



MISC 2007099036



AUG 29 2007 09:50 P 6

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 FEE 31.00 FB 05-0877
 BKPR 11-16-11 *MB* COMP _____
 DEL _____ SCAT _____ FV _____

Please return to:

Jeff C. Miller, Esq.
 YOUNG & WHITE
 8742 Frederick Street
 P. O. Box 241358
 Omaha, NE 68124-5358
 (402) 393-5600

Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE



Space above line for recording purposes

PERMANENT EASEMENT

PHYLLIS D. ALMQUIST, Trustee of the Phyllis D. Almquist Trust, and HOWARD W. ALMQUIST, Trustee of the Howard W. Almquist Trust, as Grantors, being the owners of the real property which is hereinafter described and which is located and recorded in Douglas County, Nebraska, for valuable consideration received, do hereby grant to the CITY OF BENNINGTON, NEBRASKA, as Grantee, and its agents and successors, a permanent easement for the purpose of constructing, installing, operating, maintaining, repairing, and removal of a below ground sanitary sewer main, through, under, over, on, and across the real property which is described and shown on the attached Exhibits "A" and "B", and which is designated on said Exhibits as "Permanent Easement #5".

This permanent easement shall also be for the benefit of any contractor, agent, employee or representative of the City of Bennington for the purposes of access and performing work, maintenance, and repairs on such improvements within the permanent easement area.

The City of Bennington shall cause the construction, installation, operation, relaying, maintenance, repair, and removal of the aforescribed work and improvements to be done in a good, timely and workmanlike manner, and in accordance with all applicable plans and specifications and all applicable governmental laws, ordinances, regulations and building codes.

2168

Grantee and its successors shall indemnify and hold Grantor and their successors harmless from and against any and all liabilities, losses, claims, costs, and other expenses which Grantor or their successors may sustain or incur in connection with the use or maintenance of the easement by Grantee, or its contractors, agents, lessees and assigns. Grantor and their successors shall indemnify and hold Grantee and its successors harmless from and against any and all liabilities, losses, claims, costs, and other expenses which Grantee or its successors may sustain or incur in connection with the use of the easement by Grantor, or its contractors, agents, lessees and assigns.

The owners shall not, without the prior written approval of the City of Bennington, which approval shall not be unreasonably withheld, construct or install any buildings or other permanent structures in the permanent easement area, provided however that such prior approval shall not be required for the installation of sod, landscaping, driveways, parking lots or fencing, the repair or replacement of which shall be at the expense of the owners in the event of the use or maintenance of the easement by the Grantee or its contractors, agents or assigns.

DATED this 31st day of July, 2007.

PHYLLIS D. ALMQUIST, Trustee of the Phyllis D. Almquist Trust, and HOWARD W. ALMQUIST, Trustee of the Howard W. Almquist Trust, Owners

BY: Phyllis D. Almquist
Phyllis D. Almquist, Trustee of the Phyllis D. Almquist Trust, Owner

BY: Howard W. Almquist
Howard W. Almquist, Trustee of the Howard W. Almquist Trust, Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

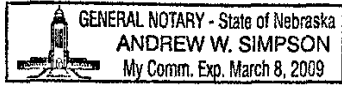
The foregoing instrument was acknowledged before me this 31st day of July, 2007, by Phyllis D. Almquist, Trustee of the Phyllis D. Almquist Trust.



[Signature]
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 31st day of July, 2007, by Howard W. Almquist, Trustee of the Howard W. Almquist Trust.



[Signature]
Notary Public

PERMANENT EASEMENT NO. 5:

A 30.00 FOOT WIDE PERMANENT EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING: SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF; THENCE S87°05'17"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID WEST HALF, A DISTANCE OF 634.56 FEET; THENCE S02°54'43"E PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ON A 3924.72 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 30.00 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE, THE CHORD OF SAID CURVE BEARS S87°53'13"W, 30.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 810.29 FEET; THENCE S30°11'08"E, A DISTANCE OF 329.35 FEET; THENCE S60°35'29"E, A DISTANCE OF 150.31 FEET; THENCE N39°30'24"E, A DISTANCE OF 62.16 FEET TO A POINT ON THE WEST LINE OF LOT 3, BENNINGTON INDUSTRIAL PARK, AS PLATTED IN SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE N68°31'22"W ON SAID WEST LINE, A DISTANCE OF 30.00 FEET; THENCE S41°20'37"W, A DISTANCE OF 47.44 FEET; THENCE S60°35'29"W, A DISTANCE OF 115.00 FEET; THENCE N30°11'08"W, A DISTANCE OF 292.45 FEET; THENCE N02°49'41"W, A DISTANCE OF 802.62 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

TEMPORARY EASEMENT NO. 5

A 30.00 FOOT WIDE TEMPORARY EASEMENT FOR THE CONSTRUCTION OF A SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF; THENCE S87°05'17"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID WEST HALF, A DISTANCE OF 634.56 FEET; THENCE S02°54'43"E PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ON A 3924.72 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 28.91 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE, THE CHORD OF SAID CURVE BEARS N87°27'25"E, 28.91 FEET; THENCE N84°16'11"E CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1.09 FEET; THENCE S02°49'41"E, A DISTANCE OF 795.23 FEET; THENCE S30°11'08"E, A DISTANCE OF 255.55 FEET; THENCE S60°35'29"E, A DISTANCE OF 80.31 FEET; THENCE N41°20'37"E, A DISTANCE OF 34.78 FEET TO A POINT ON THE WEST LINE OF LOT 3 OF BENNINGTON INDUSTRIAL PARK, AS PLATTED IN SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE S33°18'27"E ON SAID WEST LINE, A

EXHIBIT "A"

DISTANCE OF 5.33 FEET; THENCE S68°31'22"E CONTINUING ON SAID WEST LINE, A DISTANCE OF 26.43 FEET; THENCE S41°20'37"W, A DISTANCE OF 47.44 FEET; THENCE S60°35'29"W, A DISTANCE OF 115.00 FEET; THENCE N30°11'08"W, A DISTANCE OF 292.45 FEET; THENCE N02°49'41"W, A DISTANCE OF 802.62 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.83 ACRES, MORE OR LESS.

TEMPORARY EASEMENT NO. 7:

A 25.00 FOOT WIDE TEMPORARY EASEMENT FOR INGRESS AND EGRESS WITH APPURTENANCES AND ACCESSORIES, LOCATED IN LOT 15 OF OUT LOT A AS PLATTED IN THE CITY OF BENNINGTON AND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 15 AND ASSUMING THE EAST LINE OF SAID WEST HALF TO HAVE A BEARING OF N02°43'49"W; THENCE N87°10'19"E ON THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 11.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE N06°54'11"W, A DISTANCE OF 120.30 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 15; THENCE N23°37'50"W, A DISTANCE OF 835.86 FEET; THENCE N60°35'29"E, A DISTANCE OF 25.13 FEET; THENCE S23°37'50"E, A DISTANCE OF 842.07 FEET; THENCE S06°54'11"E, A DISTANCE OF 5.46 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 15; THENCE CONTINUING S06°54'11"E, A DISTANCE OF 120.31 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 15; THENCE S87°10'19"W ON SAID SOUTH LINE, A DISTANCE OF 25.06 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.55 ACRES, MORE OR LESS.

PERMANENT EASEMENT #5:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

PERMANENT EASEMENT #6:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

PERMANENT EASEMENT #7:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

PERMANENT EASEMENT #8:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

PERMANENT EASEMENT #9:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

PERMANENT EASEMENT #10:

A 20.00 FOOT WIDE TEMPORARY EASEMENT TO BUILD, ERECT, MAINTAIN AND REPAIR THE FOLLOWING SEWER MAIN WITH APPURTENANCES AND ACCESSORIES, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 16 NORTH, RANGE 16 EAST OF THE SIXTH PAID, DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF, THENCE S87°05'17"W (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 634.25 FEET; THENCE S27°54'43"E PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 102.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 36, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S87°05'17"W, A DISTANCE OF 200.00 FEET; THENCE S02°49'41"E, A DISTANCE OF 82.81 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS.

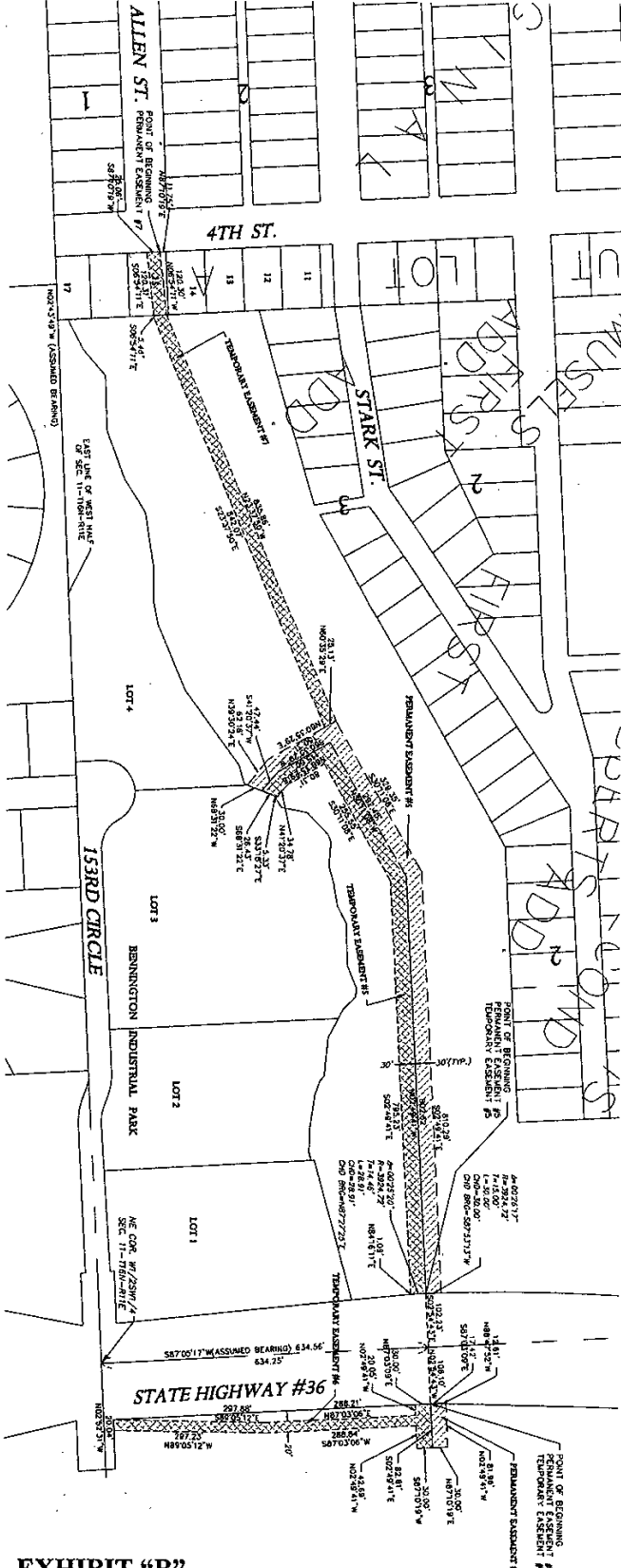
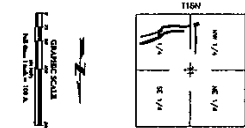


EXHIBIT "B"



NO.	DATE	DESCRIPTION
1	2007	2007 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
2	2008	2008 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
3	2009	2009 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
4	2010	2010 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
5	2011	2011 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
6	2012	2012 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
7	2013	2013 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
8	2014	2014 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
9	2015	2015 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
10	2016	2016 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
11	2017	2017 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
12	2018	2018 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
13	2019	2019 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
14	2020	2020 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
15	2021	2021 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA
16	2022	2022 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA

<p>2007 EAST INTERCEPTOR SEWER BENNINGTON, NEBRASKA</p>	<p>EASEMENT PLAT</p>	<p>JEO Consulting Group, Inc.</p> <p>PO Box 907 78104, Missouri 65066</p>
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