

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER



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Deb Houghtaling

COUNTY CLERK/REGISTER OF DEEDS

Submitter: FULLENKAMP JOBEUN JOHNSON

Recording fees paid:

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Pages: 9

By: ah



EASE

Return to:

Larry Jobeun, Esq.
Fullenkamp, Jobeun, Johnson & Beller, LLP
11440 W. Center Road
Omaha, NE 68144

(Space above line for recording information)

PERMANENT BUFFER AND LANDSCAPING EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT **LINCOLN RIDGE DEVELOPMENT, LLC**, a Nebraska limited liability company, and its successors and assigns ("Grantor"), for and in consideration of the sum of Ten and No/100ths (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, does hereby donate, grant and convey unto **SANITARY AND IMPROVEMENT DISTRICT NO. 356 OF SARPY COUNTY, NEBRASKA**, a political subdivision of the State of Nebraska, and **THE CITY OF GRETNA, NEBRASKA**, a Municipal Corporation of the State of Nebraska, and its successors and assigns, hereinafter collectively referred to as ("Grantee"), a permanent, perpetual Buffer and Landscaping Easement for the right to construct, maintain, operate and replace any and all types of buffer and landscaping infrastructure and related facilities, and for all buffer and landscaping purposes and appurtenances thereto over, including, but not limited to, trees, shrubs, plants, features, signage, and drainage, that are now or may be owned and/or operated by the Grantee over, under, and through the portions of the parcels of land respectively described on Exhibit "A" (four (4) pages) inclusive, attached and incorporated herein (collectively, the "Easement Areas").

TO HAVE AND TO HOLD, the Grantor agrees as follows:

- 1) The Grantor shall convey a permanent, perpetual Buffer and Landscaping Easement over, under and through the Easement Areas to Grantee, together with the right of access for the purpose of constructing, inspecting, maintaining, operating, repairing, and/or replacing such Utilities and appurtenances thereto.
- 2) No buildings or other structures shall be placed in, on, over, or across the Easement Areas by Grantor without the express approval of the Grantee, which shall be determined at the sole discretion of the Grantee.

-
- 3) The Grantor may, following planting of such landscaping improvements and appurtenances thereto, continue to use the Easement Areas for all other purposes, subject to the right of the Grantee to use the same for the purposes herein expressed and except as provided herein. Any such permitted items or materials placed on or within the Easement Areas shall be maintained by Grantee.
 - 4) The Grantor warrants that it has the lawful authority and right to grant and convey this Easement in the manner and form aforesaid, and that it will warrant and defend this Easement against the lawful claims and demands made by all persons.

[Signatures to Follow]

IN WITNESS WHEREOF, the said party of the first part has hereunto and these presents to be signed by its respective member(s) this ____ day of _____, 2022.

GRANTOR:

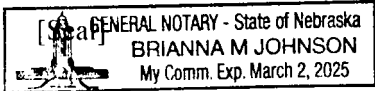
LINCOLN RIDGE DEVELOPMENT, LLC, a
Nebraska limited liability company,

By: Kristin Philbin
Its: Managing Member

STATE OF NEBRASKA)
) SS
COUNTY OF SARPY)

On this 6th day of October, 2022, before me, a Notary Public in and for said County, personally came Kristin Philbin on behalf of Lincoln Ridge Development, LLC, a Nebraska limited liability company, known to me to be the managing member of the corporation, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his/her respective voluntary act and deed as such managing member and the voluntary act and deed of said limited liability company.


WITNESS my hand and Notarial Seal the day and year last above written.



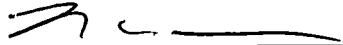
Brianna M Johnson
NOTARY PUBLIC

GRANTEE:

SANITARY AND IMPROVEMENT DISTRICT
NO. 356 OF SARPY COUNTY, NEBRASKA

By: 
Kristina Philbin, Chairman

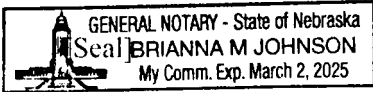
ATTEST:

By: 
Nick Young, Clerk

STATE OF NEBRASKA)
) SS
COUNTY OF SARPY)

On this 6th day of October, 2022, before me, a Notary Public in and for said County, personally came Kristina Philbin, the Chairman on behalf of Sanitary and Improvement District No. 356 of Sarpy County, Nebraska, known to me to be the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her respective voluntary act and deed as such Chairman and the voluntary act and deed of said sanitary and improvement district.

WITNESS my hand and Notarial Seal the day and year last above written.

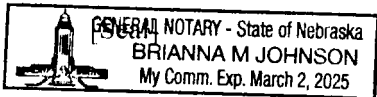



NOTARY PUBLIC

STATE OF NEBRASKA)
) SS
COUNTY OF SARPY)

On this 11th day of October, 2022, before me, a Notary Public in and for said County, personally came Nick Young, the Clerk on behalf of Sanitary and Improvement District No. 356 of Sarpy County, Nebraska, known to me to be the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his respective voluntary act and deed as such Clerk and the voluntary act and deed of said sanitary and improvement district.

WITNESS my hand and Notarial Seal the day and year last above written.





NOTARY PUBLIC

CITY:

ATTEST:

Tammy L. Tisdall
City Clerk Tammy L. Tisdall, CMC

CITY OF GRETNA

BY: 
Mayor Michael D. Evans

APPROVED AS TO FORM:


CITY ATTORNEY

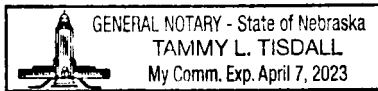
STATE OF NEBRASKA)
) SS.
COUNTY OF Sarpy)

(Corporate Seal)

On this 18th day of October, 2022, before me, a Notary Public in and for said County, personally came Michael D. Evans, Mayor of the City of Gretna, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation.

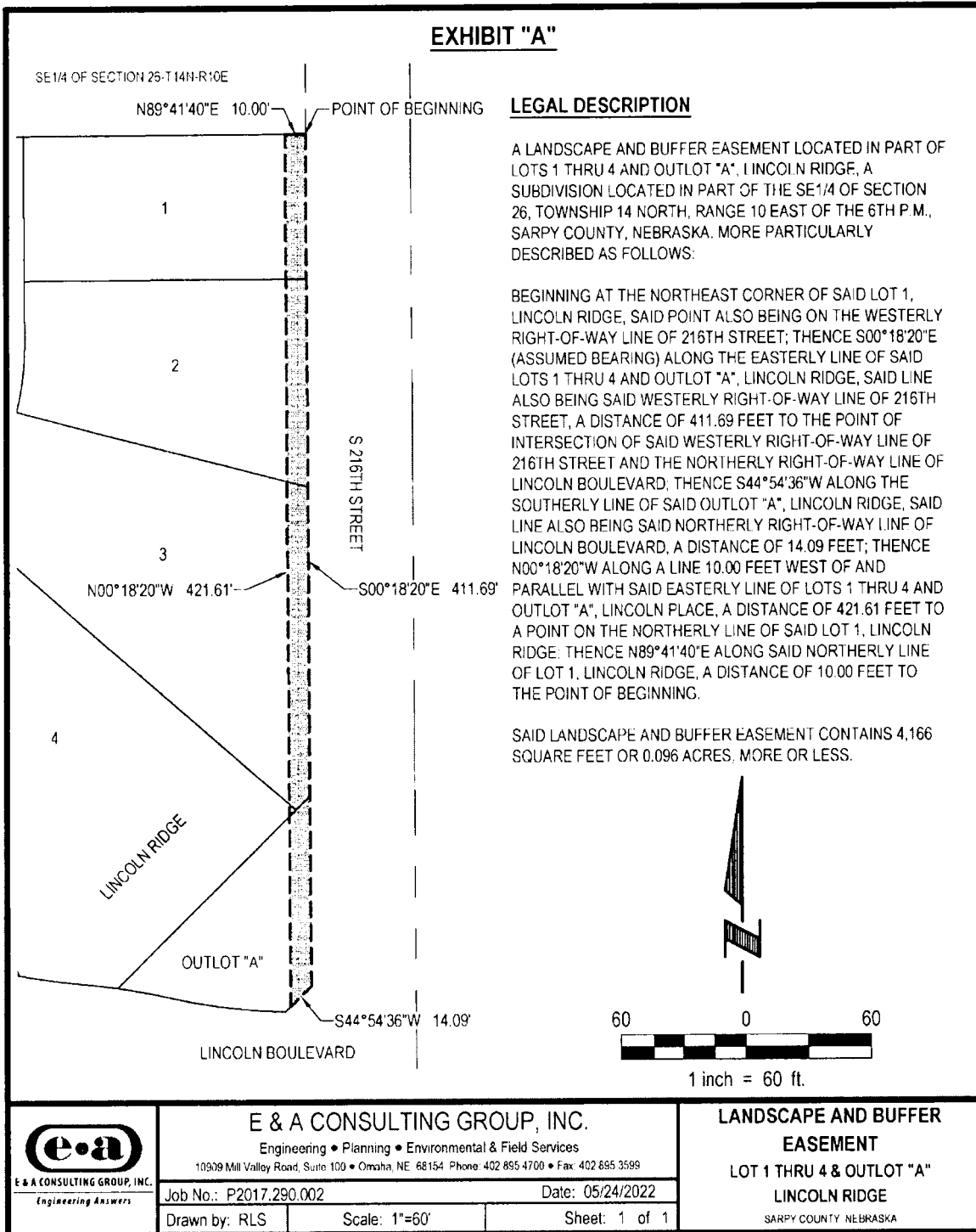
WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:




NOTARY PUBLIC

Exhibit "A"
(Page 1 of 4)

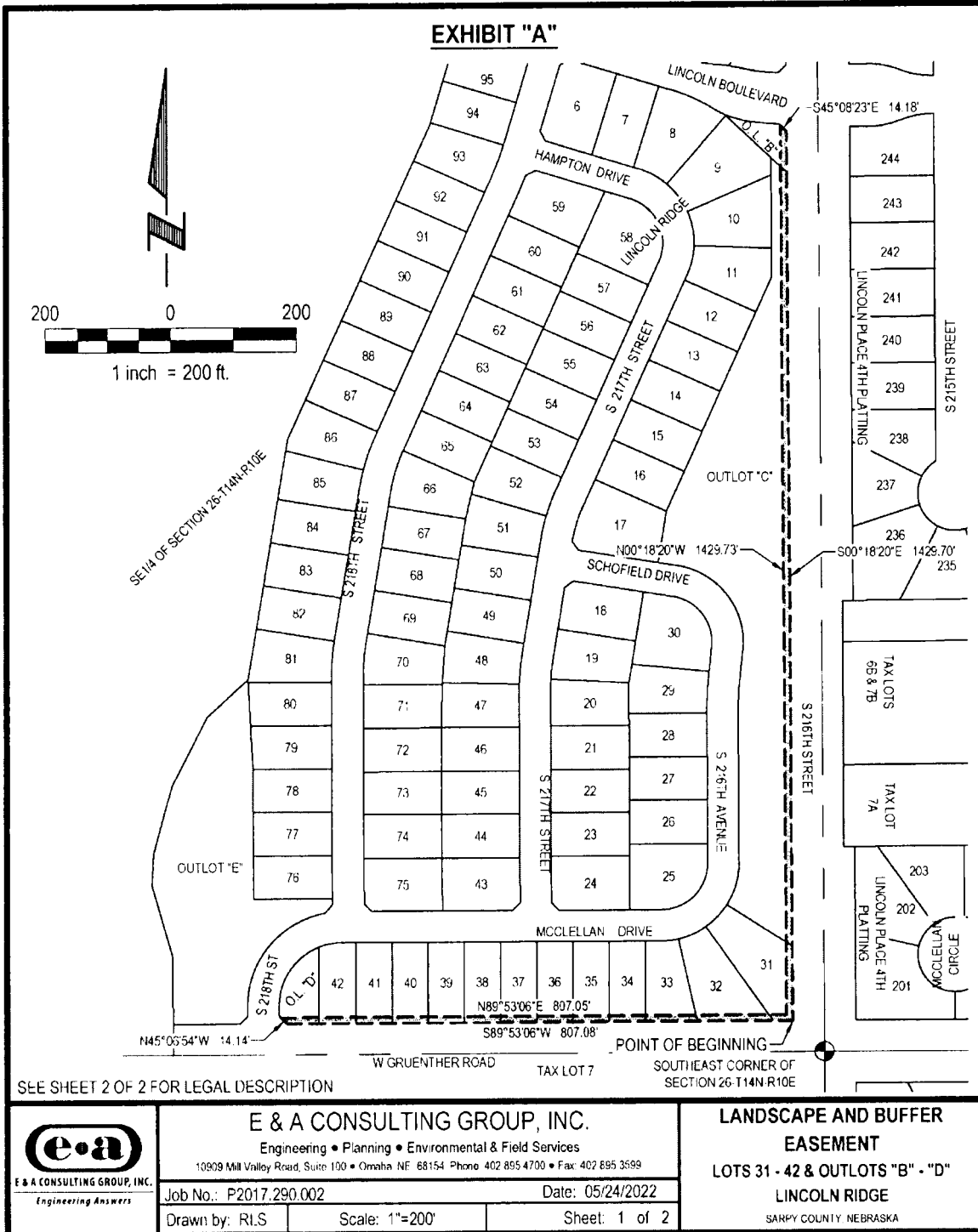


E & A CONSULTING GROUP, INC.
 Engineering • Planning • Environmental & Field Services
 10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599

Job No.: P2017,290.002	Date: 05/24/2022
Drawn by: RLS	Scale: 1"=60'
	Sheet: 1 of 1

LANDSCAPE AND BUFFER EASEMENT
LOT 1 THRU 4 & OUTLOT "A"
 LINCOLN RIDGE
 SARPY COUNTY, NEBRASKA

Exhibit "A"
(Page 2 of 4)



E & A CONSULTING GROUP, INC.
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Job No.: P2017.290.002 Date: 05/24/2022

Drawn by: RLS Scale: 1"=200' Sheet: 1 of 2

**LANDSCAPE AND BUFFER
 EASEMENT**
LOTS 31 - 42 & OUTLOTS "B" - "D"
LINCOLN RIDGE
 SARPY COUNTY, NEBRASKA

Exhibit "A"
(Page 3 of 4)

EXHIBIT "A"

LEGAL DESCRIPTION

A LANDSCAPE AND BUFFER EASEMENT LOCATED IN PART OF LOTS 31 THRU 42, AND OUTLOTS "B" THRU "D", LINCOLN RIDGE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

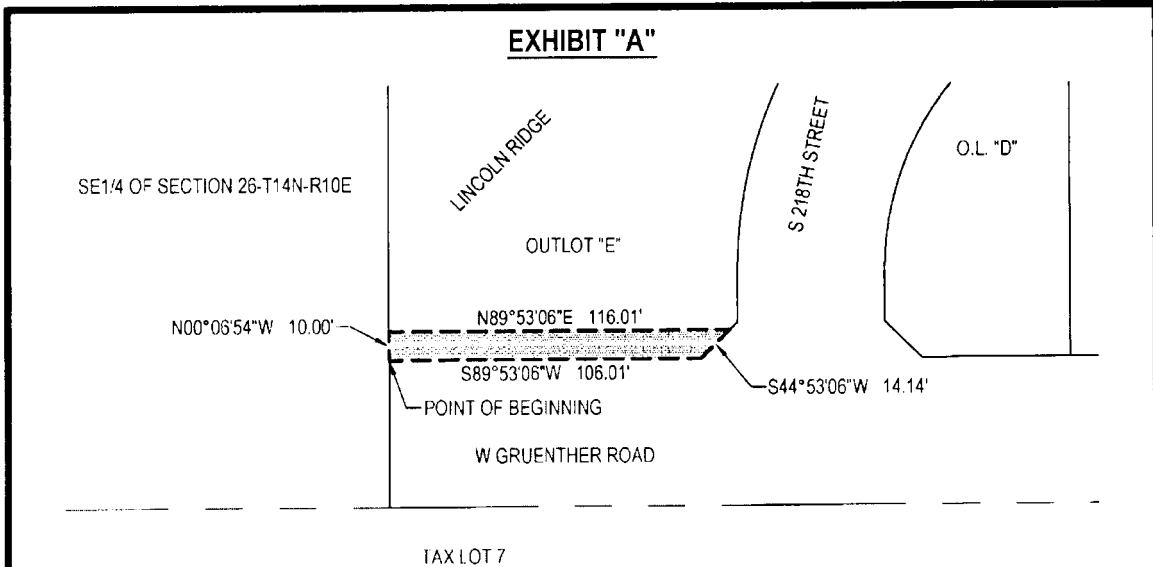
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 31, LINCOLN RIDGE, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 216TH STREET AND THE NORTHERLY RIGHT-OF-WAY LINE OF GRUENTHER ROAD; THENCE S89°53'06"W (ASSUMED BEARING) ALONG THE SOUTHERLY LINE OF SAID LOTS 31 THRU 42 AND OUTLOT "D", LINCOLN RIDGE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF GRUENTHER ROAD, A DISTANCE OF 807.08 FEET TO THE POINT ON INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE OF GRUENTHER ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF 218TH STREET; THENCE N45°06'54"W ALONG THE WESTERLY LINE OF SAID OUTLOT "D", LINCOLN RIDGE, SAID LINE ALSO BEING SAID EASTERLY RIGHT-OF-WAY LINE OF 218TH STREET, A DISTANCE OF 14.14 FEET; THENCE N89°53'06"E ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTHERLY LINE OF LOTS 31 THRU 42 AND OUTLOT "D", LINCOLN RIDGE, A DISTANCE OF 807.05 FEET; THENCE N00°18'20"W ALONG A LINE 10.00 FEET WEST OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT 31, OUTLOT "B", AND OUTLOT "C", LINCOLN RIDGE, A DISTANCE OF 1,429.73 FEET TO A POINT ON THE NORTHERLY LINE OF SAID OUTLOT "B", LINCOLN RIDGE, SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF LINCOLN BOULEVARD; THENCE S45°08'23"E ALONG SAID NORTHERLY LINE OF OUTLOT "B", LINCOLN RIDGE, SAID LINE ALSO BEING SAID SOUTHERLY RIGHT-OF-WAY LINE OF LINCOLN BOULEVARD, A DISTANCE OF 14.18 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF LINCOLN BOULEVARD AND SAID WESTERLY RIGHT-OF-WAY LINE OF 216TH STREET; THENCE S00°18'20"E ALONG SAID EASTERLY LINE OF LOT 31, OUTLOT "B", AND OUTLOT "C", LINCOLN RIDGE. SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF 216TH STREET, A DISTANCE OF 1,429.70 FEET TO THE POINT OF BEGINNING.

SAID LANDSCAPE AND BUFFER EASEMENT CONTAINS 22,368 SQUARE FEET OR 0.513 ACRES, MORE OR LESS.

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

 E & A CONSULTING GROUP, INC. <i>Engineering Answers</i>	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services <small>10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.855.4700 • Fax: 402.855.3599</small>		LANDSCAPE AND BUFFER EASEMENT LOTS 31 - 42 & OUTLOTS "B" - "D" LINCOLN RIDGE <small>SARPY COUNTY, NEBRASKA</small>
	Job No.: P2017.290.002 Drawn by: RLS	Date: 05/24/2022 Scale: 1"=200' Sheet: 2 of 2	

Exhibit "A"
(Page 4 of 4)

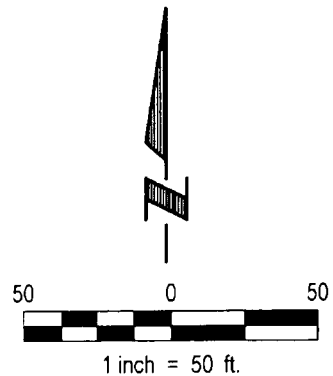


LEGAL DESCRIPTION

A LANDSCAPE AND BUFFER EASEMENT LOCATED IN PART OF OUTLOT "E", LINCOLN RIDGE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID OUTLOT "E", LINCOLN RIDGE, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF GRUENTHER ROAD; THENCE N00°06'54"W (ASSUMED BEARING) ALONG THE WESTERLY LINE OF SAID OUTLOT "E", LINCOLN RIDGE, A DISTANCE OF 10.00 FEET; THENCE N89°53'06"E ALONG A LINE 10.00 FEET NORTH OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID OUTLOT "E", LINCOLN RIDGE, A DISTANCE OF 116.01 FEET TO A POINT ON THE EASTERLY LINE OF SAID OUTLOT "E", LINCOLN RIDGE, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF 218TH STREET; THENCE S44°53'06"W ALONG SAID EASTERLY LINE OF OUTLOT "E", LINCOLN RIDGE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF 218TH STREET. A DISTANCE OF 14.14 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE OF 218TH STREET AND SAID NORTHERLY RIGHT-OF-WAY LINE OF GRUNTERH ROAD; THENCE S89°53'06"W ALONG SAID SOUTHERLY LINE OF OUTLOT "B", LINCOLN RIDGE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF GRUENTHER ROAD, A DISTANCE OF 106.01 FEET TO THE POINT OF BEGINNING.

SAID LANDSCAPE AND BUFFER EASEMENT CONTAINS 1,110 SQUARE FEET OR 0.025 ACRES, MORE OR LESS.



 E & A CONSULTING GROUP, INC. <i>Engineering Answers</i>	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.855.4700 • Fax: 402.855.3599		LANDSCAPE AND BUFFER EASEMENT OUTLOT "E" LINCOLN RIDGE SARPY COUNTY, NEBRASKA
	Job No.: P2017.290.002 Drawn by: RLS	Date: 05/24/2022 Scale: 1"=50' Sheet: 1 of 1	