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DEC 24 10 53 AM '96

GEORGE J. DOUGLAS  
REGISTER OF DEEDS  
DOUGLAS COUNTY, ILL.

New #  
66-38312

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FEE	2250	FB	
DEL.	C/O	COMP	VP
LEGAL PG	SCAN	FV	

## GRANT OF EASEMENT

### Pedestrian Trail, Storm Sewer, Sanitary Sewer and Drainage Easement

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, THE RESERVE, L.L.C., a Nebraska limited liability company, hereinafter referred to as the "Grantor", hereby grants and conveys to itself, the City of Omaha, Nebraska ("Omaha"), for its use and the use of the public, The Reserve Homeowners Association ("Homeowners Association"), all present and future owners of property within Lots 1 through 30, inclusive, The Reserve, a subdivision in Douglas County, Nebraska, and the lessees, invitees, representatives, successors and assigns of such owners, hereinafter collectively referred to as "Grantees", a permanent pedestrian trail, storm sewer, drainage, and sanitary sewer easement, in, through, over and under the parcel of land described as follows:

See Exhibit "A" attached hereto and by this reference made a part of this Easement for the legal description of the easement area (hereinafter the "Easement Area"),

for the following purposes:

1. Pedestrian Trail Easement. Ingress and egress of pedestrians for the benefit of the Grantor and Grantees from and to Ontario Street to the north and the Zorinsky Recreational Area ("Dam Site 18") to the south over and through the Easement Area as shown on Exhibit "A" attached hereto. Pedestrians and bicycles shall be allowed within this pedestrian trail easement, however, motor vehicles are prohibited within the Easement Area. The Grantor shall install a hard surface walkway for this pedestrian trail easement within the Easement Area as shown on Exhibit "A" and thereafter, the Homeowners Association shall repair and maintain the hard surface pedestrian walkway and the Easement Area.

2. Storm Sewer. The Grantor shall install and construct a storm sewer at its cost within the Easement Area as shown on Exhibit "A" attached hereto. After the construction of such storm sewer, the Homeowners Association shall repair and maintain the storm sewer at its cost. The storm sewer shall be installed and constructed pursuant to the Subdivision Agreement entered into between the Grantor and Omaha.

3. Sanitary Sewer. A sanitary sewer line now exists within the Easement Area shown on Exhibit "A" attached hereto. The Grantor shall also have the right to install a sanitary sewer line or lines within the Easement Area, as well as other utility and/or service lines to service The Reserve Subdivision.

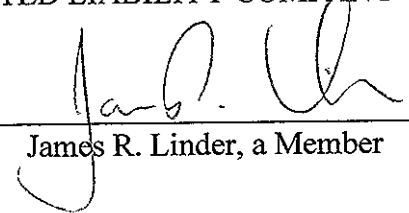
Except as otherwise provided herein, no other building, improvement or other structure shall be placed over the Easement Area by the Grantees, their successor or assigns, without the express written approval of the Grantor.

The Grantor does hereby warrant and confirm to the Grantees that it is the owner of the Easement Area and that it has the right to grant and convey this Easement in the manner aforesaid and that it shall warrant and defend this Easement to the Grantees, their successors and assigns, against any lawful claims and demands of all persons.

This easement runs with the land and shall run in favor of and be binding upon the respective assigns, successors, agents, lessees, invitees and representatives of the Grantor and Grantees.

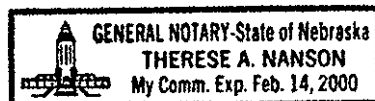
DATED this 13<sup>th</sup> day of September, 1996.

THE RESERVE, L.L.C., A NEBRASKA  
LIMITED LIABILITY COMPANY

By:   
James R. Linder, a Member

STATE OF NEBRASKA)  
COUNTY OF DOUGLAS) SS.

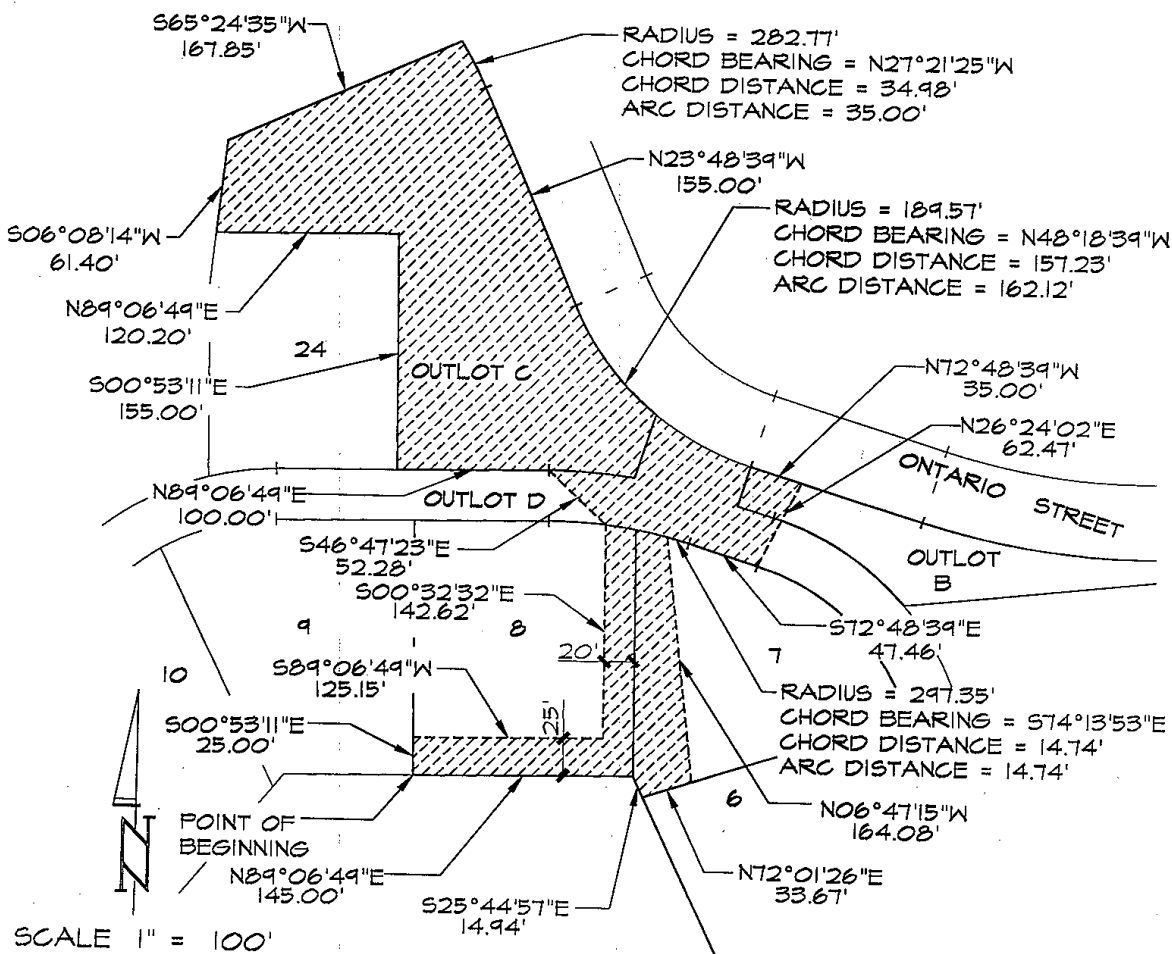
The foregoing instrument was acknowledged before me on this 13<sup>th</sup> day of September, 1996, by JAMES R. LINDER, a member of THE RESERVE L.L.C., a Nebraska limited liability company.



  
Notary Public

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NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS



## LEGAL DESCRIPTION

ALL OF OUTLOT C, TOGETHER WITH PART OF OUTLOTS B AND D, TOGETHER WITH PART OF LOTS 7 AND 8, ALL IN THE RESERVE, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 8; THENCE N89°06'49"E (ASSUMED BEARING) 145.00 FEET ON THE SOUTH LINE OF SAID LOT 8 TO THE SE CORNER THEREOF; THENCE S25°44'57"E 14.94 FEET ON THE WESTERLY LINE OF SAID LOT 7; THENCE N72°01'26"E 33.67 FEET ON THE SOUTHERLY LINE OF SAID LOT 7; THENCE N06°47'15"W 164.08 FEET TO THE NORTHERLY LINE OF SAID LOT 7; THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID LOT 7 ON A NONTANGENT 297.35 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S74°13'53"E, CHORD DISTANCE 14.74 FEET AN ARC DISTANCE OF 14.74 FEET; THENCE S72°48'39"E 47.46 FEET ON THE NORTHERLY LINE OF SAID LOT 7; THENCE N26°24'02"E 62.47 FEET; THENCE N72°48'39"W 35.00 FEET ON THE NORTHERLY LINE OF SAID OUTLOT B TO THE NW CORNER THEREOF; THENCE NORTHWESTERLY ON THE NORTHEASTERLY LINE OF OUTLOTS D AND C AND ON A 189.57 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N48°18'39"W, CHORD DISTANCE 157.23 FEET, AN ARC DISTANCE OF 162.12 FEET; THENCE N23°48'39"W 155.00 FEET ON THE NORTHEASTERLY LINE OF SAID OUTLOT C; THENCE NORTHWESTERLY ON THE NORTHEASTERLY LINE OF SAID OUTLOT C AND ON A 282.77 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N27°21'25"W, CHORD DISTANCE 34.98 FEET, AN ARC DISTANCE OF 35.00 FEET; THENCE S65°24'35"W 167.85 FEET ON A NONTANGENT LINE AND ON THE NORTHWESTERLY LINE OF SAID OUTLOT C; THENCE S06°08'14"W 61.40 FEET ON THE WESTERLY LINE OF SAID OUTLOT C; THENCE N89°06'49"E 120.20 FEET ON THE WESTERLY LINE OF SAID OUTLOT C; THENCE S00°53'11"E 155.00 FEET ON THE WESTERLY LINE OF SAID OUTLOT C; THENCE N89°06'49"E 100.00 FEET ON THE SOUTH LINE OF SAID OUTLOT C; THENCE S46°47'23"E 52.28 FEET TO THE NORTH LINE OF SAID LOT 8; THENCE S00°32'32"E 142.62 FEET ON A LINE 20.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 8; THENCE S89°06'49"W 125.15 FEET ON A LINE 25.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 8; THENCE S00°53'11"E 25.00 FEET ON THE WEST LINE OF SAID LOT 8 TO THE POINT OF BEGINNING.

CONTAINING 1.35 ACRES MORE OR LESS

Exhibit "A"

JAMES LINDER  
THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

TD2 FILE NO. E-1035-101

DATE: JULY 9, 1996