

39-474

FILED FOR RECORD IN SARPY COUNTY NEB Feb 14 1968 AT 9:00 AM
AND INDEXED IN BOOK 39 OF Misc Rec PAGE 474
Oliver N. ... REGISTER OF DEEDS 775

EASEMENT

THIS INDENTURE made this 12th day of February, 1968, between SANITARY AND IMPROVEMENT DISTRICT NO. 43 OF SARPY COUNTY, NEBRASKA, hereinafter called "Grantee" and LUREE COMBS DOUGLAS and DONALD R. DOUGLAS, wife and husband, hereinafter called "Grantors"

WITNESSETH

That said Grantors in consideration of One Dollar (\$1. 00) and other valuable consideration do hereby grant, sell, convey and confirm unto said Grantee, its employees, representatives, successors, assigns, and the employees and representatives of its successors or assigns, forever, temporary and permanent easements for the right to use, construct, lay, maintain, repair and reconstruct a sanitary outfall sewer pipe for the passage of sanitary sewage in, through, over and under the parcels of land as portrayed and described in Exhibit "A" attached hereto and made a part hereof by reference.

As additional consideration to Grantors for the granting of this easement, Grantee hereby covenants with Grantors that upon the residential development of the parcels of ground owned by Grantors through which the sanitary outfall sewer line shall run, the Grantees, their successors and assigns shall be entitled to make individual residential connections to said outfall line, upon payments of the proportionate connection charge established by Grantee, its successors and assigns.

Said easement is granted upon the express condition that if any changes, repairs or alterations are necessary to be made at any time or if any portion of any sewer needs to be reconstructed after the lots are filled or improved, the Grantee shall make good or cause to be made good to the owners of the above property any damage that may be done by said

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ATTORNEYS AT LAW
OMAHA, NEBRASKA 68131

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changes, alterations, repairs or reconstruction in the way of damage to trees, grounds, or other improvements thereon, including crops, vines, gardens and lawns, caused by work and construction done by the Grantee. No buildings, improvements or structures shall be placed upon or over any part of the permanent easement by the Grantors, their heirs, successors or assigns.

Said Grantee shall cause any trench made on foresaid realty 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 and representative of the Grantee in any of said construction and work.

Said Grantors do confirm with the said Grantee, its employees, representatives, successors, assigns, and the employees and representatives of its successors or assigns, that they are well seized in fee of the above described property and that they have the right to grant and convey this easement in the manner and form aforesaid, that they will, and their assigns shall warrant and defend this easement to said Grantee, its employees, representatives, successors, assigns, and the employees and representatives of its successors or assigns against the lawful claims and demands of all persons.

IN WITNESS WHEREOF said Grantors have hereunto set their hands the day and year first above written.

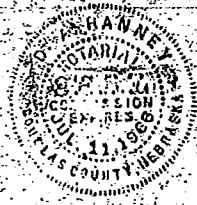
Luree Combs Douglas
Luree Combs Douglas
Donald B. Douglas
Donald B. Douglas

STATE OF NEBRASKA
SS:
COUNTY OF DOUGLAS

On this 12 day of February, 1968, before me the undersigned, a Notary Public in and for said county, personally came Luree Combs Douglas

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and Donald B. Douglas, wife and husband, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.



WITNESS my hand and notarial seal on FEBRUARY 12, 1968.

William H. Hannay
Notary Public

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EXHIBIT "A"

1. IN LOT 49 IN MARIAN PARK, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P. M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

A 20 foot wide permanent sewer easement located 10 feet on either side of the following described line, also a 100 foot wide temporary construction easement located 50 feet on either side of the following described line, commencing at a point 5 feet North of the centerline of vacated 7th Avenue; thence North 63° 32' 36" West (Assumed Bearing) at an azimuth angle of 69° 01' 50" with the centerline of Washington Street a distance of 261.92 feet; thence North 26° 32' 39" West a distance of 347.73 feet; thence North 41° 41' 00" West to the easterly property line of said Lot 49 and to the point of beginning; thence northwesterly to the North property line of said Lot 49 and to the southerly right-of-way line of Cliff Drive.

2. IN LOT 56 IN MARIAN PARK, A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P. M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

A 20 foot wide permanent sewer easement located 10 feet on either side of the following described line, also a 100 foot wide temporary construction easement located 50 feet on either side of the following described line, commencing at a point 5 feet North of the centerline of vacated 7th Avenue; thence North 63° 32' 36" West (Assumed Bearing) at an azimuth angle of 69° 01' 50" with the centerline of Washington Street a distance of 261.92 feet; thence North 26° 32' 35" West a distance of 347.73 feet; thence North 41° 41' 00" West a distance of 349.69 feet; thence North 45° 55' 54" West to the South property line of said Lot 56 and to the point of beginning; thence continuing North 45° 55' 54" West a total distance of 269.53; thence North 61° 12' 9" West to the westerly property line of said Lot 56.

3. IN LOT 55 IN MARIAN PARK, A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P. M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

A 20 foot wide permanent sewer easement located 10 feet on either side of the following described line, also a 100 foot wide temporary construction easement located 50 feet on either side of the following described line, commencing at a point 5 feet North of the centerline of vacated 7th Avenue; thence North 63° 32' 36" West (Assumed Bearing) at an azimuth angle of 69° 01' 50" with the centerline of Washington Street a distance of 261.92 feet; thence North 26° 32' 35" West a distance of 347.73 feet; thence North 41° 41' 00" West a distance of 349.69 feet; thence North 45° 55' 54" West a distance of 269.53 feet; thence North 61° 12' 09" West to the East property line of said Lot 55 and to the point of beginning; thence continuing North 61° 12' 09" West a total distance of 337.75 feet; thence North 60° 17' 29" West to the West property line of said Lot 55.

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4. IN LOT 54 IN MARIAN PARK, A SUBDIVISION IN THE NORTH-WEST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P. M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

A 20 foot wide permanent sewer easement located 10 feet on either side of the following described line, also a 100 foot wide temporary construction easement located 50 feet on either side of the following described line, commencing at a point 5 feet North of the centerline of vacated 7th Avenue; thence North $63^{\circ} 32' 36''$ West (Assumed Bearing) at an azimuth angle of $69^{\circ} 01' 50''$ with the centerline of Washington Street a distance of 261.92 feet; thence North $26^{\circ} 32' 39''$ West a distance of 347.73 feet; thence North $41^{\circ} 41' 00''$ West a distance of 349.69 feet; thence North $45^{\circ} 55' 54''$ West a distance of 269.58 feet; thence North $61^{\circ} 12' 09''$ West a distance of 337.75 feet; thence North $50^{\circ} 17' 29''$ West to the Easterly property line of said Lot 54 and to the point of beginning; thence continuing North $50^{\circ} 17' 29''$ West a total distance of 533.35 feet on said North $50^{\circ} 17' 29''$ West bearing; thence North $69^{\circ} 18' 9''$ West to the Westerly property line of said Lot 54.

5. IN LOT 53 IN MARIAN PARK, A SUBDIVISION IN THE NORTH-WEST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P. M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

A 20 foot wide permanent sewer easement located 10 feet on either side of the following described line, also a 100 foot wide temporary construction easement located 50 feet on either side of the following described line, commencing at a point 5 feet North of the centerline of vacated 7th Avenue; thence North $63^{\circ} 32' 36''$ West (Assumed Bearing) at an azimuth angle of $69^{\circ} 01' 50''$ with the centerline of Washington Street a distance of 261.92 feet; thence North $26^{\circ} 32' 39''$ West a distance of 347.73 feet; thence North $41^{\circ} 41' 00''$ West a distance of 349.69 feet; thence North $45^{\circ} 55' 54''$ West a distance of 269.58 feet; thence North $61^{\circ} 12' 09''$ West a distance of 337.75 feet; thence North $50^{\circ} 17' 29''$ West a distance of 533.35 feet; thence North $69^{\circ} 18' 09''$ West to the Easterly property line of said Lot 53 and to the point of beginning; thence continuing North $69^{\circ} 18' 09''$ West a total distance of 140.17 feet; thence North $35^{\circ} 27' 13''$ West a distance of 152.91 feet; thence North $37^{\circ} 47' 04''$ West to the Northerly property line of said Lot 53.