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Date
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By

RICHARD M TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

00 AUG 15 PM 1:19

RECEIVED

Affects Unplatted Area

AFTER RECORDING RETURN TO:

JAMES F. KASHER
CROKER, HUCK, KASHER, DeWITT,
ANDERSON & GONDERINGER, P.C.
2120 S 72 ST STE 1250
OMAHA NE 68124

*D MISC
6
1*

PERPETUAL EASEMENT

FEE	30.50	FB	
BKP		C/O	COMP
DEL		SCAN	ds FV

KNOW ALL MEN BY THESE PRESENTS:

THAT SADDLEBROOK PROPERTIES, LLC, a Nebraska limited liability company (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and no/100ths Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto SANITARY AND IMPROVEMENT DISTRICT NO. 446 OF DOUGLAS COUNTY, NEBRASKA, and THE CITY OF OMAHA, in the State of Nebraska, a municipal corporation, (hereinafter collectively referred to as "Grantee"), their successors and assigns, a perpetual easement and connection right over, under, on and across that real estate in Douglas County, Nebraska, more particularly described on Exhibits "A" and "B" attached hereto and incorporated herein by this reference.

The scope and purpose of said easement is the following:

- (a) The use, construction, repair, maintenance, replacement and renewal of storm sewer pipeline, including all necessary manholes and other related appurtenances, and the transmission through said sewer of storm water runoff; and
- (b) The unobstructed flow and drainage of surface waters over the described real property so long as such property shall be denominated as part of the One Hundred Year Flood Plain by the properly appointed authority and no building or other obstruction shall be built thereon during the effective period of this easement.

The Grantee and its contractors and engineers shall have full right and authority to enter upon said easementway in order to perform any of the acts and functions described within the scope and purposes of such easement; PROVIDED, however, that such easement as to said Grantee, City of Omaha only, shall have no force and effect unless and until the property described on Exhibits "A" and "B" are annexed as a part of said City and until said City shall have a legal obligation to maintain such improvements as public facilities.

By accepting and recording this perpetual easement grant, said Grantee, Sanitary and Improvement District No. 446 of Douglas County, Nebraska, agrees forthwith, and said Grantee, City of Omaha, agrees effective with the annexation of the property in which said improvements are constructed, to make good or cause to be made good to the owner or owners of the property in which same are constructed, any and all damage that may be done by reason of construction, alterations, maintenance, inspection, repairs or reconstruction in the way of damage to trees, grounds, or other improvements thereon, including crops, vines and gardens.

Grantor herein, for itself, its successors and assigns, does hereby covenant and agree with the said Grantee and its successors and assigns that at the time of the execution and delivery of these presents, Grantor is lawfully seized of said premises; that Grantor has good right and lawful authority to grant said perpetual easement; and Grantor further hereby covenants to warrant and defend said easementway against the lawful claims of all persons whomsoever.

This instrument shall be binding on the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the 2nd day of AUGUST, 2000.

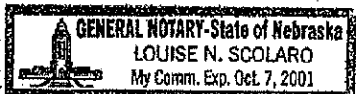
GRANTOR:
SADDLEBROOK PROPERTIES, LLC,
a Nebraska limited liability company

By: [Signature]
John C. Czerwinski, Jr, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on Aug 2, 2000, by John C. Czerwinski, Jr., Manager of Saddlebrook Properties, LLC, on behalf of the company.

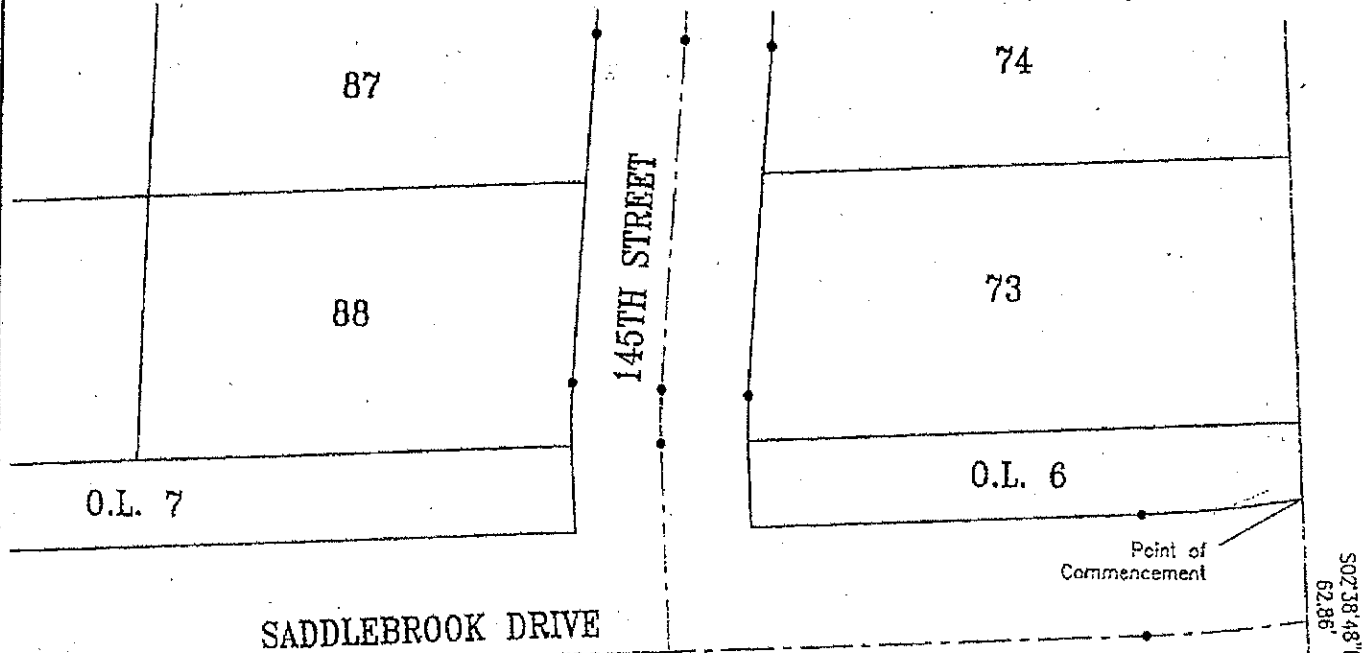
[Signature]
Notary Public



73587



SADDLEBROOK



N87°21'12"E
20.00'

S87°21'12"W
319.38'

S02°38'48"E
62.86'

N03°25'42"W
47.43'
S03°25'42"E
47.16'
S86°34'18"W
20.00'

Point of Beginning

20' Drainage and Storm Sewer Easement to S.I.D. #446 and to the City of Omaha

UNPLATTED

SE 1/4, Sec. 35, T16N, R11E,
Douglas Co., Ne.

96057\DWG\9657E113

Book _____ Page _____ Date Jan. 07, 2000 Dwn.By BDK\DJB Job Number 96057.01-040



lamp, rynearson & associates, inc.

engineers

surveyors

planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2028

ph 402-488-2488
fax 402-488-2730

LEGAL DESCRIPTION

A permanent twenty foot (20') strip easement for the construction and maintenance of drainage and storm sewers over that part of the Southeast Quarter of Section 35, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the southeast corner of Out Lot 6, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 02°38'48" West for 62.86 feet along the extended east line of said Out Lot 6 and the east end of the right of way of Saddlebrook Drive;

Thence South 87°21'12" West for 319.38 feet along the south right of way line of Saddlebrook Drive to the TRUE POINT OF BEGINNING;

Thence South 03°25'42" East for 47.16 feet;

Thence South 86°34'18" West for 20.00 feet;

Thence North 03°25'42" West for 47.43 feet to said south right of way line;

Thence North 87°21'12" East for 20.00 feet to the Point of Beginning.

Contains 0.02 acre.

January 12, 2000

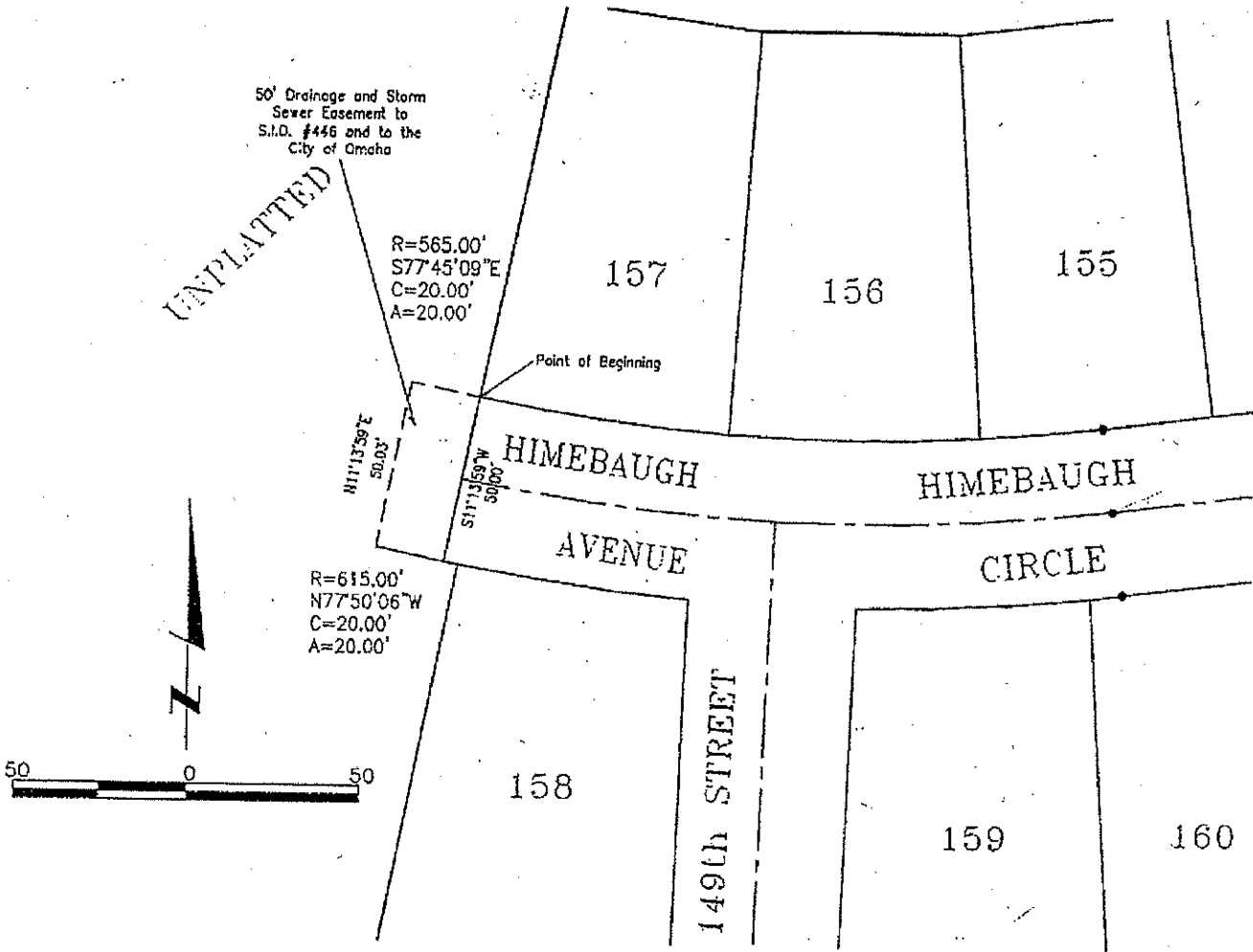
LAMP, RYNEARSON & ASSOCIATES, INC.

9657E113.dwg

96057.11 040

(Drainage Easement south of Saddlebrook Drive)

SADDLEBROOK



96057\DWG\9657E118

Book _____ Page _____ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-040



lamp, rynearson & associates, inc.
engineers surveyors planners

14710 west dodge road, suite 100
omaha, nebraska 68154-2029

ph 402-498-2498
fax 402-498-2730

LEGAL DESCRIPTION

A permanent fifty foot strip easement for the construction and maintenance of drainage and storm sewers over that part of the Southeast Quarter of Section 35, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the southwest corner of Lot 157, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 11°13'59" West for 50.00 feet along the extended west line of said Lot 157 and the west end of the right of way of Himebaugh Avenue to the south right of way line thereof;

Thence along a curve to the right (having a radius of 615.00 feet and a long chord bearing North 77°50'06" West for 20.00 feet) for an arc length of 20.00 feet along the extended south line of Himebaugh Avenue;

Thence North 11°13'59" East for 50.03 feet parallel with and 20.00 feet west of the west end of Himebaugh Avenue;

Thence along a curve to the left (having a radius of 565.00 feet and a long chord bearing South 77°45'09" East for 20.00 feet) for an arc length of 20.00 feet along the extended north right of way line of Himebaugh Avenue to the Point of Beginning.

Contains 1000 square feet.

January 26, 2000

LAMP, RYNEARSON & ASSOCIATES, INC. 9567E118.dwg
96057.11 040 (Sewer and Drainage west of Himebaugh Avenue)