

2011-20010

08/15/2011 2:03:54 PM

Clay J. Dowling

REGISTER OF DEEDS

COUNTER	<u> a </u>	C.E.	<u> a </u>
VERIFY	<u> a </u>	DR	<u> P </u>
PROOF	_____		
FEES \$	<u> 67.50 </u>		
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REFUND	_____	CREDIT	_____
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**DECLARATION OF
CONSERVATION EASEMENT**

THIS DECLARATION OF CONSERVATION EASEMENT ("Declaration") is made as of this 9th day of August, ~~2010~~ 2011, by SANITARY AND IMPROVEMENT DISTRICT NO. 290 OF SARPY COUNTY, NEBRASKA, a Nebraska political subdivision ("Grantor").

PRELIMINARY STATEMENT

Grantor is the owner of the parcels of land described on Exhibits "A", "B", "C", "D", "E", "F", "G" and "H" attached hereto and incorporated herein by this reference (hereinafter collectively referred to as the "Parcels"). Grantor desires to establish a permanent easement for the right to construct, operate, repair, replace and maintain a conservation and buffer zone and all utilities and structures appurtenant thereto, under and over the portions of the Parcels (hereinafter referred to as the "Easement Areas").

NOW, THEREFORE, Grantor hereby declares and establishes the following Easement:

1. Grantor hereby reserves, establishes and creates a perpetual and permanent easement for the right to construct, operate, repair, replace and maintain a conservation and buffer zone under and over the Easement Areas, together with the reasonable right of access for the purpose of inspecting and maintaining the conservation and buffer zone and all utilities and structures appurtenant thereto.

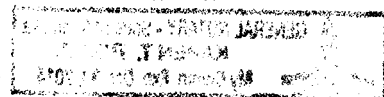
2. The Easement Areas are subject to the following land use restrictions:

a. The Easement Areas will be maintained by the Grantor pursuant to the conditions identified in the U.S. Army Corps of Engineers Permit No. 2009-01961-WEH for tree mitigation.

b. There shall be no construction or placement of structures or mobile homes, fences, signs, billboards or other advertising material, or other structures, whether temporary or permanent, in, on, over or across the Easement Areas.

c. There shall be no removal, destruction, or cutting of trees or plants; spraying with biocides, insecticides, or pesticides; grazing of animals, farming, tilling of soil, or other agricultural activity. Management activities for trees are acceptable upon approval by the Corps of Engineers.

d. There shall be no operation of all-terrain vehicles or any other type of motorized vehicle on the Easement Areas except as needed for maintenance.



After recording, return to:
John Q. Bachman
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114

R+R

A

e. This Declaration may be changed, modified or revoked only upon the written approval of the District Engineer of the Omaha District of the U.S. Army Corps of Engineers. To be effective, such approval must be witnessed, authenticated and recorded pursuant to the law of the State of Nebraska. The appropriate documents shall be reviewed by the Corps of Engineers prior to signature to assure compliance with permit conditions.

This Declaration has been reviewed by the Corps of Engineers and is in compliance with permit conditions

COE Representative's Initials: LB Date: May 5, 2011

3. The Grantor, for itself and its successors and assigns, does confirm that it is the owner in fee of the Easement Areas and that it has the right to grant, convey and establish this Declaration in the manner and form aforesaid, and that it will warrant and defend this Declaration against the lawful claims and demands of all persons. This Declaration runs with the land shall be binding upon the Grantor and the Grantor's successors and assigns.

SANITARY AND IMPROVEMENT DISTRICT NO. 290
OF SARPY COUNTY, NEBRASKA, a Nebraska
political subdivision

By: Gerald L. Torczon
Gerald L. Torczon, Chairman

ATTEST:
Roger W. Langpaul
Roger W. Langpaul, Clerk

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

2011
On this 9th day of August, ~~2010~~, before me, the undersigned, a Notary Public duly commissioned and qualified in said county, personally came Gerald L. Torczon and Roger W. Langpaul, Chairman and Clerk, respectively of Sanitary and Improvement District No. 290 of Sarpy County, Nebraska, a Nebraska political subdivision, to me personally known to be the persons whose names are affixed to the foregoing instrument in such capacities, and who acknowledged the execution of the same to be their voluntary act and deed on behalf of the District.

Karen T. Rodis
Notary Public

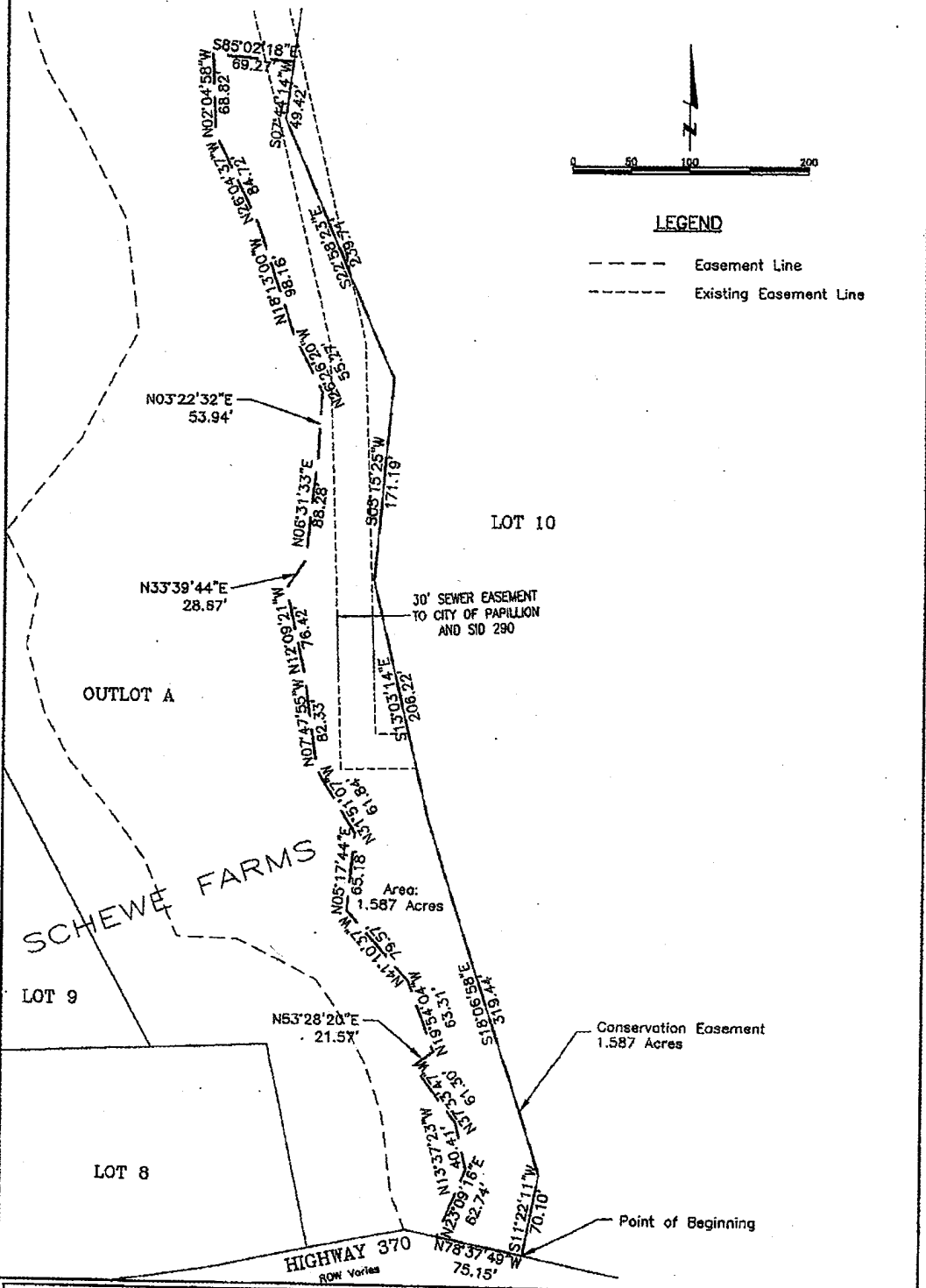


EXHIBIT "A"

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot A, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



LRA
 LAND RECORDS ASSOCIATION, INC.
 4740 West Dodge Road, Suite 200
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM
 (Ph) 402.496.2498
 (Fax) 402.496.2730

drawn by: SGT
 designer: MRT
 job number-task: 0109050.02
 date: 08-11-2010
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 file name: 0109050 E148.dwg

C

Legal Description

A permanent conservation easement over that part of Outlot A, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the southwest corner of Lot 10, SCHEWE FARMS, said point also being the southeast corner of said Outlot A on the north right of way line of the State of Nebraska Highway 370;

Thence North 78°37'49" West (bearings referenced to the Final Plat of SCHEWE FARMS) for 75.15 feet along said north right of way line;

Thence North 23°09'16" East for 62.74 feet;

Thence North 13°37'23" West for 40.41 feet;

Thence North 37°33'47" West for 61.30 feet;

Thence North 53°28'20" East for 21.57 feet;

Thence North 19°54'04" West for 63.31 feet;

Thence North 41°10'37" West for 79.57 feet;

Thence North 05°17'44" East for 65.18 feet;

Thence North 31°51'07" West for 61.84 feet;

Thence North 07°47'55" West for 82.33 feet;

Thence North 12°09'21" West for 76.42 feet;

Thence North 33°39'44" East for 28.67 feet;

Thence North 06°31'33" East for 88.28 feet;

Thence North 03°22'32" East for 53.94 feet;

Thence North 26°26'20" West for 55.27 feet;

Thence North 18°13'00" West for 98.16 feet;

Thence North 26°04'37" West for 84.72 feet;

Thence North 02°04'58" West for 68.82 feet;

Thence South 85°02'18" East for 69.27 feet to the west line of said Lot 10;

Thence along said west line for the following six (6) courses;

1. Thence South 07°44'14" West for 49.42 feet;

2. Thence South 22°58'23" East for 239.71 feet;

3. Thence South 05°15'25" West for 171.19 feet;

4. Thence South 13°03'14" East for 206.22 feet;

5. Thence South 18°06'58" East for 319.44 feet;

6. Thence South 11°22'11" West for 70.10 feet to the Point of Beginning.

Contains 1.587 acres.

8/16/2010

Lamp Rynearson and Associates Inc.

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EXHIBIT "B"

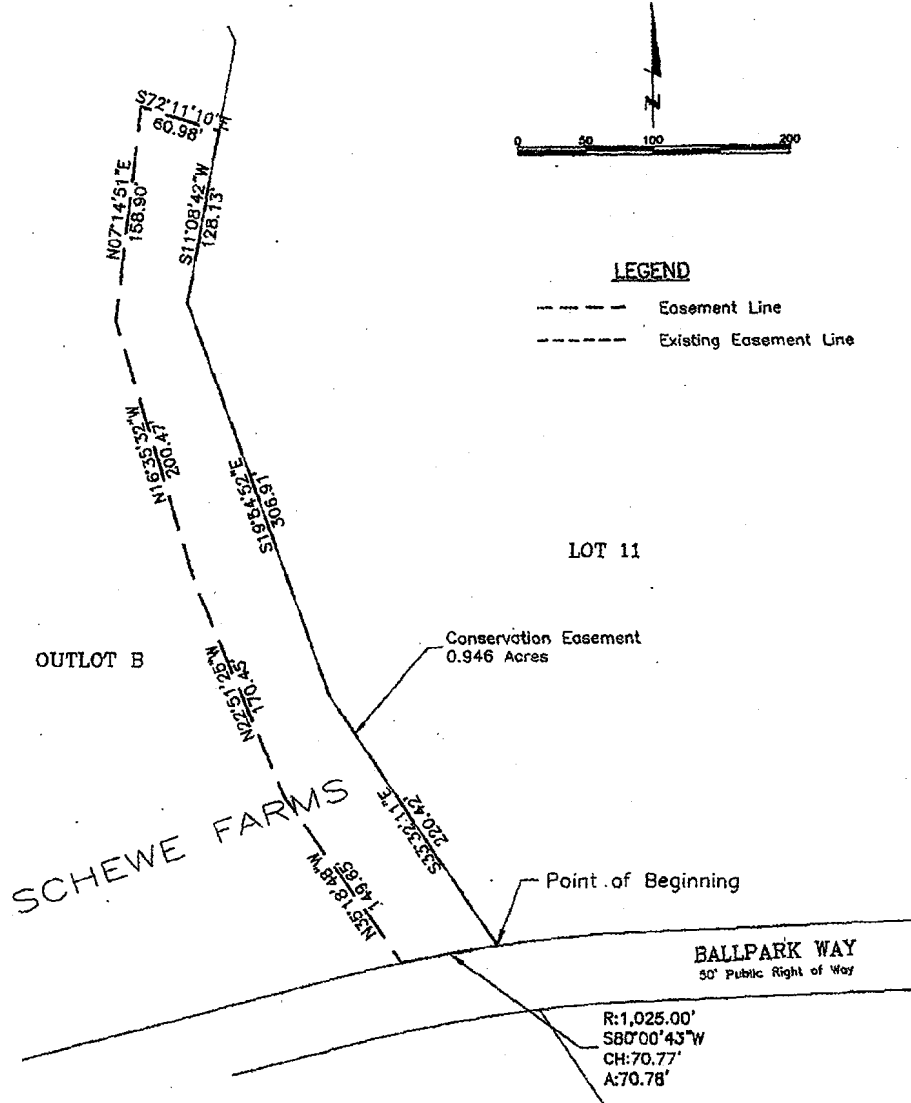
EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot B, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:
Beginning at the southwest corner of Lot 11, SCHEWE FARMS, said point also being the southeast corner of said Outlot B;

Thence along a curve to the left (having a radius of 1025.00 feet and a long chord bearing South 80°00'43" West (bearings referenced to the Final Plat of SCHEWE FARMS) for 70.77 feet) for an arc length of 70.78 feet along the north line of Ballpark Way and the south line of said Outlot B;

- Thence North 35°18'48" West for 149.65 feet;
 - Thence North 22°51'25" West for 170.45 feet;
 - Thence North 16°35'32" West for 200.47 feet;
 - Thence North 07°14'51" East for 158.90 feet;
 - Thence South 72°11'10" East for 60.98 feet to the east line of said Outlot B;
 - Thence along said east line for the following three (3) courses:
 1. Thence South 11°08'42" West for 128.13 feet;
 2. Thence South 19°54'52" East for 306.91 feet;
 3. Thence South 33°32'11" East for 220.42 feet to the Point of Beginning;
- Contains 0.946 acres.



WWW.LRA-INC.COM

(Ph) 402.496.2498
(Fax) 402.496.2730

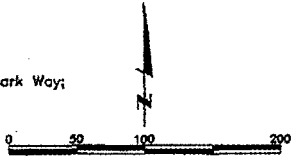
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designer: MRT
job number-task: 0109050.02
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file name: 0109050 E147.dwg

EXHIBIT "C"

EASEMENT EXHIBIT

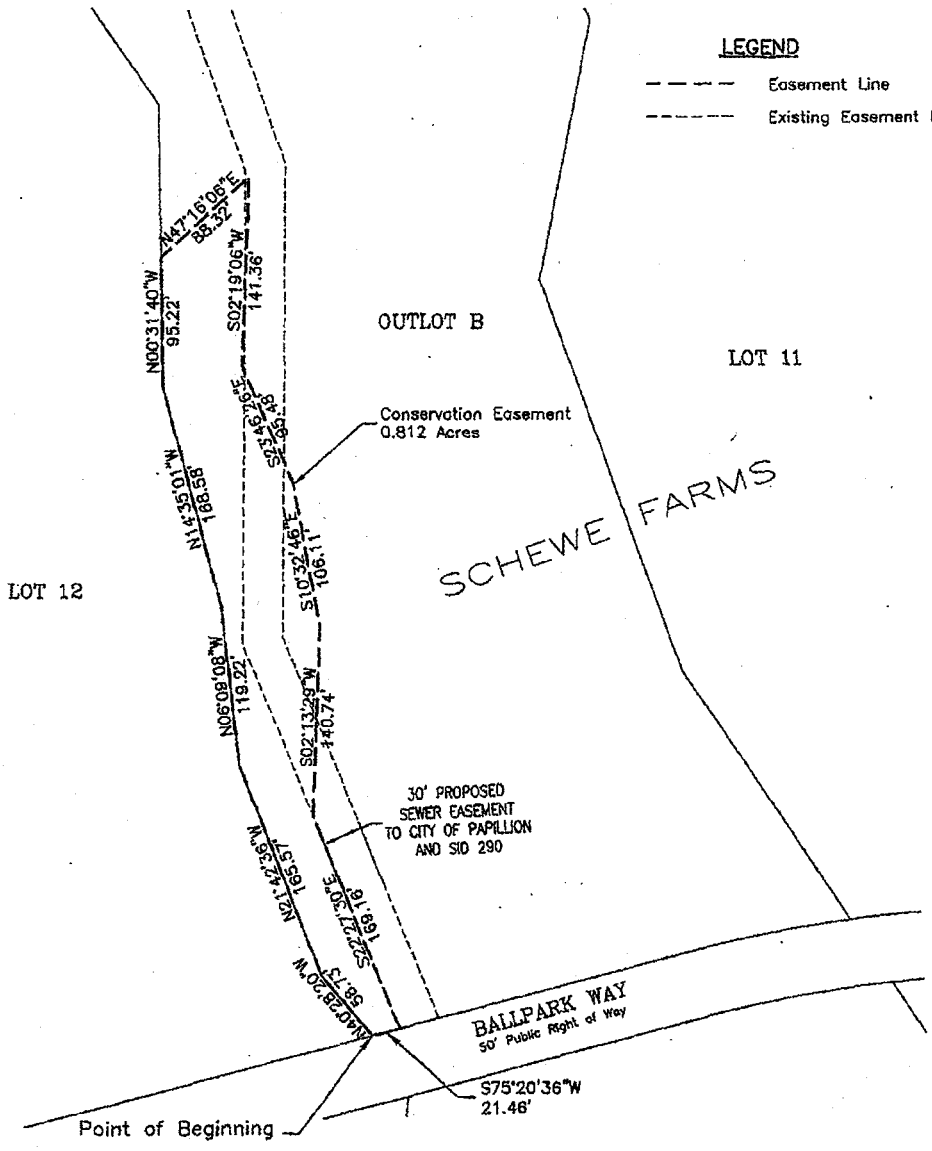
LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot B, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:
 Beginning at the southwest corner of said Outlot B, said point also being on the north right of way line of Ballpark Way;
 Thence North 40°28'20" West (bearings referenced to the Final Plat of SCHEWE FARMS) for 58.73 feet along the west line of said Outlot B;
 Thence continuing along said west line the following four (4) courses;
 Thence North 21°42'36" West for 165.57 feet;
 Thence North 08°09'08" West for 119.22 feet;
 Thence North 14°35'01" West for 168.58 feet;
 Thence North 00°31'40" West for 95.22 feet;
 Thence North 47°16'06" East for 88.32 feet;
 Thence South 02°19'08" West for 141.36 feet;
 Thence South 23°46'26" East for 95.48 feet;
 Thence South 10°32'46" East for 106.11 feet;
 Thence South 02°13'29" West for 140.74 feet;
 Thence South 22°27'30" East for 169.16 feet to the north right of way line of Ballpark Way;
 Thence South 75°20'36" West for 21.46 feet to the Point of Beginning.
 Contains 0.812 acres.



LEGEND

- Easement Line
- Existing Easement Line



L. L. Lamborn & Associates, Inc.
 Surveyors
 1410 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

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drawn by: SGT
 designer: MRT
 job number-task: 0109050.02
 date: 08-11-2010
 book: _____ page: _____
 file name: 0109050 E144.dwg

EXHIBIT "D"

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot D, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the northeast corner of said Outlot D;

Thence South 34°49'40" West (bearings referenced to the Final Plat of SCHEWE FARMS) for 96.22 feet;

Thence South 05°00'54" West for 142.89 feet;

Thence South 46°40'04" East for 113.30 feet to the east line of said Outlot D;

Thence South 02°51'55" East for 39.72 feet along the east line said Outlot D;

Thence South 42°08'05" West for 75.03 feet along the southeast line said Outlot D to the south line thereof;

Thence South 87°08'05" West for 123.15 feet along said south line said Outlot D;

Thence North 47°51'55" West for 125.57 feet along the southwest line said Outlot D to the west line thereof;

Thence North 02°51'55" West for 53.59 feet along said west line said Outlot D;

Thence North 57°54'54" East for 84.02 feet;

Thence North 03°56'06" East for 127.47 feet;

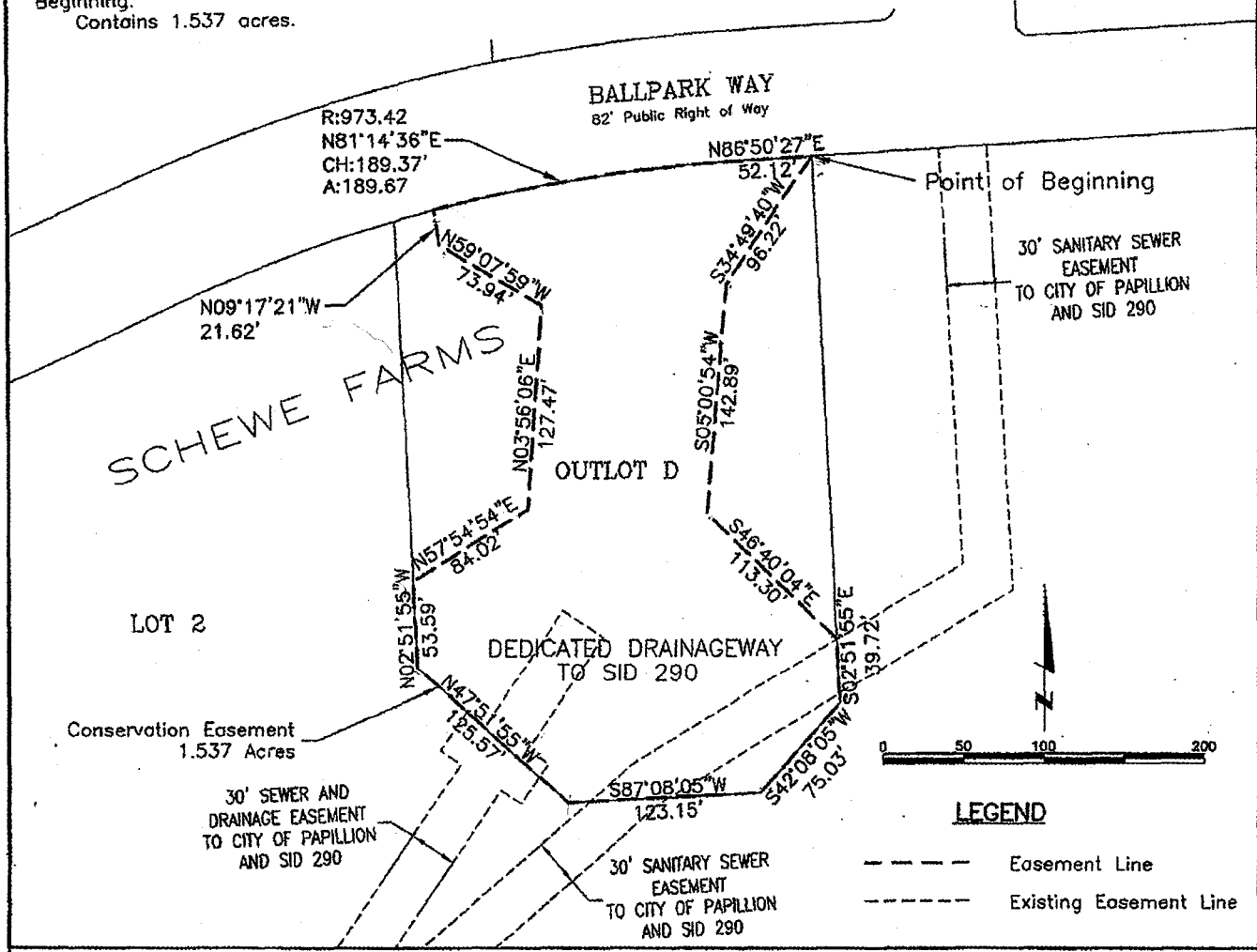
Thence North 59°07'59" West for 73.94 feet;

Thence North 09°17'21" West for 21.62 feet to the south right of way of Ballpark Way;

Thence along a curve to the right (having a radius of 973.42 feet and a long chord bearing North 81°14'36" East for 189.37 feet) for an arc length of 189.67 feet along said south right of way line;

Thence North 86°50'27" East for 52.12 feet continuing along said south right of way line to the Point of Beginning.

Contains 1.537 acres.



LEGEND

- Easement Line
- Existing Easement Line

Lands, Rainterson & Associates, Inc.
 14710 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

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 designer: MRT
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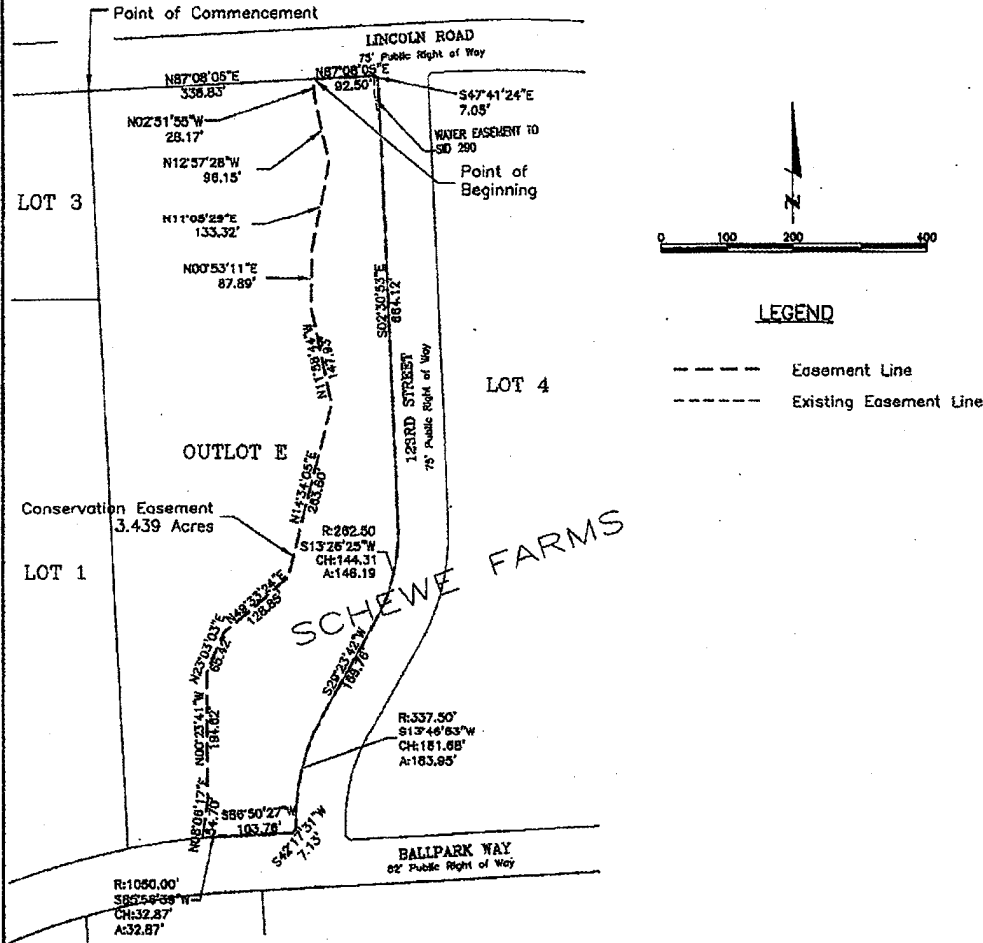
EXHIBIT "E"

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot E, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Commencing at the northwest corner of said Outlot E;
 Thence North 87°08'05" East (bearings referenced to the Final Plat of SCHEWE FARMS) for 338.83 feet along the north line of said Outlot E to the TRUE POINT OF BEGINNING;
 Thence North 87°08'05" East for 92.50 feet continuing along said north line of Outlot E;
 Thence South 47°41'24" East for 7.05 feet along the northeast line of said Outlot E to the east line thereof;
 Thence South 02°30'53" East for 664.12 feet along said east line of Outlot E;
 Thence along a curve to the right (having a radius of 262.50 feet and a long chord bearing South 13°26'25" West for 144.31 feet) for an arc length of 146.19 feet continuing along said east line of Outlot E;
 Thence South 29°23'42" West for 159.76 feet continuing along said east line of Outlot E;
 Thence along a curve to the left (having a radius of 337.50 feet and a long chord bearing South 13°46'53" West for 181.68 feet) for an arc length of 183.95 feet continuing along said east line of Outlot E;
 Thence South 42°17'31" West for 7.13 feet along the southeast line of said Outlot E to the south line thereof;
 Thence South 86°50'27" West for 103.76 feet along said south line of Outlot E;
 Thence along a curve to the left (having a radius of 1050.00 feet and a long chord bearing South 85°56'39" West for 32.87 feet) for an arc length of 32.87 feet continuing along said south line of Outlot E;
 Thence North 08°06'17" East for 54.70 feet;
 Thence North 00°23'41" West for 194.62 feet;
 Thence North 23°03'03" East for 65.42 feet;
 Thence North 49°33'24" East for 128.85 feet;
 Thence North 14°34'05" East for 263.60 feet;
 Thence North 11°58'44" West for 147.93 feet;
 Thence North 00°53'11" East for 87.89 feet;
 Thence North 11°05'29" East for 133.32 feet;
 Thence North 12°57'28" West for 96.15 feet;
 Thence North 02°51'55" West for 28.17 feet to the Point of Beginning.
 Contains 3.439 acres.




 <p>1710 West Dodge Road, Suite 100 Omaha, Nebraska 68154-2027</p>	<p>WWW.LRA-INC.COM (Ph) 402.496.2498 (Fax) 402.496.2730</p>	<p>drawn by: SGT designer: MRT job number: task# 0109050.02 date: 08-11-2010 book: page file name: 0109050 E143.dwg</p>
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EXHIBIT "F"

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot E, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the northwest corner of said Outlot E, said point being on the south right of way line of Lincoln Road;

Thence North 87°08'05" East (bearings referenced to the Final Plat of SCHEWE FARMS) for 153.79 feet along said south right of way line;

Thence South 24°05'38" East for 43.54 feet;

Thence South 32°39'23" West for 64.60 feet;

Thence South 10°27'27" West for 22.37 feet;

Thence South 02°30'46" East for 24.37 feet;

Thence South 15°00'11" East for 33.91 feet;

Thence South 28°55'01" East for 76.22 feet;

Thence South 08°27'30" East for 127.20 feet;

Thence South 35°17'50" West for 124.73 feet;

Thence South 07°15'48" West for 40.20 feet;

Thence South 01°43'22" West for 48.75 feet;

Thence South 04°05'52" East for 67.66 feet;

Thence South 06°47'30" East for 98.44 feet;

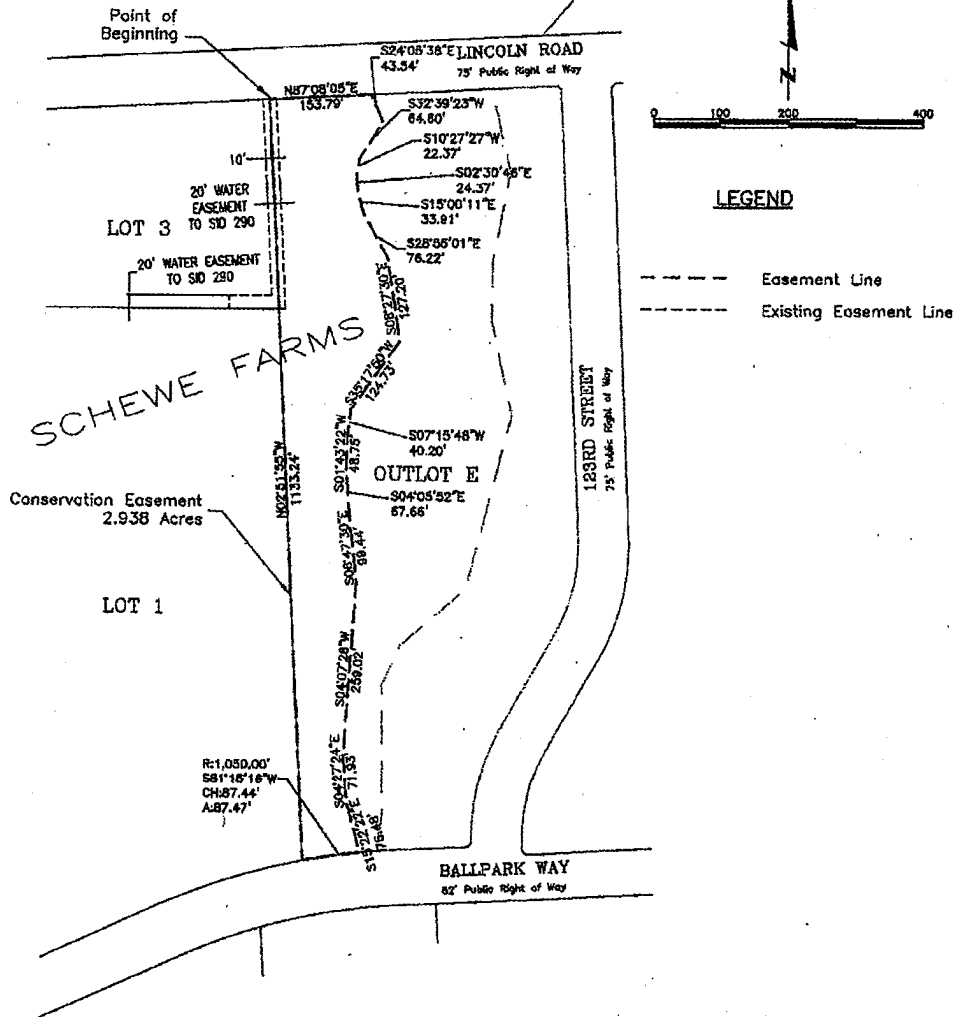
Thence South 04°07'28" West for 259.02 feet;

Thence South 04°27'24" East for 71.93 feet;

Thence South 15°22'22" East for 76.48 feet to the north right of way line of Ballpark Way and the south line of said Outlot E;

Thence along a curve to the left (having a radius of 1,050.00 feet and a long chord bearing South 81°15'16" West for 87.44 feet) for an arc length of 87.47 feet along said north right of way line to the southwest corner of said Outlot E;

Thence North 02°51'55" West for 1133.24 feet to the Point of Beginning.
Contains 2.938 acres.



LRA, Inc.
 1100 West Park West Drive, Suite 100
 Omaha, Nebraska 68154-2027

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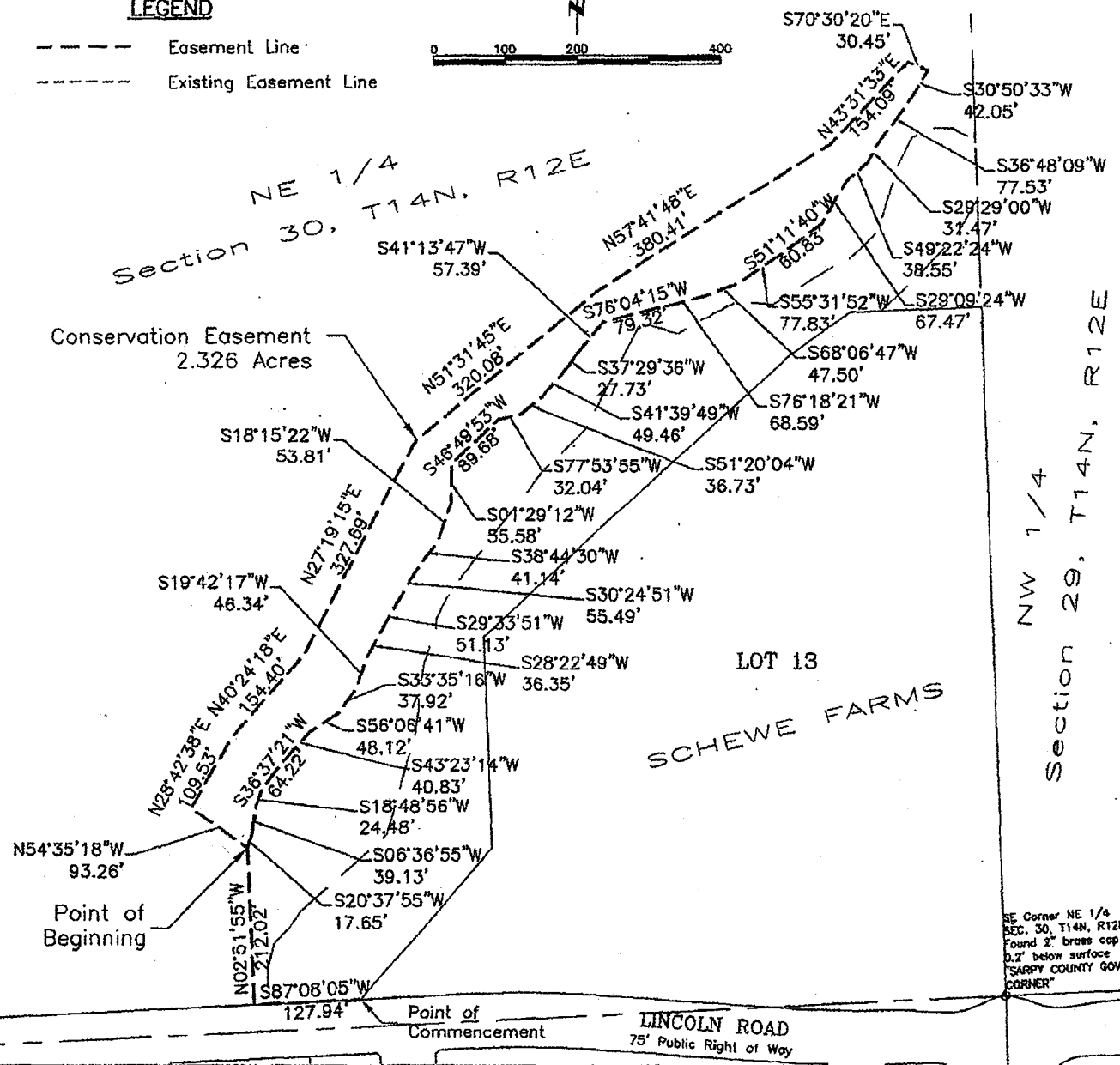
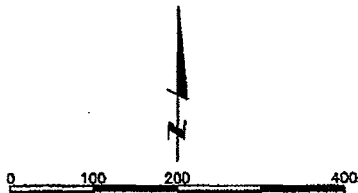
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EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of the Northeast Quarter Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)

- LEGEND**
- Easement Line
 - Existing Easement Line



LRA Land Resources & Associates, Inc.
 1440 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

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 designer: MRT
 job number-task: 0109050.02
 date: 08-11-2010
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 file name: 0109050 E149.dwg

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Legal Description

A conservation easement over that part of the Northeast Quarter Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows: :

Beginning at the southwest corner of Lot 13, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska;

Thence South 87°08'05" West (bearings referenced to the Final Plat of SCHEWE FARMS) for 127.94 feet along the north right of way line of Lincoln Road;

Thence North 02°51'55" West for 212.02 feet to the TRUE POINT OF BEGINNING;

Thence North 54°35'18" West for 93.26 feet;

Thence North 28°42'38" East for 109.53 feet;

Thence North 40°24'18" East for 154.40 feet;

Thence North 27°19'15" East for 327.69 feet;

Thence North 51°31'45" East for 320.08 feet;

Thence North 57°41'48" East for 380.41 feet;

Thence North 43°31'33" East for 154.09 feet;

Thence South 70°30'20" East for 30.45 feet;

Thence South 30°50'33" West for 42.05 feet;

Thence South 36°48'09" West for 77.53 feet;

Thence South 29°29'00" West for 31.47 feet;

Thence South 49°22'24" West for 38.55 feet;

Thence South 29°09'24" West for 67.47 feet;

Thence South 51°11'40" West for 60.83 feet;

Thence South 55°31'52" West for 77.83 feet;

Thence South 68°06'47" West for 47.50 feet;

Thence South 76°18'21" West for 68.59 feet;

Thence South 76°04'15" West for 79.32 feet;

Thence South 41°13'47" West for 57.39 feet;

Thence South 37°29'36" West for 27.73 feet;

Thence South 41°39'49" West for 49.46 feet;

Thence South 51°20'04" West for 36.73 feet;

Thence South 77°53'55" West for 32.04 feet;

Thence South 46°49'53" West for 89.68 feet;

Thence South 01°29'12" West for 55.58 feet;

Thence South 18°15'22" West for 53.81 feet;

Thence South 38°44'30" West for 41.14 feet;

Thence South 30°24'51" West for 55.49 feet;

Thence South 29°33'51" West for 51.13 feet;

Thence South 28°22'49" West for 36.35 feet;

Thence South 19°42'17" West for 46.34 feet;

Thence South 33°35'16" West for 37.92 feet;

Thence South 56°06'41" West for 48.12 feet;

Thence South 43°23'14" West for 40.83 feet;

Thence South 36°37'21" West for 64.22 feet;

Thence South 18°48'56" West for 24.48 feet;

Thence South 06°36'55" West for 39.13 feet;

Thence South 20°37'55" West for 17.65 feet to the Point of Beginning.

Contains 2.326 acres.

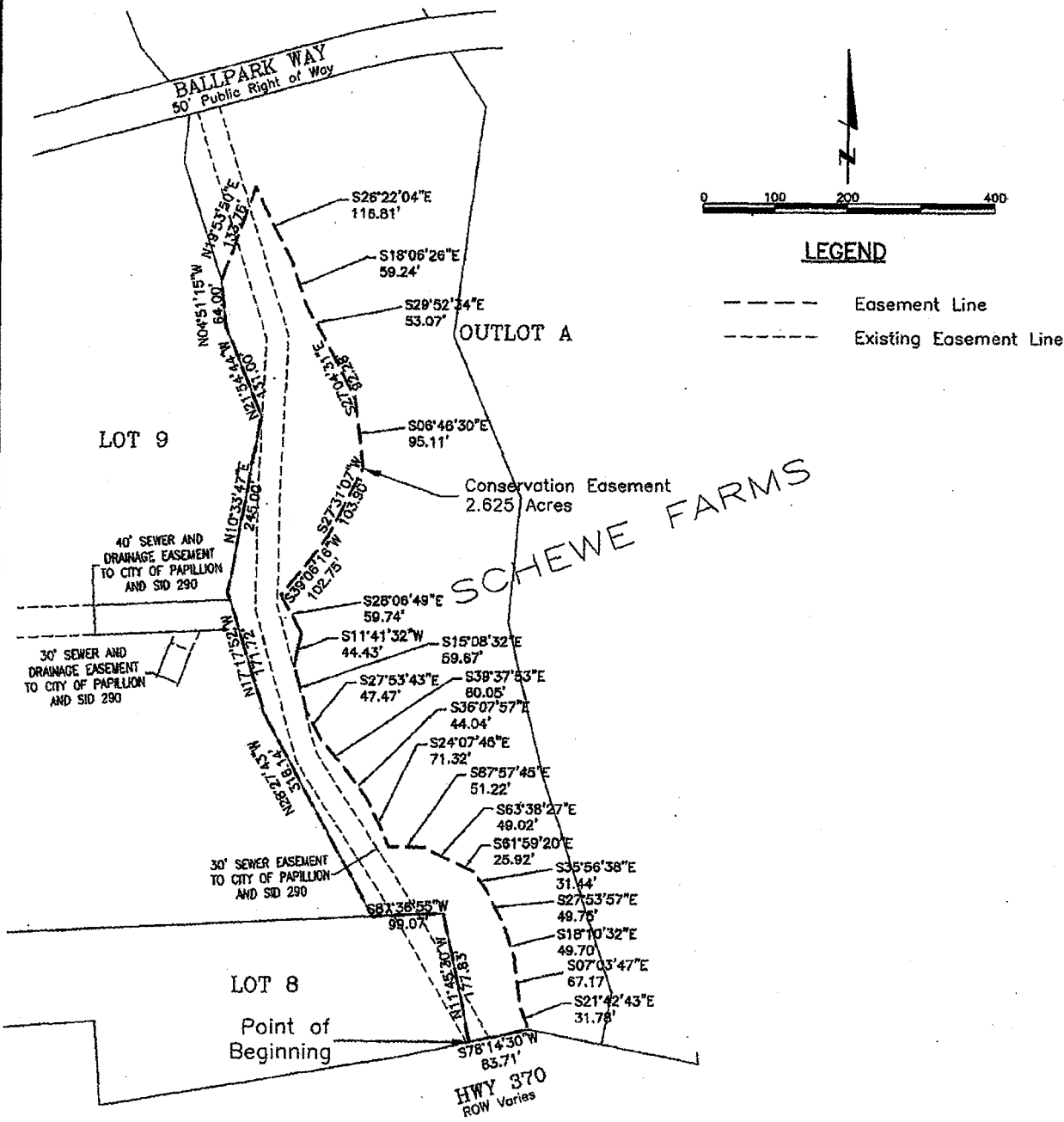
8/17/2010

Lamp Rynearson and Associates Inc.

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent conservation easement over that part of Outlot A, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



Legal Description

A permanent conservation easement over that part of Outlot A, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the southeast corner of Lot 8, SCHEWE FARMS, said point also being the southwest corner of said Outlot A and at the north right of way of State of Nebraska Highway 370;

Thence North $11^{\circ}45'30''$ West (bearings referenced to the Final Plat of SCHEWE FARMS) for 177.83 feet to the northeast corner of said Lot 8;

Thence South $87^{\circ}36'55''$ West for 99.07 feet along the north line of said Lot 8 to the southeast corner of Lot 9, SCHEWE FARMS;

Thence along the east line of said Lot 9 for the following five (5) courses;

1. Thence North $28^{\circ}27'43''$ West for 316.14 feet;
2. Thence North $17^{\circ}17'52''$ West for 171.72 feet;
3. Thence North $10^{\circ}33'47''$ East for 245.00 feet;
4. Thence North $21^{\circ}54'44''$ West for 131.00 feet;
5. Thence North $04^{\circ}51'15''$ West for 64.00 feet;

Thence North $19^{\circ}53'50''$ East for 133.76 feet;

Thence South $26^{\circ}22'04''$ East for 116.81 feet;

Thence South $18^{\circ}06'26''$ East for 59.24 feet;

Thence South $29^{\circ}52'34''$ East for 53.07 feet;

Thence South $27^{\circ}04'31''$ East for 92.28 feet;

Thence South $06^{\circ}46'30''$ East for 95.11 feet;

Thence South $27^{\circ}31'07''$ West for 103.90 feet;

Thence South $39^{\circ}06'16''$ West for 102.75 feet;

Thence South $28^{\circ}06'49''$ East for 59.74 feet;

Thence South $11^{\circ}41'32''$ West for 44.43 feet;

Thence South $15^{\circ}08'32''$ East for 59.67 feet;

Thence South $27^{\circ}53'43''$ East for 47.47 feet;

Thence South $39^{\circ}37'53''$ East for 60.05 feet;

Thence South $36^{\circ}07'57''$ East for 44.04 feet;

Thence South $24^{\circ}07'45''$ East for 71.32 feet;

Thence South $87^{\circ}57'45''$ East for 51.22 feet;

Thence South $63^{\circ}38'27''$ East for 49.02 feet;

Thence South $61^{\circ}59'20''$ East for 25.92 feet;

Thence South $35^{\circ}56'38''$ East for 31.44 feet;

Thence South $27^{\circ}53'57''$ East for 49.75 feet;

Thence South $18^{\circ}10'32''$ East for 49.70 feet;

Thence South $07^{\circ}03'47''$ East for 67.17 feet;

Thence South $21^{\circ}42'43''$ East for 31.78 feet to the north right of way line of State of Nebraska Highway 370;

Thence South $78^{\circ}14'30''$ West for 83.71 feet to the Point of Beginning.

Contains 2.625 acres.