



MISC 2005121032



SEP 27 2005 13:49 P 4

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
9/27/2005 13:49:44.30

2005121032

AFTER RECORDING, RETURN TO:

John M. Kottmann
THOMPSON, DREESSEN & DORNER, INC.
10836 Old Mill Road
Omaha, NE 68154

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT Maple Valley, L.L.C., a Nebraska limited liability company, ^{and} Maple Ridge Retirement, LLC, a Nebraska limited liability company (hereinafter collectively referred to as "Grantors"), 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. 478 of Douglas County, Nebraska, A municipal corporation, (hereinafter referred to as "Grantee"), its successors and assigns (including the City of Omaha upon its annexation of Grantee), a perpetual easement and connection right over, under, on, and across that real estate in Douglas County, Nebraska, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

The scope and purpose of said easement is for the use, construction, repair, maintenance, replacement and renewal of sanitary and storm sewer pipe lines, including all necessary manholes and other related appurtenances, and the transmission through said sewers of storm water runoff and sanitary sewage. 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.

N156
 4
 1
 2
 J1.2 FB MC-2397
 C/O COMP W
 SCAN FV 1A

By accepting and recording this perpetual easement grant, said Grantee agrees 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 landscaping and surfacing. Grantors reserve the right, following construction of said sewer and appurtenances thereto, to continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the Grantee to use the same for the purposes herein expressed. Provided, however, that no building or other structure shall be built within the permanent easement area by Grantors, their successors or assigns, which will in any way interfere with Grantee's ability to perform its rights granted hereunder. This easement runs with the land.

Grantors herein, for themselves and their successors and assigns, 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, Grantors are lawfully seized of said premises; that Grantors have good right and lawful authority to grant said perpetual storm sewer easement; and Grantors further hereby covenant 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 Grantors herein, for themselves, their successors and assigns, has caused the due execution hereof as of the 15th day of September, 2005.

Maple Valley, L.L.C.

By: 
Manager

Maple Ridge Retirement, LLC

By: 
Manager

STATE OF NEBRASKA)
) ss
 COUNTY OF DOUGLAS)

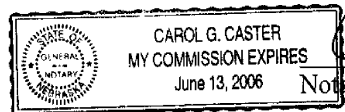


The foregoing instrument was acknowledged before me this 15th day of September, 2005, by Kenneth J. Hagen, Jr., Manager of Maple Valley, L.L.C., a Nebraska limited liability company, on behalf of the Company.

Lee Ann Young
 Notary Public

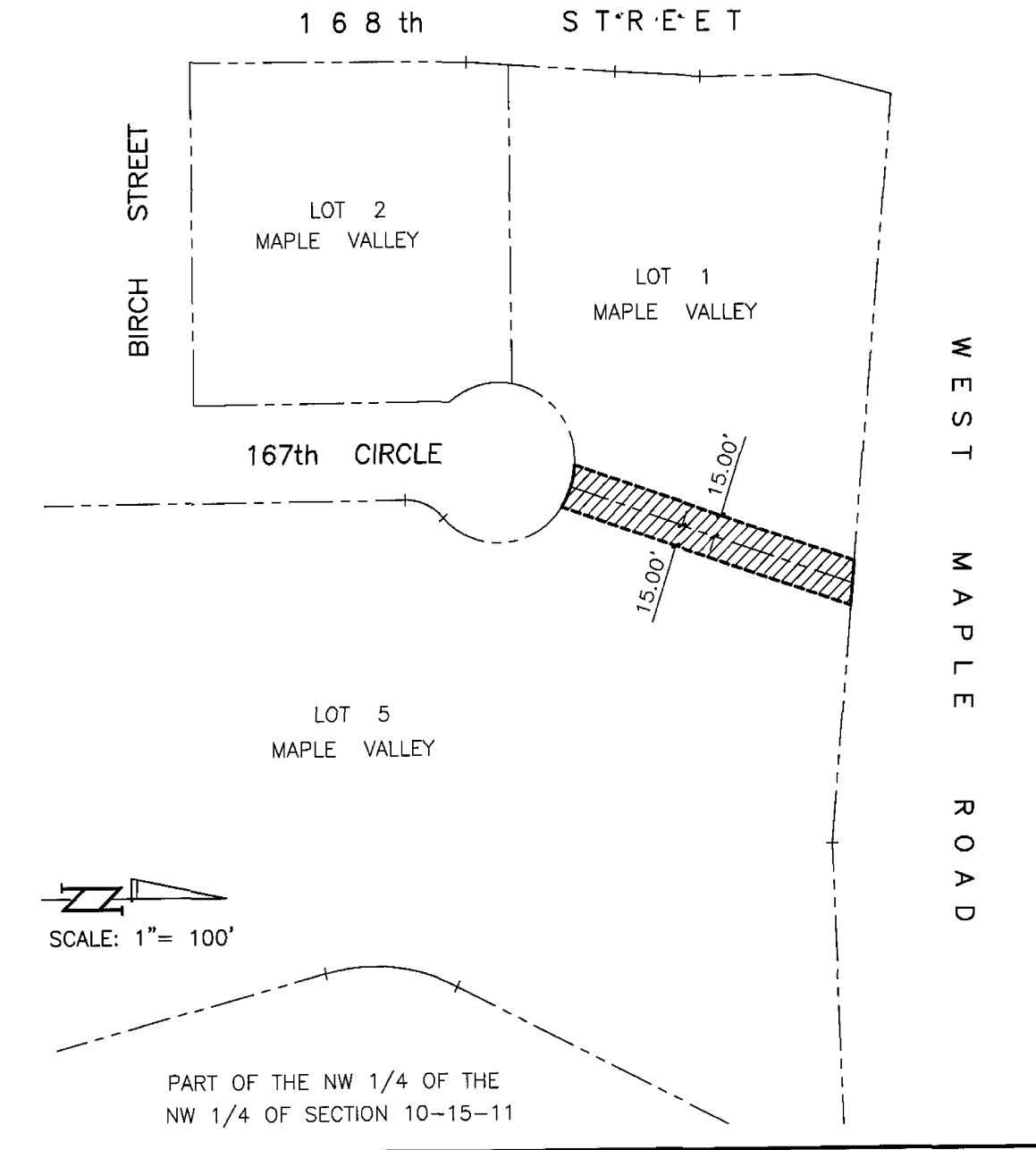
STATE OF NEBRASKA)
) ss
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 22nd day of September, 2005, by Breck C. Collingsworth, Manager of Maple Ridge Retirement, LLC, a Nebraska limited liability company, on behalf of the Company.



Carol G Caster
 Notary Public

TD² File No. 1295-101



LEGAL DESCRIPTION

THE EAST 15.00 FEET IN WIDTH OF LOT 1 AND THAT PART OF THE WEST 15.00 FEET OF LOT 5 ADJOINING SAID LOT 1, MAPLE VALLEY, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA.

EXHIBIT "A"

MAPLE VALLEY LLC TD2 FILE NO.: 1295-101-E2 DATE: MAY 1, 2005
 THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860