

EASEMENT

FOR VALUABLE CONSIDERATION, OLD MILL LAND AND HOLDING COMPANY, a Nebraska corporation, hereinafter referred to as "Grantor," hereby grants and conveys to Sanitary and Improvement District No. 195 of Douglas County, Nebraska, hereinafter referred to as "Grantee," an easement, as indicated on Exhibit "A" attached hereto and described as follows:

A 20-foot Permanent Storm Sewer Easement located in the SE 1/4 of Section 17, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is more particularly described as follows: Commencing at the East Quarter Corner of said Section 17, thence N 89°58'35" W, 1,440.00 feet along the North line of the SE 1/4 of said Section 17; thence S 0°01'25" W, 20.00 feet to the point of beginning, thence N 89°58'35" W, 575.00 feet to a point of curve; thence Southwesterly on a 117.76 foot radius curve to the left ( $\Delta = 54^{\circ}00'00''$ ) for an arc length of 110.99 feet; thence S 36°01'25" W to the centerline of Big Papillion Creek. (The North line of the SE 1/4 of said Section 17 assumed N 89°58'35" W in direction.)

on which the Grantee may construct, reconstruct, maintain, and repair a storm sewer outfall line. Grantee shall have the right to enter upon said easement area at any time to inspect, construct, reconstruct, maintain and repair said storm sewer line.

After completion of the initial installation of the storm sewer line, Grantee shall restore the easement area surface as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the easement area.

Grantee agrees to perform any repair or maintenance necessary for the maintenance and operation of the above mentioned storm sewer line. Grantee further agrees to repair any and all damages which may be caused by its use of the above described easements or damages which may result from storm run off.

Grantee is solely responsible for constructing, operating, and maintaining the above-described improvements and

Grantee shall indemnify and hold harmless the Grantor, its successors and assigns from any and all claims for personal injury or damage to property arising out of or in connection with the constructing, operating, or maintaining of the above described improvements.

Grantor agree not to place any structure, buildings or other permanent structures on the permanent easement area, but may place paving, grass and shrubs.

Grantor shall have the right to connect its own storm sewer lines to the outfall to be constructed by Grantee in the permanent easement area, and Grantee shall make no charge for such connection. Grantor understands, however, that Grantee shall have no obligation to pay charges imposed by others for such connection, such as inspection fees of the City of Omaha.

This easement grant shall run in favor and be binding upon the respective assigns, executors, administrators, heirs, devisees, successors, contractors, and agents of the Grantor and Grantee.

Dated this 3rd day of April, 1973.

OLD MILL LAND AND HOLDING COMPANY,  
A Nebraska corporation, Grantor,

By Harold J. Clark, president

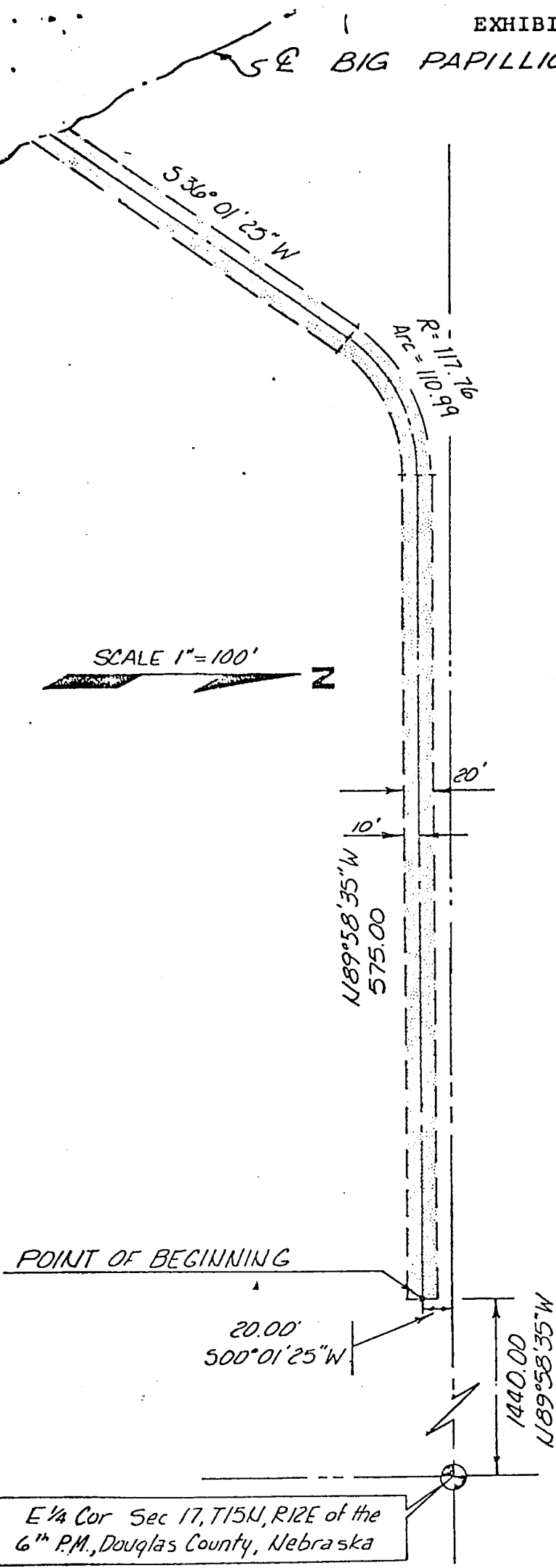
STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF DOUGLAS (

On this 3rd day of April, 1973, before me, a Notary Public duly commissioned and qualified in and for said County, personally came Harold J. Clark, President of OLD MILL LAND AND HOLDING COMPANY, to me personally known to be the same and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation.

Witness my hand and notarial seal the day and year last above written.



Harold J. Clark  
Notary Public



LEGAL DESCRIPTION:

A 20-foot Permanent Storm Sewer Easement located in the SE 1/4 of Section 17, T 15 N, R 12 E of the 6th P. M., Douglas County, Nebraska, the centerline of which is more particularly described as follows: Commencing at the East Quarter Corner of said Section 17, thence N 89° 58' 35" W, 1,440.00 feet along the North line of the SE 1/4 of said Section 17; thence S 0° 01' 25" W, 20.00 feet to the point of beginning, thence N 89° 58' 35" W, 575.00 feet to a point of curve; thence Southwesterly on a 117.76 foot radius curve to the left ( $\Delta = 54^\circ 00' 00''$ ) for an arc length of 110.99 feet; thence S 36° 01' 25" W to the centerline of Big Papillion Creek. (The North line of the SE 1/4 of said Section 17 assumed N 89° 58' 35" W in direction).

POINT OF BEGINNING

20.00'  
S 00° 01' 25" W

1440.00'  
N 89° 58' 35" W

575.00'  
N 89° 58' 35" W

R = 117.76'  
Arc = 110.99'

SCALE 1" = 100'



E 1/4 Cor Sec 17, T15N, R12E of the 6th P.M., Douglas County, Nebraska

2x

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
4 DAY OF April 1913 AT 2:03 P.M. C. HAROLD OSTLER, REGISTER OF DEEDS

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PAPIO CHANNEL IMPROVEMENTS II

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Job Number 70-38