

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2007-21179

2007 JUL 16 P 1:35 PM

*Lloyd J. Dowding*

REGISTER OF DEEDS

COUNTER D G.E. AD

VERIFY EM D.E. AD

PROOF \_\_\_\_\_

FEES \$ 35.50

CHECK # \_\_\_\_\_

CHG CAF CASH \_\_\_\_\_

REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_

SHORT \_\_\_\_\_ NCR \_\_\_\_\_



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, STE 1109

PAPILLION, NE 68046-2895

402-593-5773

A

**PERMANENT EASEMENT**

**BUFFALO OUTFALL SEWER**

FOR AND IN CONSIDERATION of the sum of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Arthur R. Camenzind, (hereinafter referred to as the "GRANTOR", whether one or more), for himself, herself, themselves, or itself, and for his, her their or its heirs, successors and assigns, does hereby grant, bargain, sell, convey and confirm unto the CITY OF PAPIILLION, NEBRASKA, (hereinafter referred to as "PAPIILLION") and its successors and assigns, permanent easements, hereinafter described, in, over and upon parcels of land in Sarpy County, Nebraska, more particularly described in the legal descriptions attached hereto as Exhibit "A", and incorporated herein by reference. (Such parcel(s) of land hereinafter being referred to as the "Easement Area".)

Said easement will be over and under the following described area:

A 20.00 FOOT WIDE STRIP OF LAND LYING WITHIN TAX LOT 5 IN THE NW ¼ OF SECTION 28, T14N, R12E OF THE 6<sup>th</sup> P.M., SARPY COUNTY, NEBRASKA, THE CENTERLINE OF SAID 20.00 FOOT WIDE STRIP OF LAND BEING DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID NW 1/4;  
THENCE N02°51'52"W (ASSUMED BEARING) 79.66 FEET ON THE WEST LINE OF SAID NW ¼;  
THENCE N28°59'08"E 62.54 FEET TO THE EAST LINE OF 108<sup>th</sup> STREET AND THE POINT OF BEGINNING;  
THENCE CONTINUING N28°59'08"E 200.51 FEET;  
THENCE N18°14'39"E 300.00 FEET;  
THENCE N03°24'24"W 330.00 FEET;  
THENCE N18°37'06"W 330.00 FEET;  
THENCE N34°30'01"W 230.93 FEET TO THE EAST LINE OF 108<sup>th</sup> STREET AND THE POINT OF TERMINATION, SAID POINT BEING 1294.39 NORTH OF THE POINT OF BEGINNING AND 33.00 FEET EAST OF THE WEST LINE OF SAID NW ¼, WITH THE OUTER LIMITS OF SAID 20.00 FOOT WIDE STRIP OF LAND BEING EXTENDED TO MEET THE EAST LINE OF 108<sup>th</sup> STREET.  
CONTAINING 0.64 ACRES MORE OR LESS.

B

Along with

A 20.00 FOOT WIDE STRIP OF LAND LYING WITHIN TAX LOT 5 IN THE NW ¼ OF SECTION 28, T14N, R12E OF THE 6<sup>th</sup> P.M., SARPY COUNTY, NEBRASKA, THE CENTERLINE OF SAID 20.00 FOOT WIDE STRIP OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW 1/4;  
THENCE N87°28'52"E (ASSUMED BEARING) 507.73 FEET ON THE NORTH LINE OF SAID NW ¼ TO THE POINT OF BEGINNING;  
THENCE S31°41'00"W 12.09 FEET;  
THENCE S87°28'52"W 390.00 FEET ON A LINE 10.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NW 1/4;  
THENCE S16°53'18"W 230.41 FEET TO THE EAST LINE OF 108<sup>th</sup> STREET AND THE POINT OF TERMINATION, SAID POINT BEING 33.00 FEET EAST OF THE WEST LINE OF SAID NW ¼ AND 227.32 FEET SOUTH OF THE NORTH LINE OF SAID NW ¼, WITH THE OUTER LIMITS OF SAID 20.00 FOOT WIDE STRIP OF LAND BEING EXTENDED TO MEET THE EAST LINE OF 108<sup>th</sup> STREET AND THE NORTH LINE OF SAID NW ¼.

CONTAINING 0.29 ACRES MORE OR LESS.

Pursuant to this Easement, Papillion, its successors and assigns, and their respective officers, agents, employees and contractors, shall have the right to enter and use the Easement Area from time to time ingress and egress in connection with inspection, operation, maintenance, replacement, and repair of Buffalo Outfall Sewer improvements; and, the permanent right to have the Easement Area unobstructed at the time of Papillion's entries; provided, however, there is reserved to the GRANTOR and GRANTOR'S heirs, successors and assigns, the right to use the Easement Area for purposes that do not interfere with Papillion's uses of the Easement Area.

C

**GENERAL PROVISIONS**

A. The above payments shall cover all damages caused by the establishment and construction of the above project.

B. The GRANTOR waives compliance by Papillion with the notice and other provisions of the Uniform Procedure for Acquiring Private Property for Public Use (Sec. 25-2501, R.R.S. 1943, et seq., as amended.)

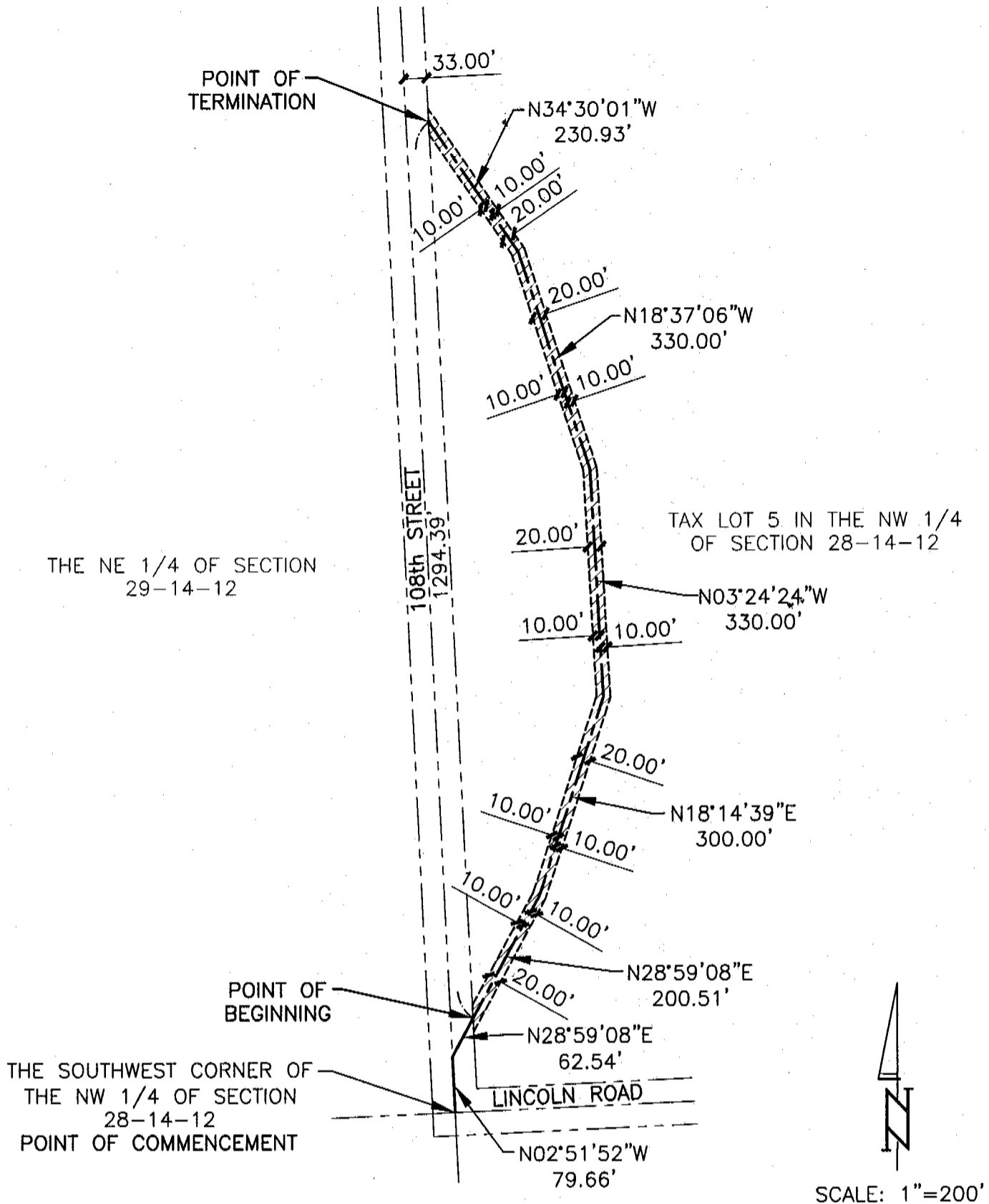
C. The GRANTOR, for itself and for its successors and assigns, covenants and agrees that GRANTOR is the owner of the Easement Area and that it has good right to convey these easements over the same; that said premises are free and clear of all liens and encumbrances, except easements and covenants of record; and, that it will warrant and defend the title to this Easement against all lawful claims and demands of all persons whatsoever.

D. This Easement shall not pass, nor be construed to pass, to Papillion, in fee simple interest or title to the Easement Area. The GRANTOR shall have the reserved right to make reasonable non-structural uses of the Easement Area which do not interfere with Papillion's rights under this Easement.

E. The GRANTOR warrants that no verbal or written representations or inducements have been made or given by PAPIILLION or by any of its officers, agents or employees, other than as may be recited in this document.



E



**LEGAL DESCRIPTION**

A 20.00 FOOT WIDE STRIP OF LAND LYING WITHIN TAX LOT 5 IN THE NW 1/4 OF SECTION 28, T14N, R12E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, THE CENTERLINE OF SAID 20.00 FOOT WIDE STRIP OF LAND BEING DESCRIBED AS FOLLOWS:

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CONTAINING 0.64 ACRES MORE OR LESS.

CITY OF PAPIILLION

BUFFALO OUTFALL SEWER

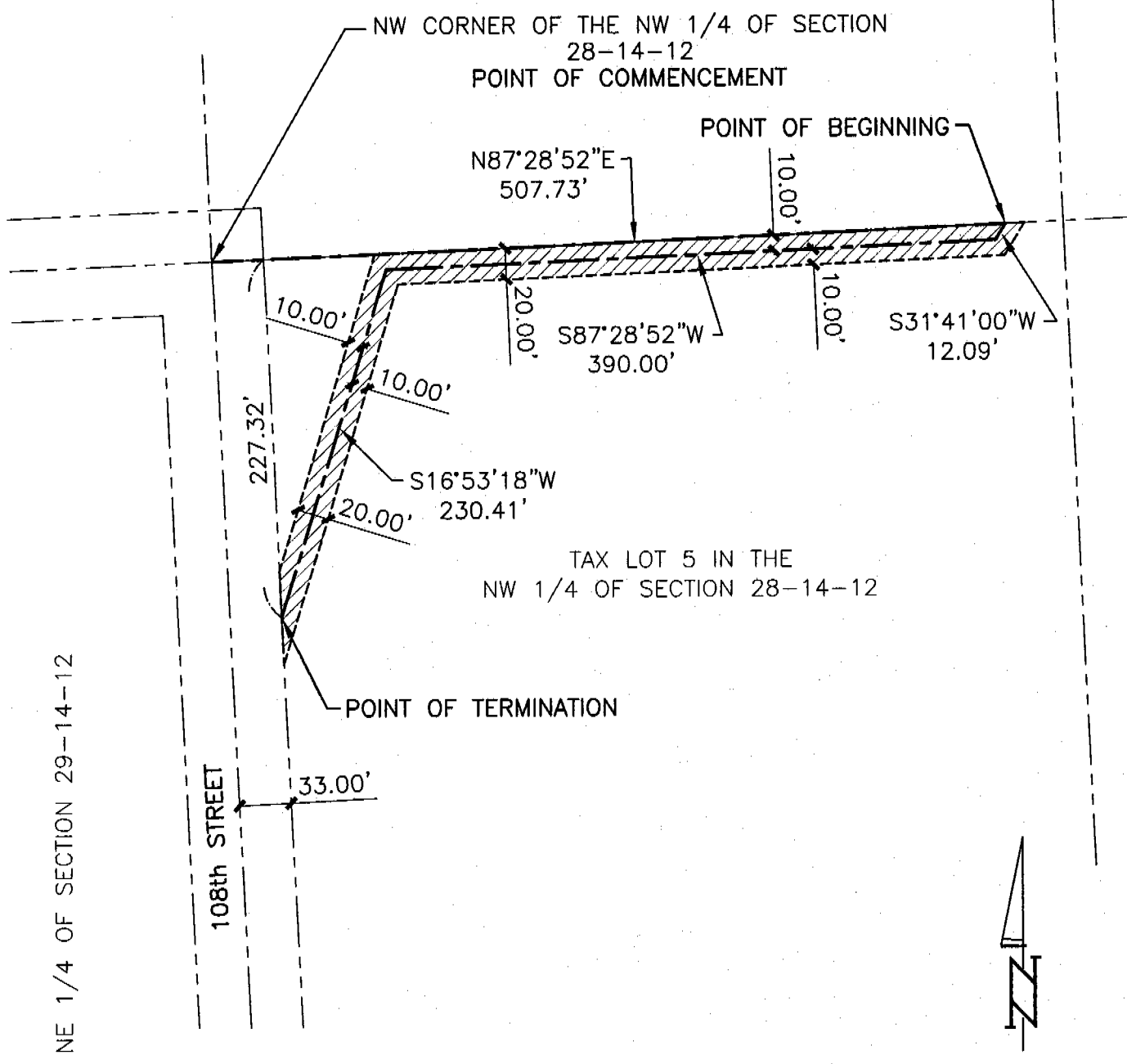
TD2 FILE NO.: 181-486-E3

DATE: NOV. 1, 2006

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

2007-21179F

TAX LOT 3 IN THE  
SW 1/4 OF SECTION 21-14-12



SCALE: 1"=100'

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CITY OF PAPIILLION

BUFFALO OUTFALL SEWER

TD2 FILE NO.: 181-486-E4

DATE: NOV. 1, 2006

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