

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2019-08531

05/02/2019 11:30:30 AM


COUNTY CLERK/REGISTER OF DEEDS

COUNTER LM C.E. LM
VERIFY LM D.E. LM
PROOF P
FEES \$ 28.00
CHECK # 134153
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____



LANDSCAPE EASEMENT

WOODLAND HOMES, INC., a Nebraska corporation, and its successors, being the owner of the real estate described below and hereinafter referred to as the "Grantor", for and in consideration of the sum of **One Dollar (\$1.00) and other valuable consideration**, receipt of which is hereby acknowledged, does hereby reserve unto itself and does hereby grant to **SANITARY AND IMPROVEMENT DISTRICT NO. 317 OF SARPY COUNTY, NEBRASKA**, a Nebraska political subdivision, and the **GRANITE LAKE HOMEOWNERS ASSOCIATION**, a Nebraska nonprofit corporation, and their successors, licensees and assigns, hereinafter collectively referred to as "Grantee", a permanent and non-exclusive easement for the construction, installation, operation, maintenance, repair, replacement, preservation and renewal of landscaping features (including, but not limited to, trees, shrubs, bushes, flowers and grass areas, underground sprinkler systems and associated appurtenances) (collectively "Landscaping"), over, upon, along, in and across the following described real estate in Sarpy County, Nebraska, to-wit:

Lots 134 thru 137, Granite Lake, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, and as identified on Exhibit "A" attached hereto (the "Easement Area").

Grantor does hereby grant such easement and confirms unto Grantee, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing (including grading), inspecting and maintaining Landscaping and associated appurtenances at the will of the Grantee.

Where such Landscaping is located, the Grantee shall have the right, but not the obligation to construct, repair, renew, maintain, replace and preserve the Landscaping within the Easement Area. The owner of the lot shall be primarily responsible for the repair, replacement and maintenance of the Landscaping located on such owner's lot within the Easement Area.

No buildings, fences or other structures shall be placed in, on, over or across the Easement Area by Grantor, its successors and assigns, including, but not limited to, the owner of the lot, without the express approval of the Grantee, except for improvements such as minor repair and maintenance of the Landscaping, without Grantee's approval. Any of the Landscaping placed on the Easement Area may be maintained by Grantee, its successors or assigns.

The owner of the real estate described within the Easement Area shall not remove, alter or relocate the Landscaping within the Easement Area without the consent of Grantee, except for repair or replacement of like Landscaping.

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

This conveyance is made for the benefit of the owners within the Granite Lake subdivision and their successors and assigns.

Dated: April 25th, 2019.

WOODLAND HOMES, INC., a Nebraska corporation

By: *Gerald L. Torczon*
Gerald L. Torczon, President

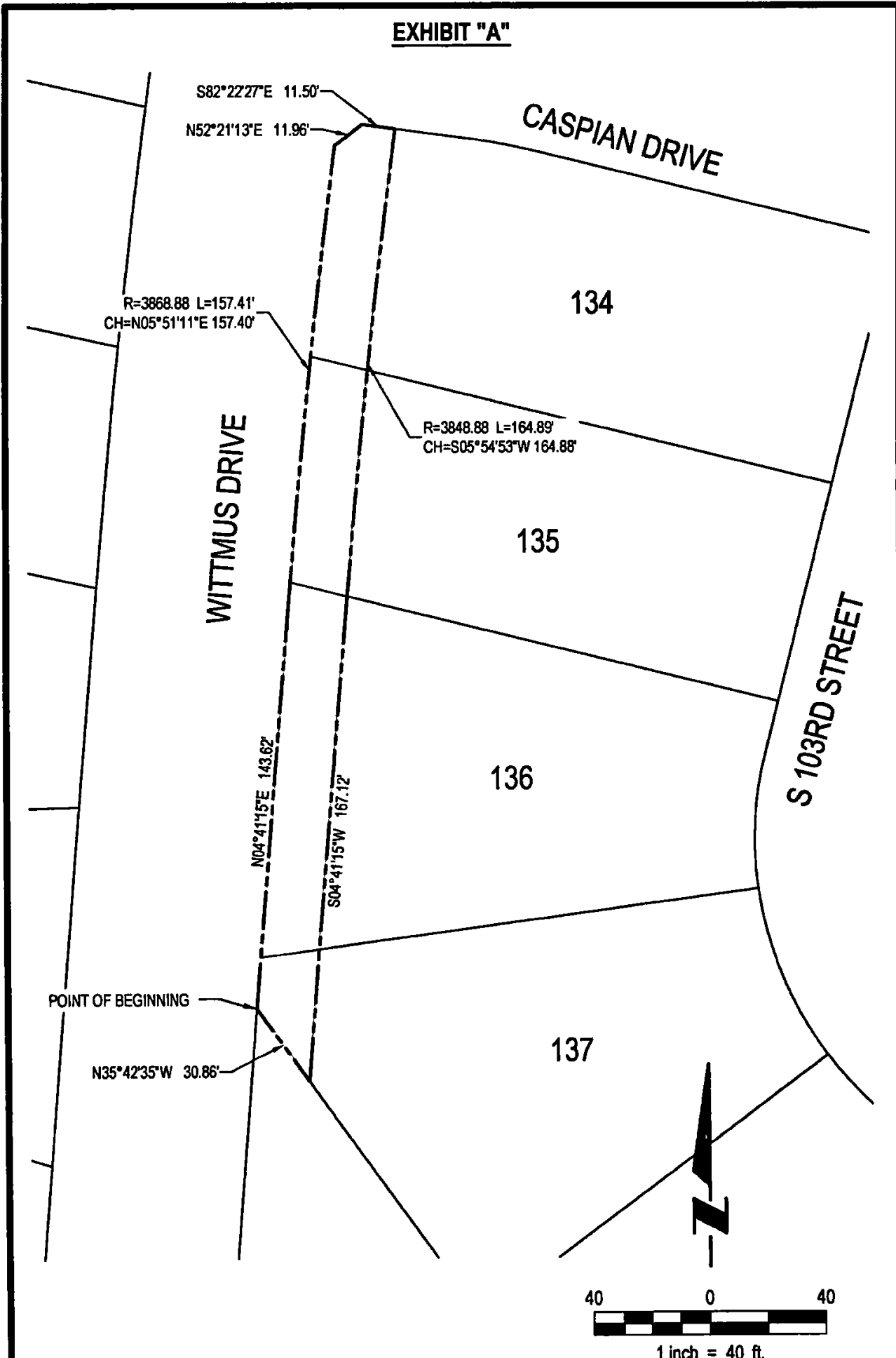
STATE OF NEBRASKA)
) ss.:
COUNTY OF SARPY)

On this 25th day of April, 2019, before me, the undersigned, a Notary Public duly commissioned and qualified for said county, personally came **GERALD L. TORCZON**, President of **WOODLAND HOMES, INC.**, a Nebraska corporation, to me personally known to be the identical person whose name is affixed to the foregoing instrument in that capacity and who acknowledged the execution thereof to be his voluntary act and deed on behalf of the corporation.

State of Nebraska – General Notary
MARY JAYNE THROENER
My Commission Expires
September 27, 2020

Mary Jayne Throener
Notary Public

EXHIBIT "A"



SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION


 E & A CONSULTING GROUP, INC. <small>Engineering • Planning • Environmental & Field Services</small> <small>10809 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone 402.895.4700 • Fax 402.895.3699</small>	E & A CONSULTING GROUP, INC.		LANDSCAPE EASEMENT LOT 134 THRU 137 GRANITE LAKE SARPY COUNTY, NEBRASKA	
	Drawn by: RLS	Chkd by:		Date: 02/15/2018
	Job No.: 2014.562.001			SHEET 1 OF 2

EXHIBIT "A"


LEGAL DESCRIPTION

A LANDSCAPING EASEMENT LOCATED IN PART OF LOTS 134 THRU 137, GRANITE LAKE, A SUBDIVISION LOCATED IN PART OF THE NW1/4 OF SECTION 28, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF OUTLOT "J", SAID GRANITE LAKE, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID LOT 137, GRANITE LAKE, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF WITTMUS DRIVE; THENCE ALONG THE WESTERLY LINE OF LOT 134 THRU 137, SAID GRANITE LAKE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF WITTMUS DRIVE ON THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) THENCE N04°41'15"E (ASSUMED BEARING), A DISTANCE OF 143.62 FEET; (2) THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 3,868.88 FEET, A DISTANCE OF 157.41 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N05°51'11"E, A DISTANCE OF 157.40 FEET TO THE POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF WITTMUS DRIVE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF CASPIAN DRIVE; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 134, GRANITE LAKE, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF CASPIAN DRIVE ON THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) THENCE N52°21'13"E, A DISTANCE OF 11.96 FEET; (2) THENCE S82°22'27"E, A DISTANCE OF 11.50 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 3,848.88 FEET, A DISTANCE OF 164.89 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S05°54'53"W, A DISTANCE OF 164.88 FEET; THENCE S04°41'15"W, A DISTANCE OF 167.12 FEET TO A POINT ON SAID WESTERLY LINE OF LOT 137, GRANITE LAKE; SAID LINE ALSO BEING THE EASTERLY LINE OF SAID OUTLOT "J", GRANITE LAKE; THENCE N35°42'35"W ALONG SAID WESTERLY LINE OF LOT 137, GRANITE LAKE, SAID LINE ALSO BEING SAID EASTERLY LINE OF OUTLOT "J", GRANITE LAKE, A DISTANCE OF 30.86 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 6,379 SQUARE FEET OR 0.146 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING

 E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3698	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3698		LANDSCAPE EASEMENT LOT 134 THRU 137 GRANITE LAKE SARPY COUNTY, NEBRASKA
	Drawn by: RLS Chkd by:	Date: 02/15/2018	
Job No.: 2014.562.001	SHEET 2 OF 2		

Eric Schaben 4/18/2019 1:14 PM K:\Projects\2014\562\p011\Survey\Easements\PLAT PHASE II EASEMENTS\ESMT-PLAT PHII-000.dwg

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