



BK 0922 PG 296



MISC 1990 07734

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INDEXING  
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EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Roland F. Waite, owner of Parcel B, legally described on Exhibit "A" attached hereto, does hereby grant a perpetual easement to the owners of Parcels A-1 and A-2, also legally described on Exhibit "A" attached hereto, their successors and assigns, to use, erect, operate, maintain, repair and replace underground water and sanitary sewer lines on, over, through, under and across that part of Parcel B lying 10 feet on either side of the existing sanitary sewer and water lines presently located on Parcel B, the approximate location of which are shown on attached Exhibit "B"; and a storm sewer easement over a parcel of land located in the West 25 feet of the South 25 feet of Parcel B.

No permanent buildings shall be placed in the easement ways, however, the owner of Parcel B shall have the right to relocate, at his own expense, the sewer and water lines, and the associated easement, if they materially interfere with improvements to be constructed on Parcel B.

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The owner of Parcel B shall be responsible for the cost of maintenance, repair and replacement (but not enlargement or upgrade) of the water and sanitary sewer lines (but not the storm sewer) and related improvements. If the owner of Parcel B fails to discharge its responsibilities under this paragraph, then the owner or owners of Parcels A-1 and A-2 shall have the right to effect any maintenance, repair and replacement or installation of improvements and recover from the owner of Parcel B the costs thereof. Should the owners of Parcels A-1 or A-2 construct a

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GEORGE J. BUGLEWICZ  
REGISTERED

922 N \_\_\_\_\_ C/O \_\_\_\_\_ FEE 30.50  
296-30 N \_\_\_\_\_ DEL 1/1 MC W  
Misc COMP \_\_\_\_\_ F/B MC-25685

storm sewer in the storm sewer easement area, they are obligated to return the land and any improvements to the condition existing prior to any such construction.

The easements granted herein and the restrictions, covenants and agreements contained herein shall be perpetual, shall run with the land, and shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, successors and assigns, including, but not limited to, all subsequent owners whether beneficial or otherwise of Parcel A-1, Parcel A-2 and Parcel B.

IN WITNESS WHEREOF, this Easement has been executed on this 4<sup>th</sup> day of May, 1990.

*Roland F. Waite*  
Roland F. Waite

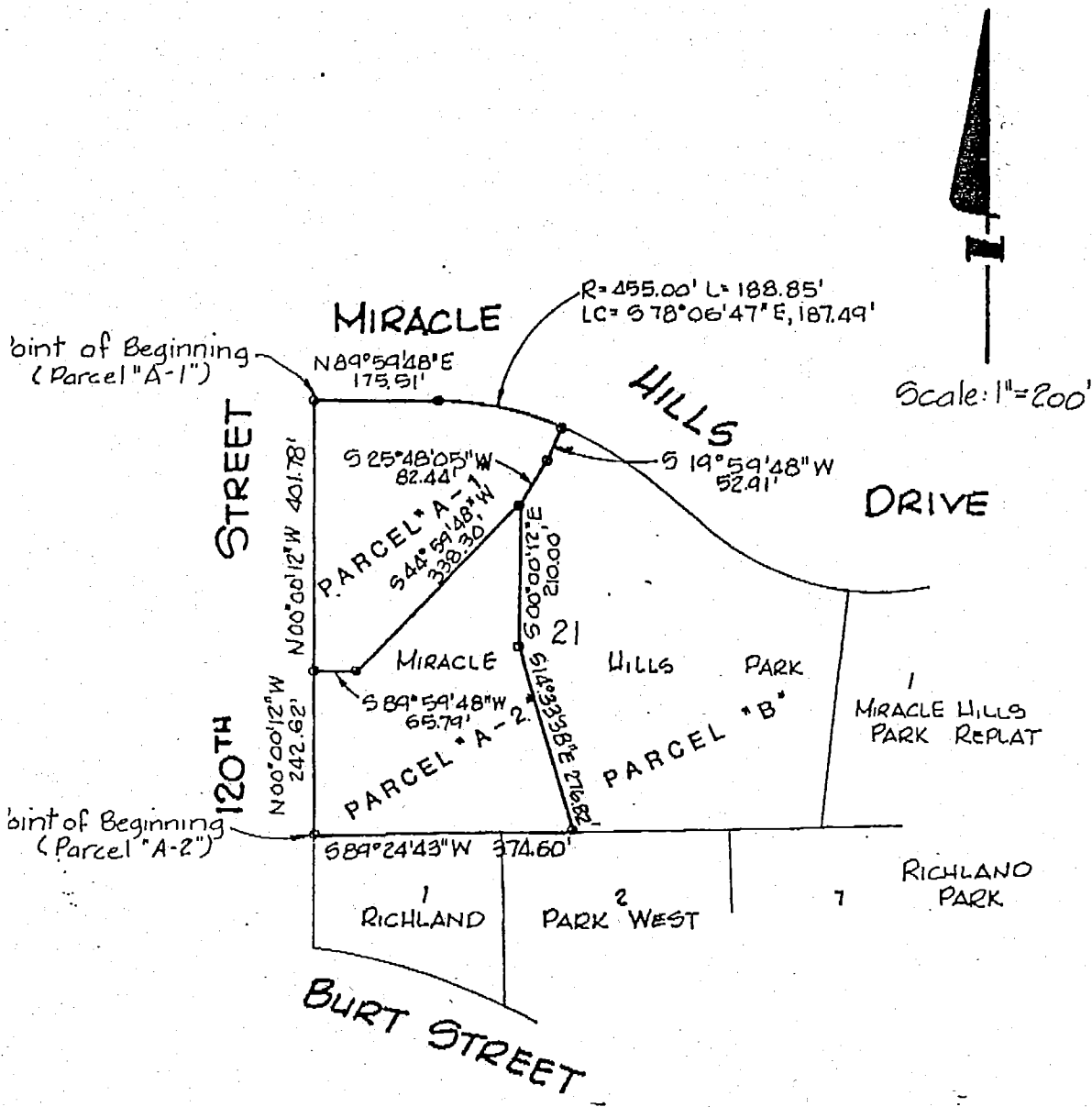
STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

On this 4<sup>th</sup> day of May, 1990, before me, a Notary Public in and for said county and state, personally came Roland F. Waite, known to me to the identical person whose signature is affixed above and he acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal the day above written.



*Gloria J. Stroh*  
Notary Public



4-27-90  
Date

#84054  
#89047

LEGAL DESCRIPTION  
PARCEL A-1

Part of Lot 21, Miracle Hills Park, a subdivision located in part of the West 1/2 of Section 17 and part of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 17, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of said Lot 21, Miracle Hills Park; thence N89°59'48"E (assumed bearing), along the South right-of-way line of Miracle Hills Drive, a distance of 175.51 feet; thence Southeasterly, along said South right-of-way line of Miracle Hills Drive, on a curve to the right with a radius of 455.00 feet, a distance of 188.85 feet, said curve having a long chord which bears S78°06'47"E, a distance of 187.44 feet; thence S19°59'48"W, a distance of 52.91 feet; thence S25°48'05"W, a distance of 82.44 feet; thence S44°59'43"W, a distance of 338.30 feet; thence S89°59'48"W, a distance of 65.79 feet to a point on the West line of said Lot 21, Miracle Hills Park; thence N00°00'12"W, along said West line of Lot 21, Miracle Hills Park, a distance of 401.78 feet to the Point of Beginning.

LEGAL DESCRIPTION  
PARCEL A-2

Part of Lot 21, Miracle Hills Park, a subdivision located in part of the West 1/2 of Section 17 and part of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 17, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of Lot 1, Richland Park West, a subdivision located in the SW 1/4 of said Section 17; thence N00°00'12"W (assumed bearing) along the West line of said Lot 21, Miracle Hills Park, a distance of 242.62 feet; thence N89°59'48"E, a distance of 65.79 feet; thence N44°59'48"E, a distance of 338.30 feet; thence S00°00'12"E, a distance of 210.00 feet; thence S14°33'38"E, a distance of 276.82 feet to a point on the North line of said Richland Park West; thence S89°24'43"W along said North line of Richland Park West, a distance of 374.60 feet to the Point of Beginning.

LEGAL DESCRIPTION  
PARCEL B

Part of Lot 21, Miracle Hills Park, a subdivision located in part of the W 1/2 of Section 17 and in part of the SW 1/4 of the NW 1/4 of the SE 1/4 of said Section 17, all located in Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at a point on the Southerly right-of-way line of Miracle Hills Drive, said point also being the Northeast corner of said Lot 21, Miracle Hills Park; thence S07°10'39"W (assumed bearing) along the Easterly line of said Lot 21, Miracle Hills Park, a distance of 358.96 feet to the Southwest corner of Lot 1, Miracle Hills Park Replat, a subdivision located in said W 1/2 of Section 17; thence S89°24'43"W along the North line of Lot 7, Richland Park, and the North line of Richland Park West, subdivisions located in said W 1/2 of Section 17, a distance of 356.55 feet; thence N14°33'38"W, a distance of 276.82 feet; thence N00°00'12"W, a distance of 210.00 feet; thence N25°48'05"E, a distance of 82.44 feet; thence N19°59'48"E, a distance of 52.91 feet to a point on said Southerly right-of-way line of Miracle Hills Drive; thence Southeasterly along said Southerly right-of-way line of Miracle Hills Drive on a curve to the right with a radius of 455.00 feet, a distance of 139.39 feet, said curve having a long chord which bears S57°26'47"E, a distance of 138.85 feet; thence S48°40'12"E along said Southerly right-of-way line of Miracle Hills Drive, a distance of 100.00 feet; thence Southeasterly along said Southerly right-of-way line of Miracle Hills Drive on a curve to the left with a radius of 420.00 feet, a distance of 250.35 feet, said curve having a long chord which bears S65°44'46"E, a distance of 246.66 feet to the Point of Beginning.

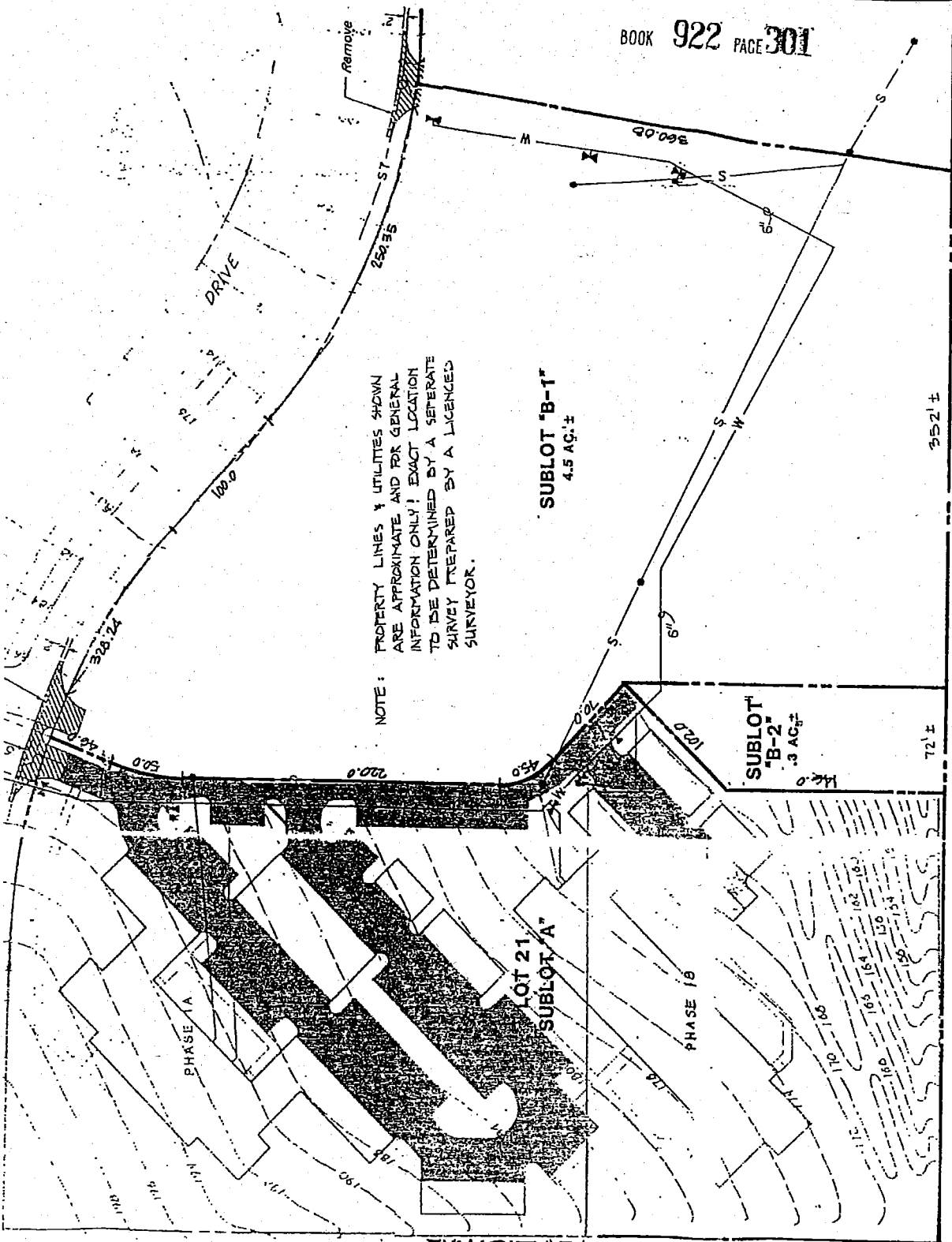


EXHIBIT "B"