

53-157
Tract #11
12/27/79

Project No. 6011

GRANT OF EASEMENT

PERMANENT SEWER EASEMENT

This Indenture and Grant of Easement made the _____ day of _____, 197__, between First Northwestern Trust Co. of Nebraska, Trustee hereinafter referred to as "Grantors", in favor of Sanitary and Improvement District No. 63, Sarpy County, Nebraska, hereinafter referred to as SID, and its successors and assigns, including but not in limitation of the City of Papillion, Sarpy County, Nebraska, a municipal corporation, hereinafter referred to as "City".

WITNESSETH:

THAT, said Grantor(s) in consideration of the sum of One Dollar (\$1.00), and other valuable consideration, to Grantor(s) in hand paid by said SID, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said SID and City and their assigns forever, the right to use, construct, build, lay, maintain, repair and reconstruct a sanitary or storm sewer pipe or both for the passage of water and sewage, together with all appurtenances, wires, lines, poles, structures, and other applicable equipment pertaining to any sewer, in through, over and under the parcel of land described as follows, to-wit:

(See "Exhibit A" attached hereto and made a part hereof)

No buildings, improvements or structures, shall be placed, in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of said SID and said City: provided, however, that a paved macadam, rocked, asphalt or other hard surfaced street or parking lot and trees, grass and shrubbery, may be installed within said easement by Grantor, his or their successors and assigns, and that in the event it becomes necessary to remove or replace said sewer line, the removal or repair of said street or parking lot shall be done at the expense of the SID and its successors and assigns and said premises shall be restored by SID and its successors and assigns to the condition thereof before said removal or repair.

3-14-80 2:50P 53 MICHAEL
157 Cal a. 12.25

Sheet 01754

53-157A

Said SID shall cause any trench made on aforesaid realty to be properly re-filled, and shall cause grass seed to be sown over said trench, and shall cause the premises to be left in a neat and orderly condition.

The easement is also for the benefit of any contractor, agent, employee and representative of the SID in any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors, and administrators does or do confirm with the said SID and their assigns, that he or they, the Grantor(s) is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators, shall warrant and defend this easement to said SID and their assigns against the lawful claims and demands of all persons. This easement runs with the land.

The consideration recited includes damages for change in grade, if any, and any and all claims for damages arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hands and seal(s) the day and year first above written.

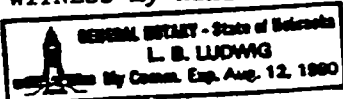
FIRST NORTHWESTERN TRUST CO.
OF NEBRASKA, TRUSTEE
By: LANDCO, INC., A NEBRASKA
CORPORATION, Its Attorney-in-fact

By: [Signature]
President

STATE OF NEBRASKA)
COUNTY OF Sarpy) SS

On the 10th day of March, 1978, before me, a Notary Public in and for said County, personally came Charles C. Smith who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the foregoing instrument and acknowledge the instrument to be his, her, (their) voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the date aforesaid.



[Signature]
Notary Public

My Commission Expires:

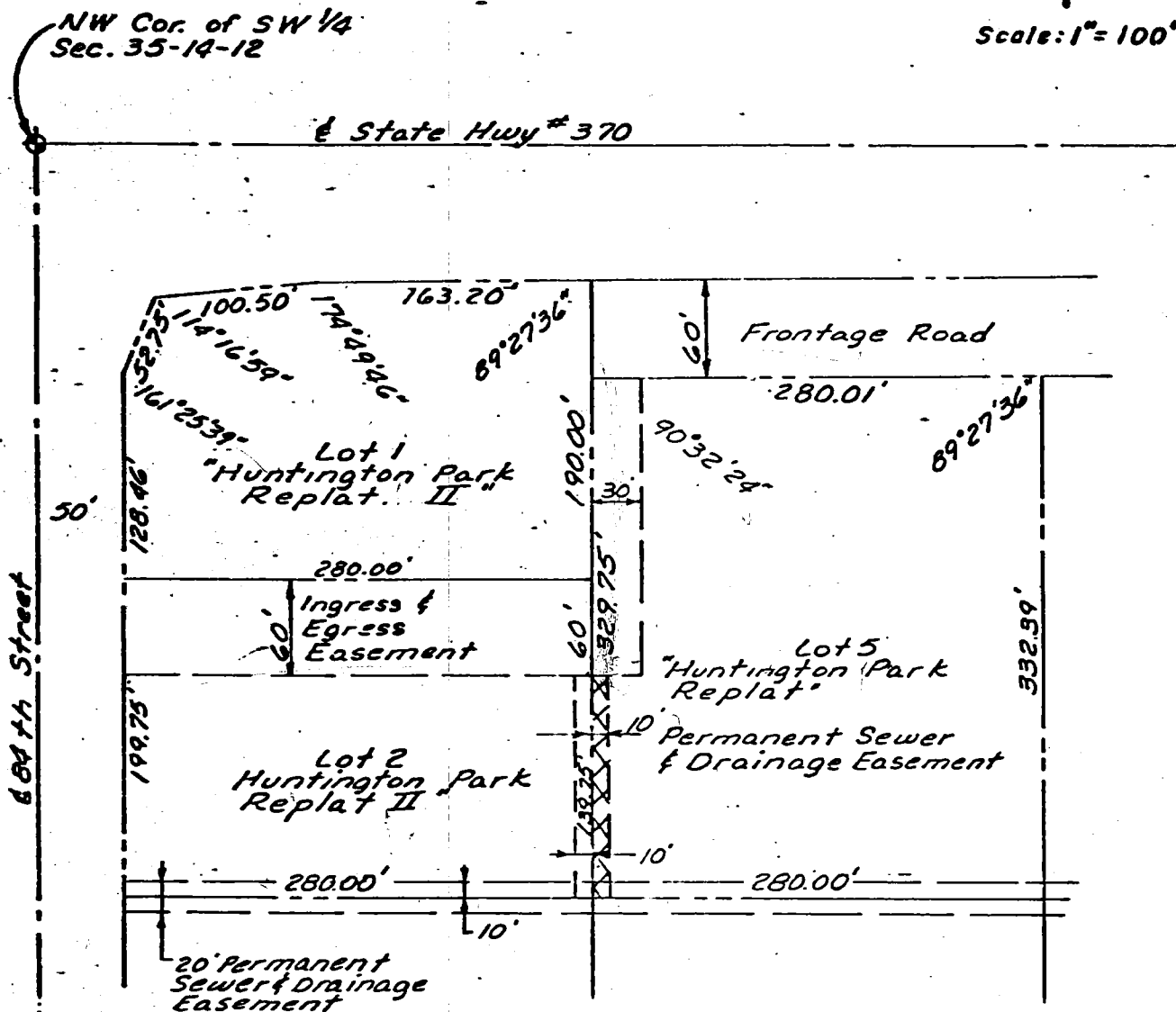
8/12/80

EXHIBIT "A"

53-157B

Tract #II

SEWER AND DRAINAGE EASEMENT S. & I. D. No. 63 DOUGLAS COUNTY, NEBRASKA



LEGAL DESCRIPTION PERMANENT SEWER AND DRAINAGE EASEMENT

The South 139.75 feet of the West 10.00 feet of lot 5 of Huntington Park Replat Addition, a platted and recorded subdivision in Sarpy County, Nebraska.

Said easement contains 0.032 acres, more or less.

#6011
12-27-79

POWER OF ATTORNEY

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

KNOW ALL MEN BY THESE PRESENTS that the undersigned
FIRST NORTHWESTERN TRUST CO. OF NEBRASKA, TRUSTEE, with its
principal office in the City of Omaha, Douglas County, Nebraska,
does hereby make, constitute and appoint LANDCO, INC., a Nebraska
corporation with its principal office in LaVista, Nebraska, its
true and lawful attorney-in-fact for the undersigned in its
name, place and stead, and on its behalf, and for its use and
benefit:

1. To grant, bargain, convey, sell, contract for the
sale and conveyance of, mortgage, encumber, and/or subject to
assessments and real estate taxes in the ordinary course of
business any or all of the real property held by the undersigned
under and pursuant to that certain Trust Agreement known as
The Charles G. Smith and Nellie M. Smith Irrevocable Trust
Agreement dated December 27, 1979 wherein the undersigned is
Trustee and pursuant to the attendant Development and Management
Agreement dated February 19, 1980, by and between the undersigned
and Landco, Inc.

2. To execute any and all documents necessary to carry
out the provisions of paragraph 1 above, including but not limited
to deeds and mortgages; and to execute such other documents as
are necessary to carry out the provisions of paragraph 2 of the
aforescribed Development and Management Agreement.

The rights, powers and authorities of this Power of
Attorney herein granted shall commence and be in full force and
effect on February 19, 1980, and such rights, powers and
authority shall remain in full force and effect thereafter until
written notice thereof is filed with the County Clerk of Sarpy
County, Nebraska.

Dated this day of March, 1980.

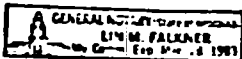
FIRST NORTHWESTERN TRUST CO.
OF NEBRASKA, TRUSTEE

By *Robert J. Walker*

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me, a Notary Public, in and for said county and
state, personally came Robert J. Walker, Vice President of FIRST NORTH-
WESTERN TRUST CO. OF NEBRASKA, TRUSTEE, known to me to be the
identical person who executed the above instrument and acknowledged
the execution thereof to be his voluntary act and deed and the
voluntary act and deed of said FIRST NORTHWESTERN TRUST CO. OF
NEBRASKA, TRUSTEE.

Witness my hand and Notarial Seal this day of
 , 1980.



Notary Public