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THIS PAGE INCLUDED FOR INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

RETURN TO

Mark Westergard

12711 SCOTT Street

Omaha NE 68142

CHECK NUMBER

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GRANT OF EASEMENT

**PERMANENT TRAIL EASEMENT**

This Grant of Easement made this \_\_\_\_th day of \_\_\_\_\_, 2018, between ADF Properties, Inc. hereinafter referred to as "Grantor", in favor of the Deer Creek Home Owners Association, hereinafter referred to as "HOA" and its successors and assigns.

THAT, said Grantor in consideration of the sum of Two dollars (\$ 2.00), and other valuable consideration, the following grants and agreements are made:

1. Grantor does hereby grant and confirm unto HOA and its successors and assigns, the right to use the parcel of land described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

2. Grantor does hereby grant and confirm unto HOA, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting and maintaining or operating a recreational trail and associated appurtenances at the will of the HOA.
3. That no buildings or other structures shall be placed in, on, over or across said easement by Grantor, his successors and assigns, without express approval of the HOA.
4. HOA shall cause any disturbance of grade made on said easement to be properly refilled and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee or representative of the HOA for any of said construction work.
5. That said Grantor for himself and his successors and assigns, do confirm with the HOA and its assigns, that he the Grantor is well seized in fee of the above-described property and that he has the right to grant and convey this easement in the manner and form aforesaid, and that he will, and his successors and assigns, shall warrant and defend this easement to HOA and its assigns against the lawful claims and demands of all persons. This easement runs with the land and may be vacated by mutual written consent of Grantor and Grantee.
6. That this instrument contains the entire agreement of the parties; that there are no other different agreements or understandings between the Grantor and the HOA or its agents; and that the Grantor, in executing and delivering this instrument, has not relied upon any promises, inducements or representations of the HOA or its agents or employees except as are set forth herein.

IN WITNESS WHEREOF, said Grantor has executed this easement on the date first written above.

Anthony Pucinaro  
Anthony Pucinaro, ADF Properties, Inc.  
*President*  
STATE OF NEBRASKA )

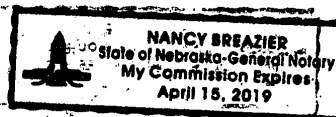
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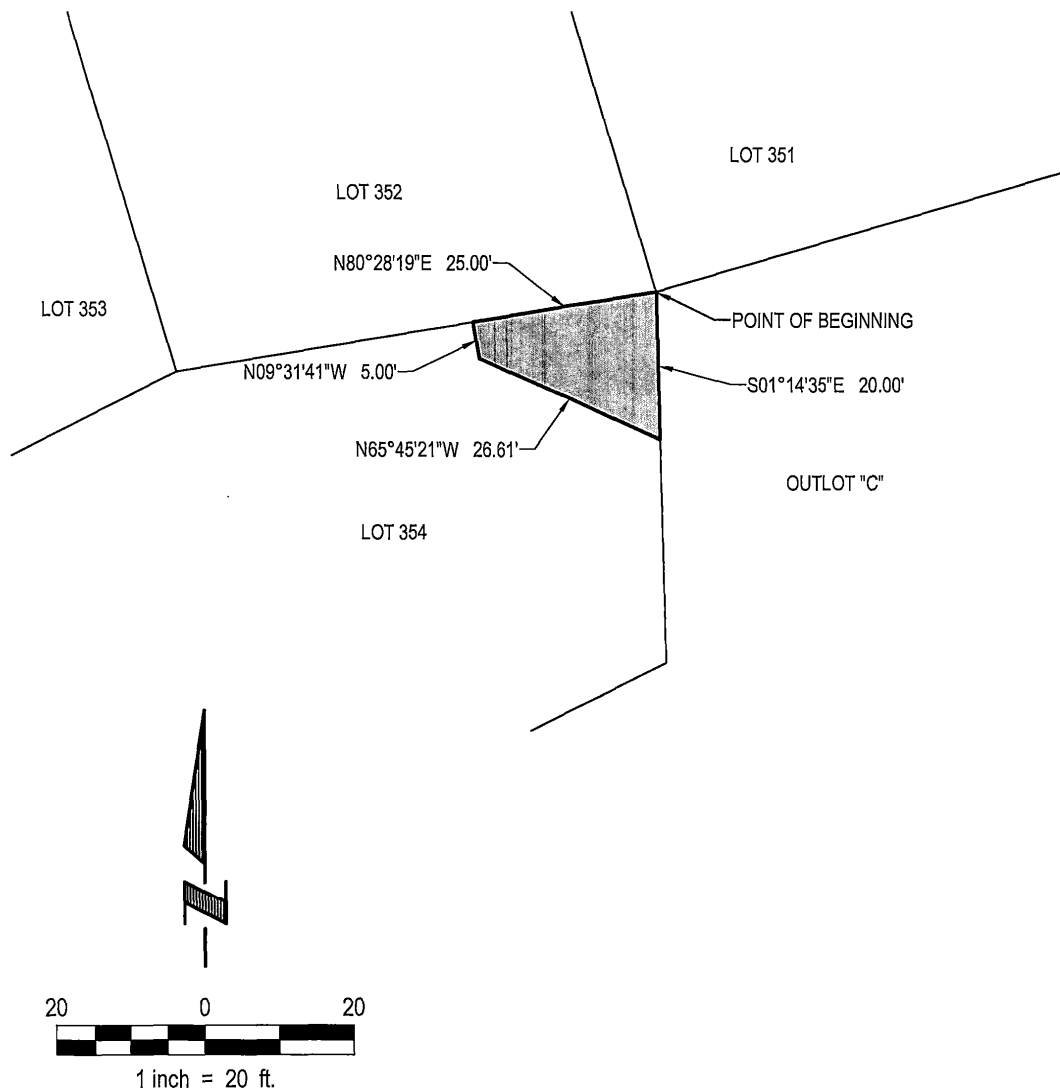
COUNTY OF DOUGLAS)

On this 3th day of May, 2018, before me, a Notary Public in and for said County and State, personally appeared Anthony Pucinaro representing ADF Properties, Inc., who executed the above and foregoing easement acknowledged the execution thereof to be his voluntary act and deed.

Nancy Breazier  
NOTARY PUBLIC

My Commission expires 4-15-19



**EXHIBIT "A"****LEGAL DESCRIPTION**

AN INGRESS-EGRESS EASEMENT LOCATED IN PART OF LOT 354, DEER CREEK, A SUBDIVISION LOCATED IN THE SW1/4 OF SECTION 30, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 354, DEER CREEK, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 352, SAID DEER CREEK, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 351, SAID DEER CREEK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF OUTLOT "C", SAID DEER CREEK; THENCE S01°14'35"E (ASSUMED BEARING) ALONG THE EAST LINE OF SAID LOT 354, DEER CREEK, SAID LINE ALSO BEING THE WEST LINE OF SAID OUTLOT "C", DEER CREEK, A DISTANCE OF 20.00 FEET; THENCE N65°45'21"W, A DISTANCE OF 26.61 FEET; THENCE N09°31'41"W, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 354, DEER CREEK, SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID LOT 352, DEER CREEK; THENCE N80°28'19"E ALONG SAID NORTH LINE OF LOT 354, DEER CREEK, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 352, DEER CREEK, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

SAID INGRESS-EGRESS EASEMENT CONTAINS 303 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.



**E & A CONSULTING GROUP, INC.**

Engineering • Planning • Environmental & Field Services

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Drawn by: CJV | Chkd by: *JH*

Date: 04-04-2018

Job No.: 2008.151.001

**INGRESS-EGRESS EASEMENT**

**PART OF LOT 354, DEER CREEK**

DOUGLAS COUNTY, NEBRASKA