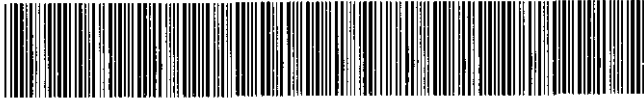




MISC 2006036013



APR 03 2006 07:47 P 3

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
4/3/2006 07:47:04.95



2006036013

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

Misc.
 (3
3
 FEE 16.⁵⁰ FB OC-10995.
 BKP _____ C/O _____ COMP Jan
 DEL _____ SCAN _____ FV _____

✓ 8662

SIDEWALK EASEMENT

In consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Elk Ridge Villas, L.L.C., a Nebraska limited liability corporation (hereafter "Grantor"), hereby grants and conveys to Sanitary and Improvement District No. 521 of Douglas County, Nebraska (hereafter "the District") and its successors and assigns, a non-exclusive sidewalk easement over, across, and through the real property that is legally described on the attached Exhibit "A" (hereafter the "Easement Property") for the purpose of allowing pedestrian traffic over, across and on the Easement Property. Grantor shall build said sidewalk in compliance with the City of Elkhorn requirements, and the Grantor shall be solely responsible for the costs of construction of said sidewalk. The owner of the Easement Property, regardless of whether that person is the Grantor, or its successors, assigns or grantees, shall maintain and repair said sidewalk, which shall include snow removal. The District shall not have any obligation to maintain, repair, or remove snow from the sidewalk

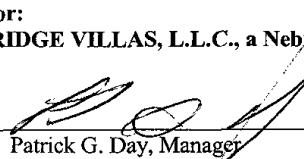
TO HAVE AND TO HOLD unto the District and its successors and assigns. This easement runs with the land, but shall terminate at such time as the District executes and delivers a Release or Termination of Easement for said Easement Property or said Easement Property is no longer used as a sidewalk.

It is further agreed as follows:

1. This easement and agreement runs with the land and shall be binding upon Grantor, and its successors, assigns and grantees. The obligation to maintain the sidewalk, including the obligation to repair and to remove snow, shall run with the land.
2. This easement is also for the benefit of any contractor, agent, employee or representative of the District.
3. That Grantor, for itself and its successors and assigns, does hereby confirm with the District and its successors and assigns, that the Grantor is well seized in fee of the Easement Property, and that the Grantor has the right to grant and convey this easement in the aforementioned manner and form, and that Grantor, and its successors and assigns, shall warrant and defend this easement to said District and its successors and assigns against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Grantor has set its hand this 23rd day of March, 2006.

Grantor:
ELK RIDGE VILLAS, L.L.C., a Nebraska limited liability corporation

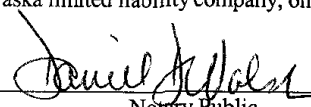
By: 
Patrick G. Day, Manager

By: 
Christopher R. Held, Manager

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS) SS

The foregoing instrument was acknowledged before me this 23rd day of March, 2006, by Patrick G. Day, Manager of Elk Ridge Villas, L.L.C., a Nebraska limited liability company, on behalf of the company.

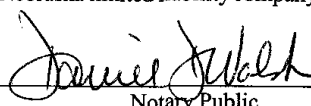



Notary Public

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS) SS

The foregoing instrument was acknowledged before me this 23rd day of March, 2006, by Christopher R. Held, Manager of Elk Ridge Villas, L.L.C., a Nebraska limited liability company, on behalf of the company.




Notary Public

After recording, please return original

to: **WALSH LAW PC**
13304 WEST CENTER ROAD
SUITE 222
OMAHA, NE 68144

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for pedestrian ingress and egress and for the construction and maintenance of sidewalks over Lots 6, 7 and 8, ELK RIDGE REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

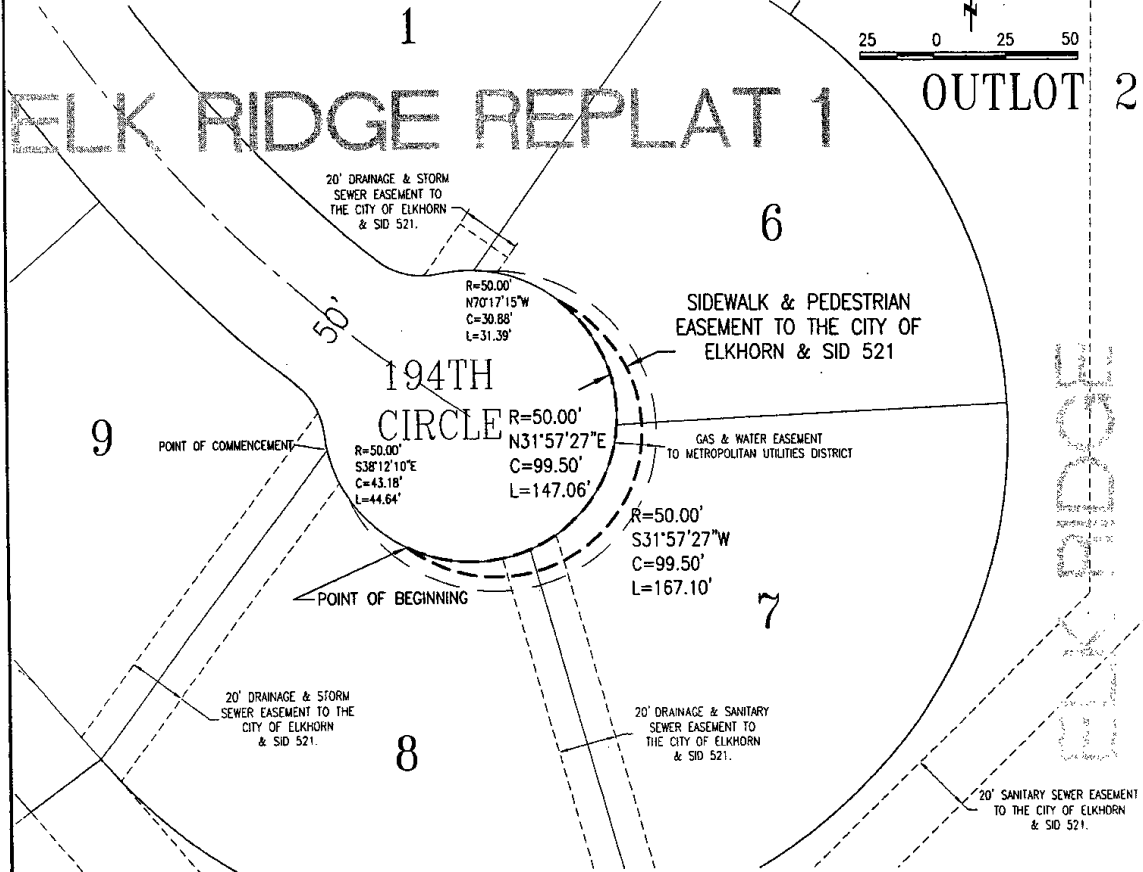
Commencing at the northwest corner of Lot 8;

Thence along a curve to the left (having a radius of 50.00 feet and a long chord bearing South 38°12'10" East (bearings referenced to the final plat of ELK RIDGE REPLAT 1) for 43.18 feet) for an arc length of 44.64 feet along the north line of said Lot 8 to the TRUE POINT OF BEGINNING;

Thence along a curve to the left (having a radius of 50.00 feet and a long chord bearing North 31°57'27" East for 99.50 feet) for an arc length of 147.06 feet along the north line of said Lot 8, the west line of said Lot 7 and the southwest line of said Lot 6;

Thence along a curve to the right (having a radius of 50.00 feet and a long chord bearing South 31°57'27" West for 99.50 feet) for an arc length of 167.10 feet to the Point of Beginning.

Contains 998 square feet.



960B2\dwg\9682E216 SIDEWALK.dwg

Book 96082

Page

Date Jan. 3, 2006

Dwn By JHVD

Job Number 96082.11 / 350



Lamp, Rynearson & Associates, Inc.

WWW.LRA-INC.COM

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

(Ph) 402.496.2498
(Fax) 402.496.2730