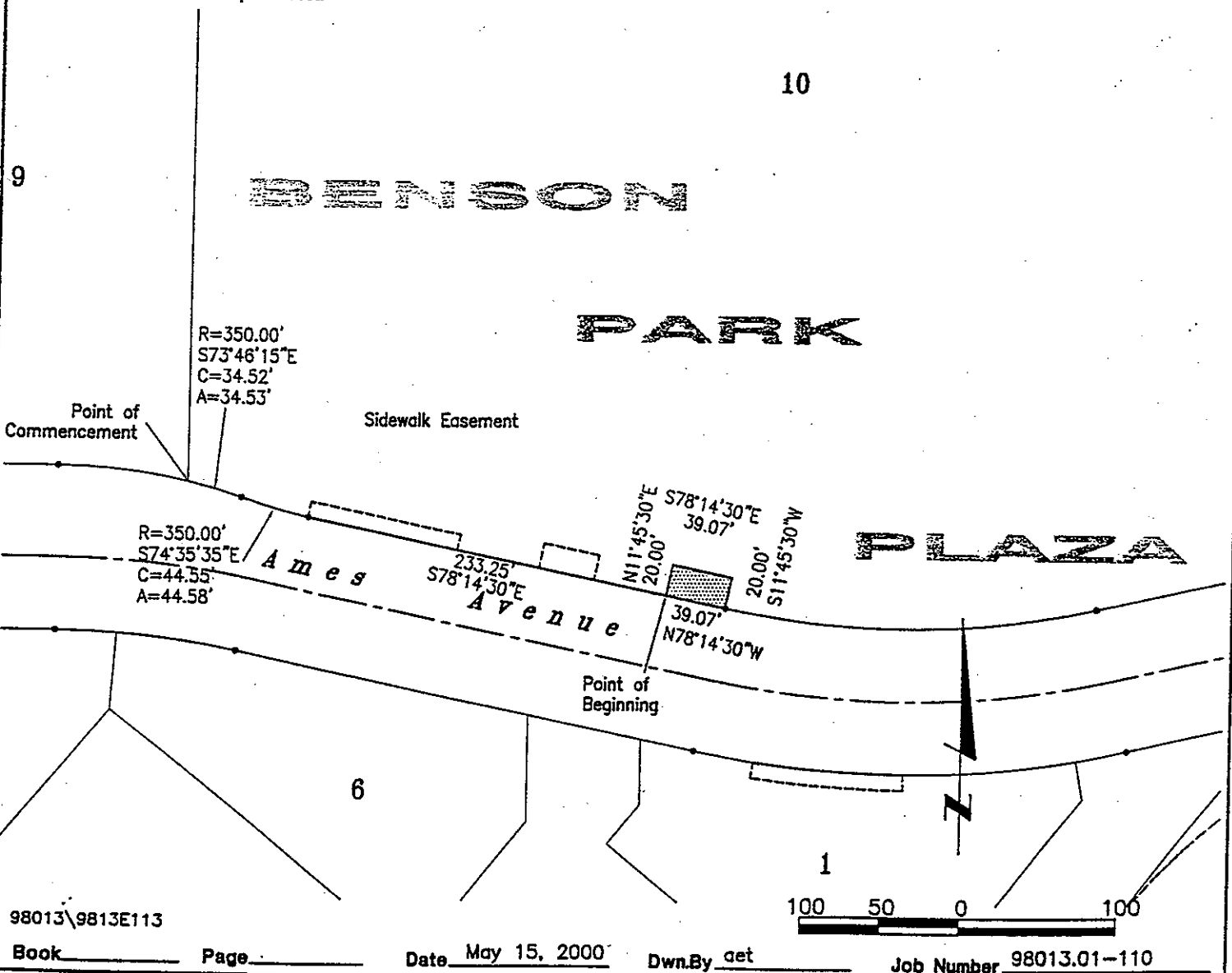
Thence North 11°45'30" East for 20.00 feet;

Thence South 78°14'30" East for 39.07 feet parallel with and 20.00 feet north of the south line of said Lot 10;

Thence South 11°45'30" West for 20.00 feet to the south line of said Lot 10;

Thence North 78°14'30" West for 39.07 feet to the Point of Beginning.

Contains 781 square feet.



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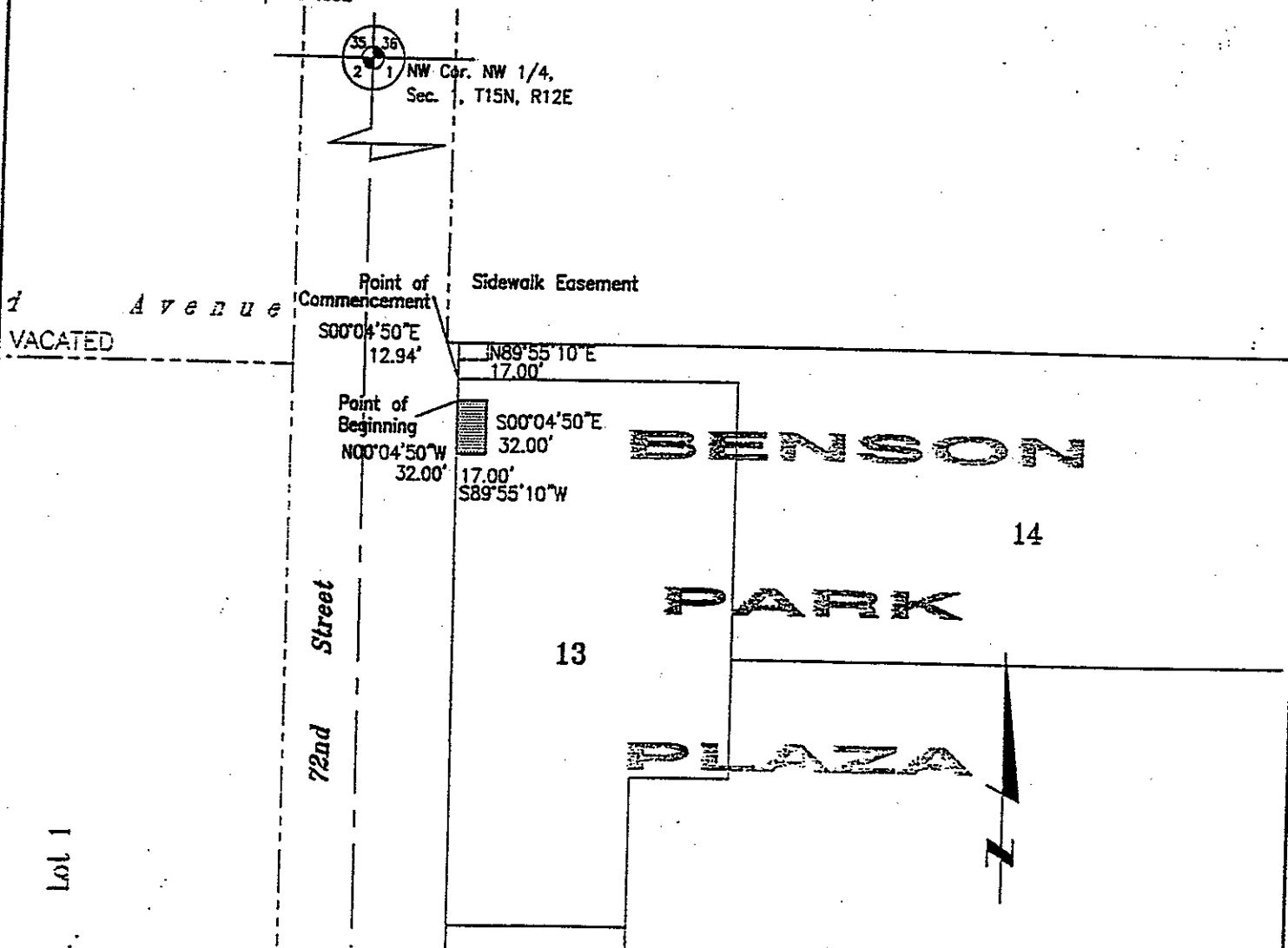
**lamp, rynearson & associates, inc.**  
 engineers                      surveyors                      planners

14710 west dodge road, suite 100  
 omaha, nebraska 68164-2029

ph 402-498-2498  
 fax 402-498-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 13, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:  
 Commencing at the northwest corner of said Lot 13;  
 Thence South 00°04'50" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 12.94 feet along the west line of said Lot 13 to the TRUE POINT OF BEGINNING;  
 Thence North 89°55'10" East for 17.00 feet;  
 Thence South 00°04'50" East for 32.00 feet parallel with and 17.00 feet east of the west line of said Lot 13;  
 Thence South 89°55'10" West for 17.00 feet to the west line of said Lot 13;  
 Thence North 00°04'50" West for 32.00 feet to the Point of Beginning.  
 Contains 544 square feet.



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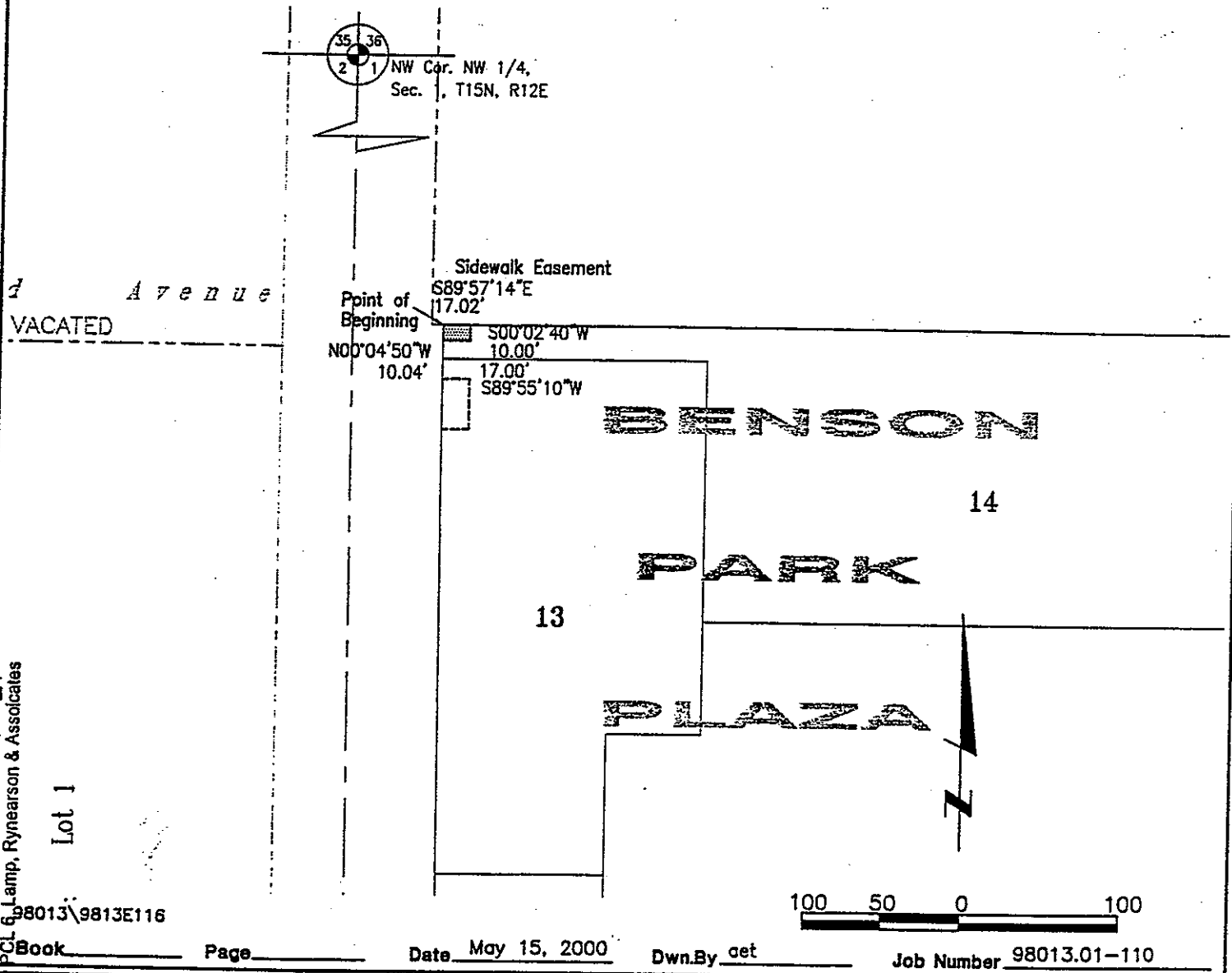
14710 west dodge road, suite 100  
 omaha, nebraska 68154-2029

ph 402-498-2498  
 fax 402-498-2730



**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks over that part of Lot 14, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:  
 Beginning at the northwest corner of said Lot 14;  
 Thence South 89°57'14" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 17.02 feet along the north line of said Lot 14;  
 Thence South 00°02'40" West for 10.00 feet;  
 Thence South 89°55'10" West for 17.00 feet to the west line of said Lot 14;  
 Thence North 00°04'50" West for 10.04 feet to the Point of Beginning.  
 Contains 170 square feet.




LaserJet 8100 N  
 CL Book 98013 Page 9813E116  
 Lamp, Rynearson & Associates

Lot 1

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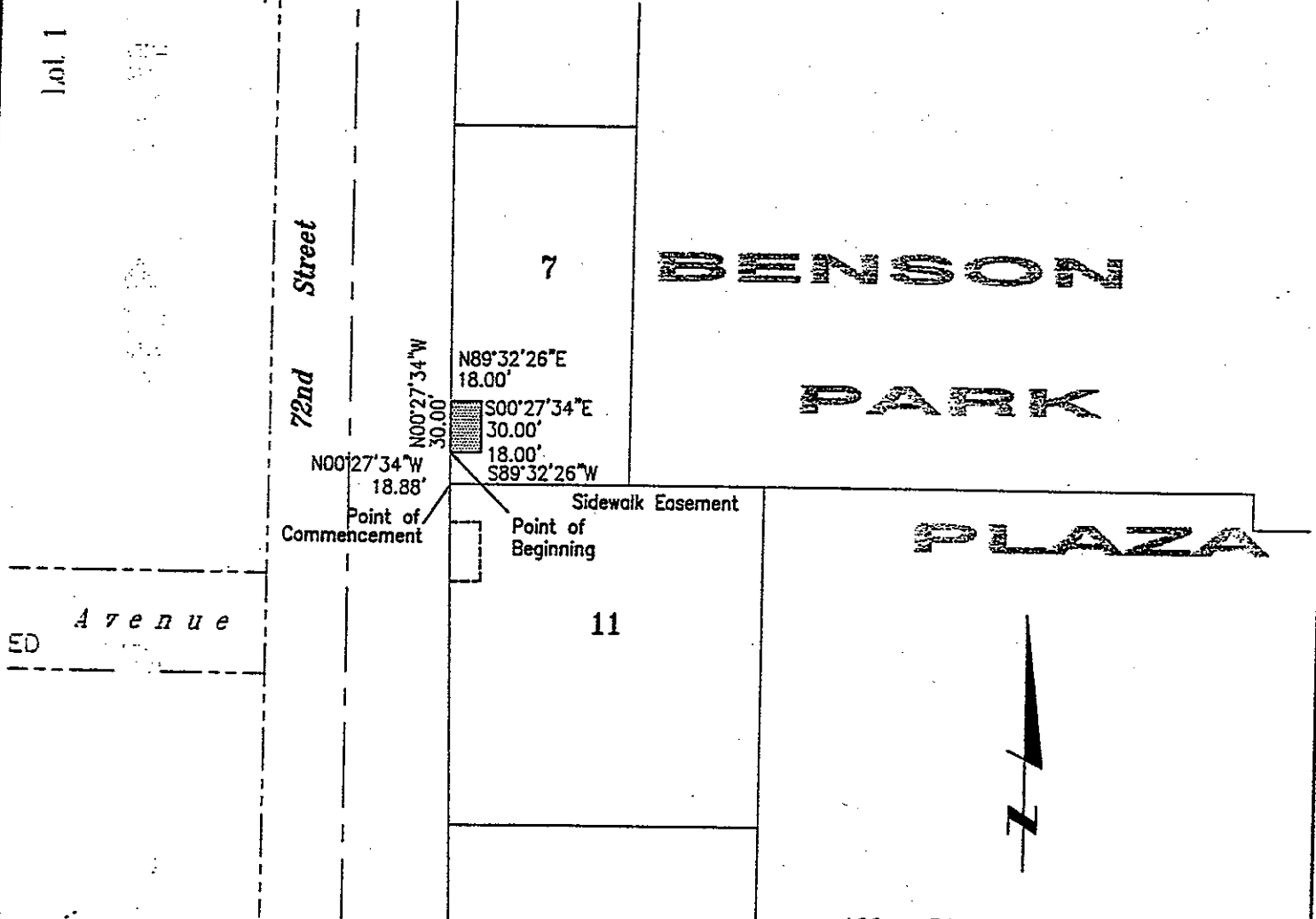
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**lamp, rynearson & associates, inc.**  
 engineers                      surveyors                      planners  
 14710 west dodge road, suite 100                      ph 402-496-2498  
 omaha, nebraska 68154-2029                      fax 402-496-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks and traffic control facilities over that part of Lot 7, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

- Commencing at the southwest corner of said Lot 7;
  - Thence North 00°27'34" West (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 18.88 feet along the west line of said Lot 7 to the TRUE POINT OF BEGINNING;
  - Thence North 00°27'34" West for 30.00 feet along said west line;
  - Thence North 89°32'26" East for 18.00 feet;
  - Thence South 00°27'34" East for 30.00 feet parallel with and 18.00 feet east of the west line of said Lot 7;
  - Thence South 89°32'26" West for 18.00 feet to the Point of Beginning.
- Contains 540 square feet.



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 omaha, nebraska 68154-2029

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 fax 402-498-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks and traffic control facilities over that part of Lot 10, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the southwest corner of said Lot 10;

Thence along a curve to the right (having a radius of 350.00 feet and a long chord bearing South 73°46'15" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 34.52 feet) for an arc length of 34.53 feet along the south line of said Lot 10;

Thence along a curve to the left (having a radius of 350.00 feet and a long chord bearing South 74°35'35" East for 44.55 feet) for an arc length of 44.58 feet along the south line of said Lot 10;

Thence South 78°14'30" East for 150.38 feet along the south line of said Lot 10 to the TRUE POINT OF BEGINNING;

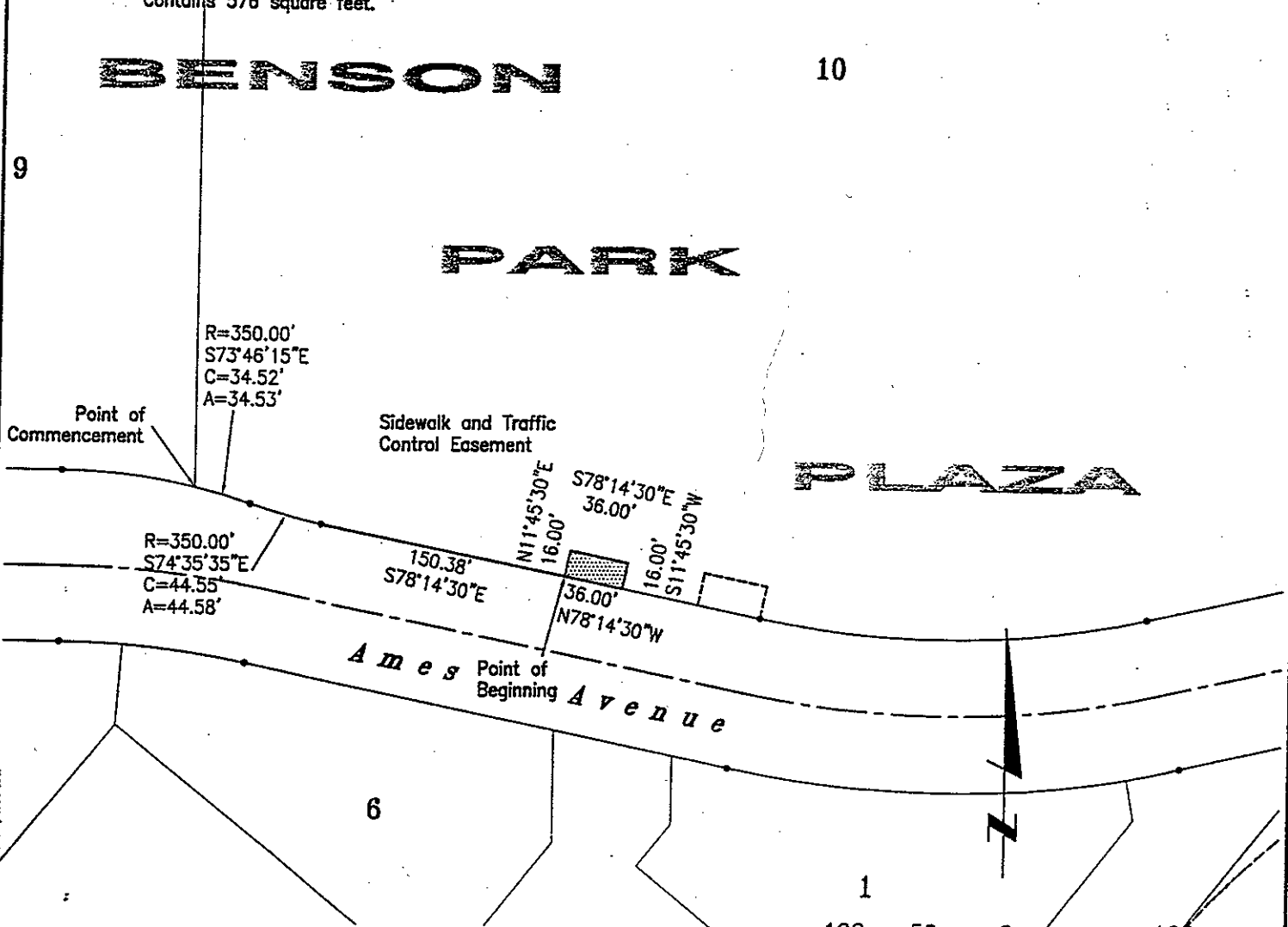
Thence North 11°45'30" East for 16.00 feet;

Thence South 78°14'30" East for 36.00 feet parallel with and 16.00 feet north of the south line of said Lot 10;

Thence South 11°45'30" West for 16.00 feet to the south line of said Lot 10;

Thence North 78°14'30" West for 36.00 feet to the TRUE POINT OF BEGINNING.

Contains 576 square feet.



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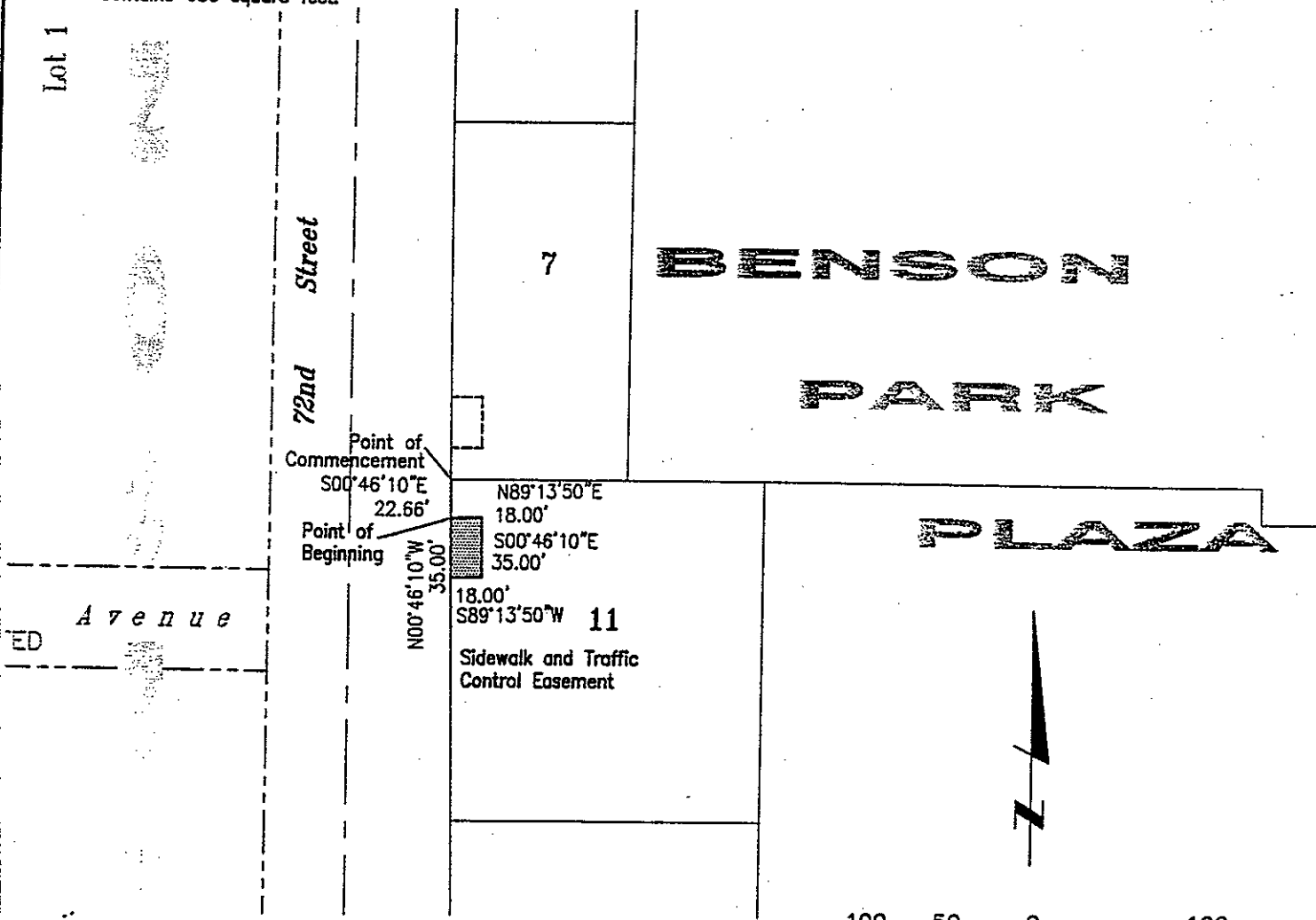
14710 west dodge road, suite 100  
omaha, nebraska 68154-2029

ph 402-496-2498  
fax 402-496-2730

**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of sidewalks and traffic control facilities over that part of Lot 11, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the northwest corner of said Lot 11;  
 Thence South 00°46'10" East (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 22.66 feet along the west line of said Lot 11 to the TRUE POINT OF BEGINNING;  
 Thence North 89°13'50" East for 18.00 feet;  
 Thence South 00°46'10" East for 35.00 feet parallel with and 18.00 feet east of the west line of said Lot 11;  
 Thence South 89°13'50" West for 18.00 feet to the west line of said Lot 11;  
 Thence North 00°46'10" West for 35.00 feet to the Point of Beginning.  
 Contains 630 square feet.



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**LEGAL DESCRIPTION**

A permanent easement for the construction and maintenance of traffic control facilities over that part of Lot 4, BENSON PARK PLAZA, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the south corner of said Lot 4;

Thence North 55°32'08" West (bearings referenced to the Final Plat of BENSON PARK PLAZA) for 60.46 feet along the southwest line of said Lot 4 to the TRUE POINT OF BEGINNING;

Thence continuing North 55°32'08" West for 4.28 feet along said southwest line to an angle point therein;

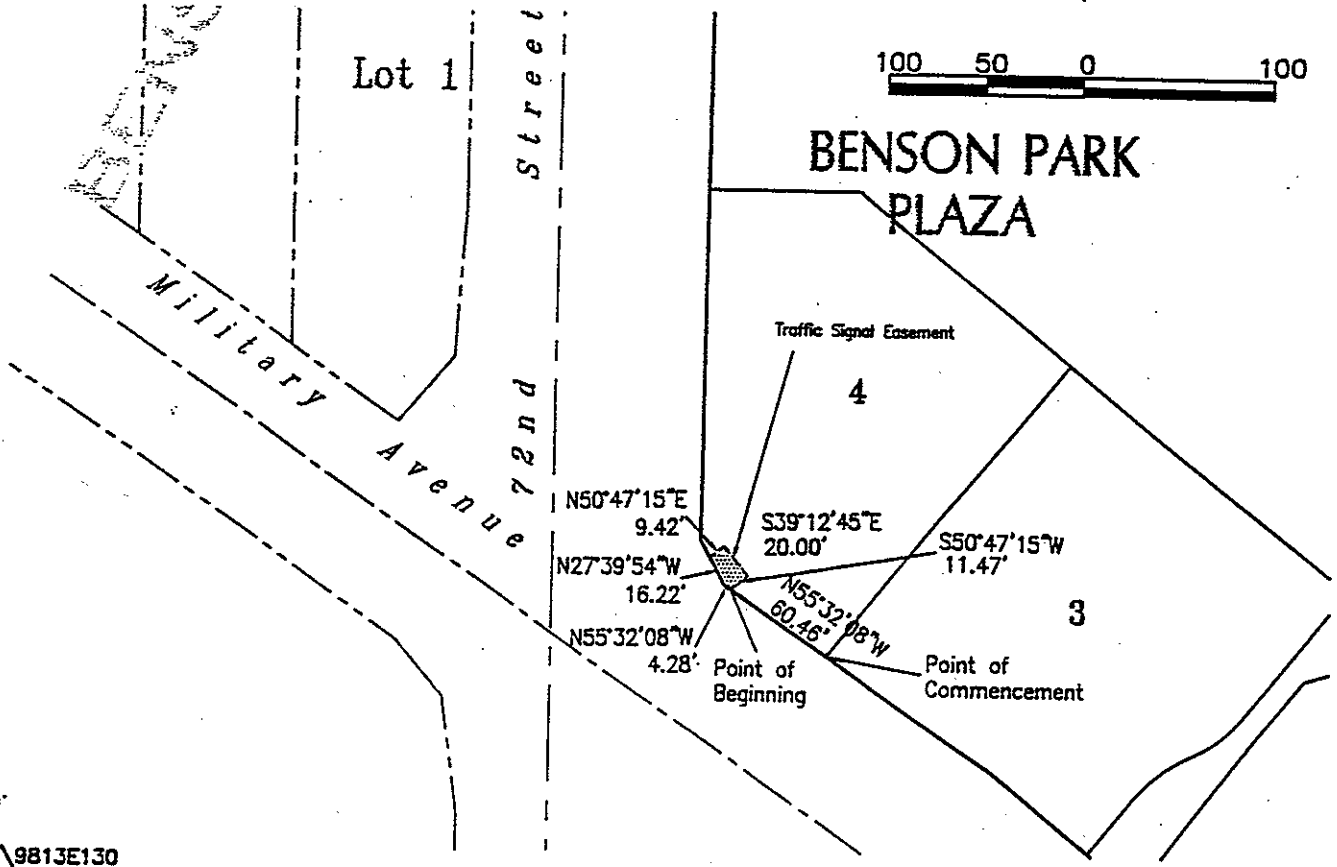
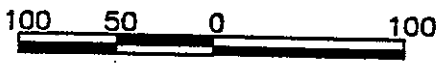
Thence North 27°39'54" West for 16.22 feet along said southwest line;

Thence North 50°47'15" East for 9.42 feet;

Thence South 39°12'45" East for 20.00 feet;

Thence South 50°47'15" West for 11.47 feet to the Point of Beginning.

Contains 225 square feet.



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

ph 402-496-2498  
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