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By

RICHARD N TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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RECEIVED

*A Effects  
Lot 231  
& unplatted  
Area*

*B MISC  
18 9050*

AFTER RECORDING RETURN TO:

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

**PERPETUAL EASEMENT**

FEE	9050	FB	
BKP		C/O	COMP
DEL		SCAN	de 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" through "H", attached hereto and incorporated herein by this reference.

The scope and purpose of said easement is for the use, construction, repair, maintenance, replacement and renewal of outfall sanitary sewer pipe line, including all necessary manholes and other related appurtenances, and the transmission through said sewer of sanitary sewer discharge. The Grantee and its contractor 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 on or in which said sanitary outfall sewer pipeline, manholes and other related appurtenances are constructed shall be 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 reserves the right, following construction of said sewer and appurtenances thereto, to continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the Grantee to use the same for the purposes herein expressed. Provided, however, that no building or other structure shall be built within the permanent easement area by Grantor, their successors or assigns, which will in any way interfere with Grantee's ability to perform its rights granted hereunder. This easement runs with the land.

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 sanitary outfall sewer 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.

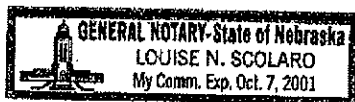
IN WITNESS WHEREOF, the Grantor herein, for itself, its successors and assigns, has caused the due execution hereof as of the ~~2<sup>nd</sup>~~ day of ~~July~~<sup>Aug</sup>, 2000.

GRANTOR:  
SADDLEBROOK PROPERTIES, LLC  
a Nebraska limited liability company

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

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

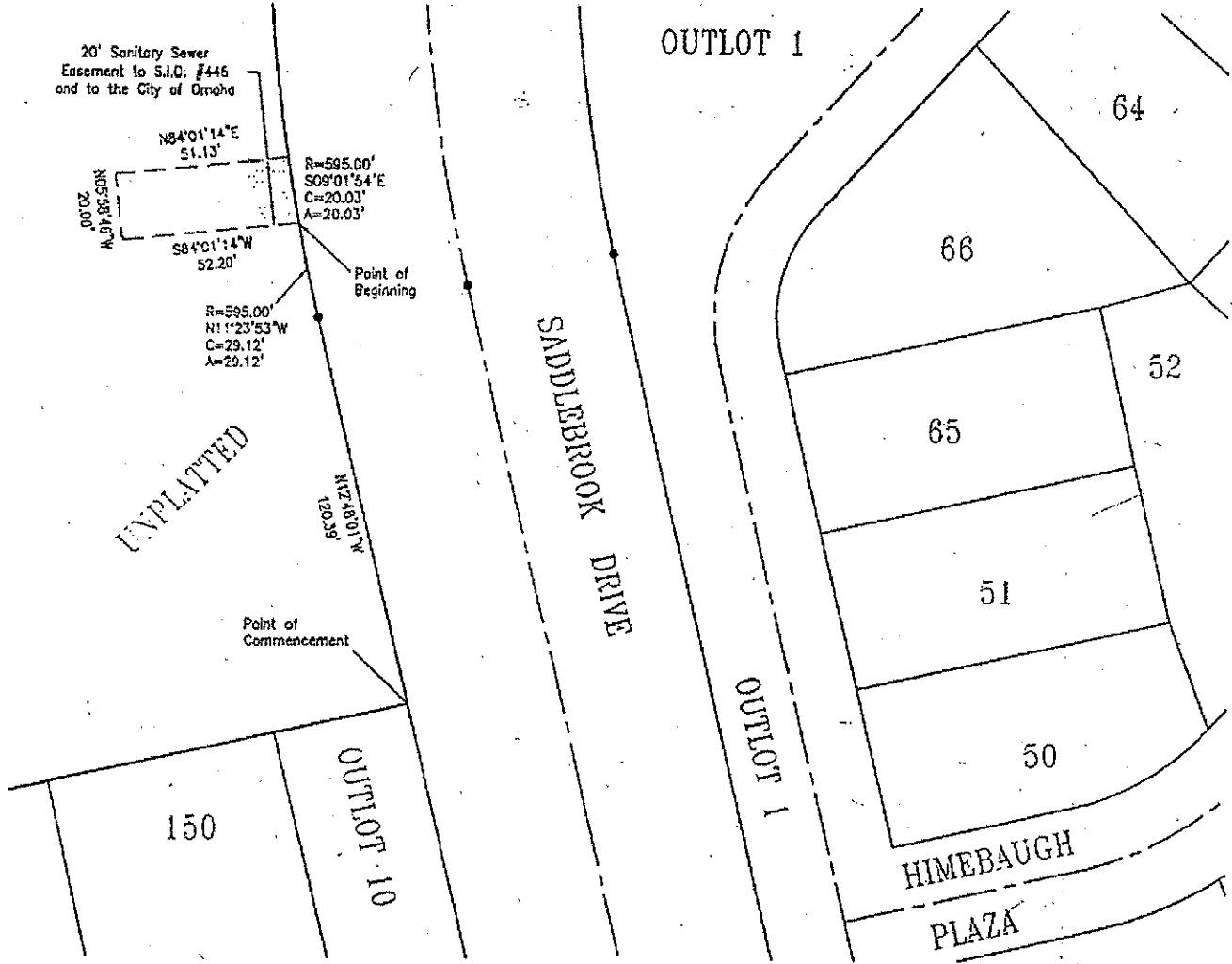
The foregoing instrument was acknowledged before me on Aug 2<sup>nd</sup> 2000, by John C. Czerwinski, Jr., Manager of Saddlebrook Properties, LLC, on behalf of the company.



*Louise N. Scolaro*  
Notary Public



# SADDLEBROOK



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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030



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

Commencing at the northeast corner of Out Lot 10, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence North 12°48'01" West (bearings referenced to the Final Plat of SADDLEBROOK) for 120.39 feet along the west right of way line of Saddlebrook Drive;

Thence along a curve to the right (having a radius of 595.00 feet and a long chord bearing North 11°23'53" West for 29.12 feet) for an arc length of 29.12 feet along said west right of way line to the TRUE POINT OF BEGINNING;

Thence South 84°01'14" West for 52.20 feet;

Thence North 05°58'46" West for 20.00 feet;

Thence North 84°01'14" East for 51.13 feet to the west right of way line of Saddlebrook Drive;

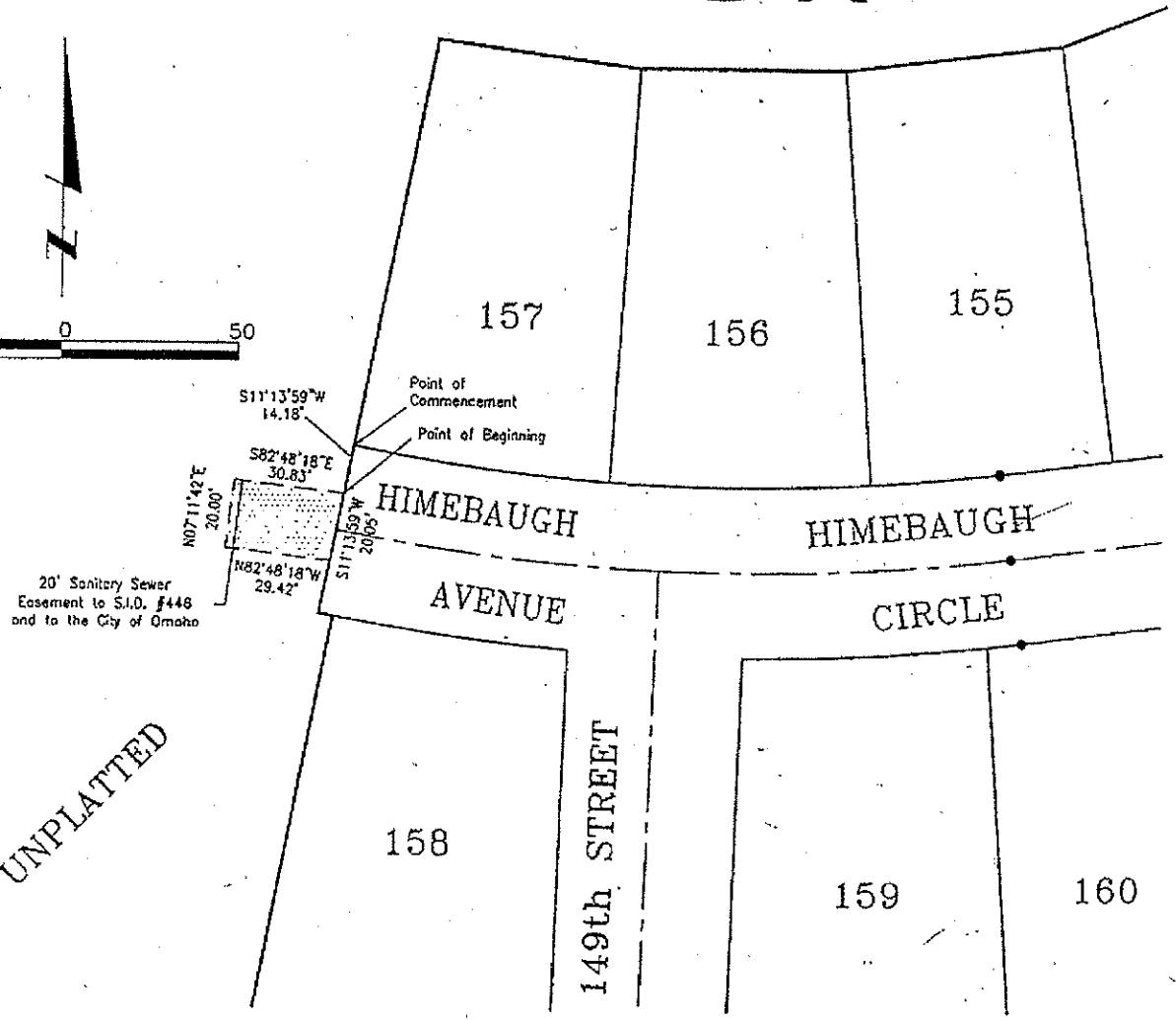
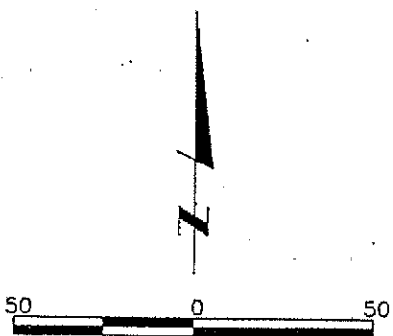
Thence along a curve to the left (having a radius of 595.00 feet and a long chord bearing South 09°01'54" East for 20.03 feet) for an arc length of 20.03 feet along said west right of way line to the Point of Beginning,

Contains 1033 square feet.

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December 16, 1999  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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# SADDLEBROOK



UNPLATTED

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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030


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

Commencing 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 (bearings referenced to the Final Plat of SADDLEBROOK) for 14.18 feet along the extended west line of said Lot 157 and the east end of the right of way Himebaugh Avenue to the TRUE POINT OF BEGINNING;

Thence South 11°13'59" West for 20.05 feet;

Thence North 82°48'18" West for 29.42 feet;

Thence North 07°11'42" West for 20.00 feet;

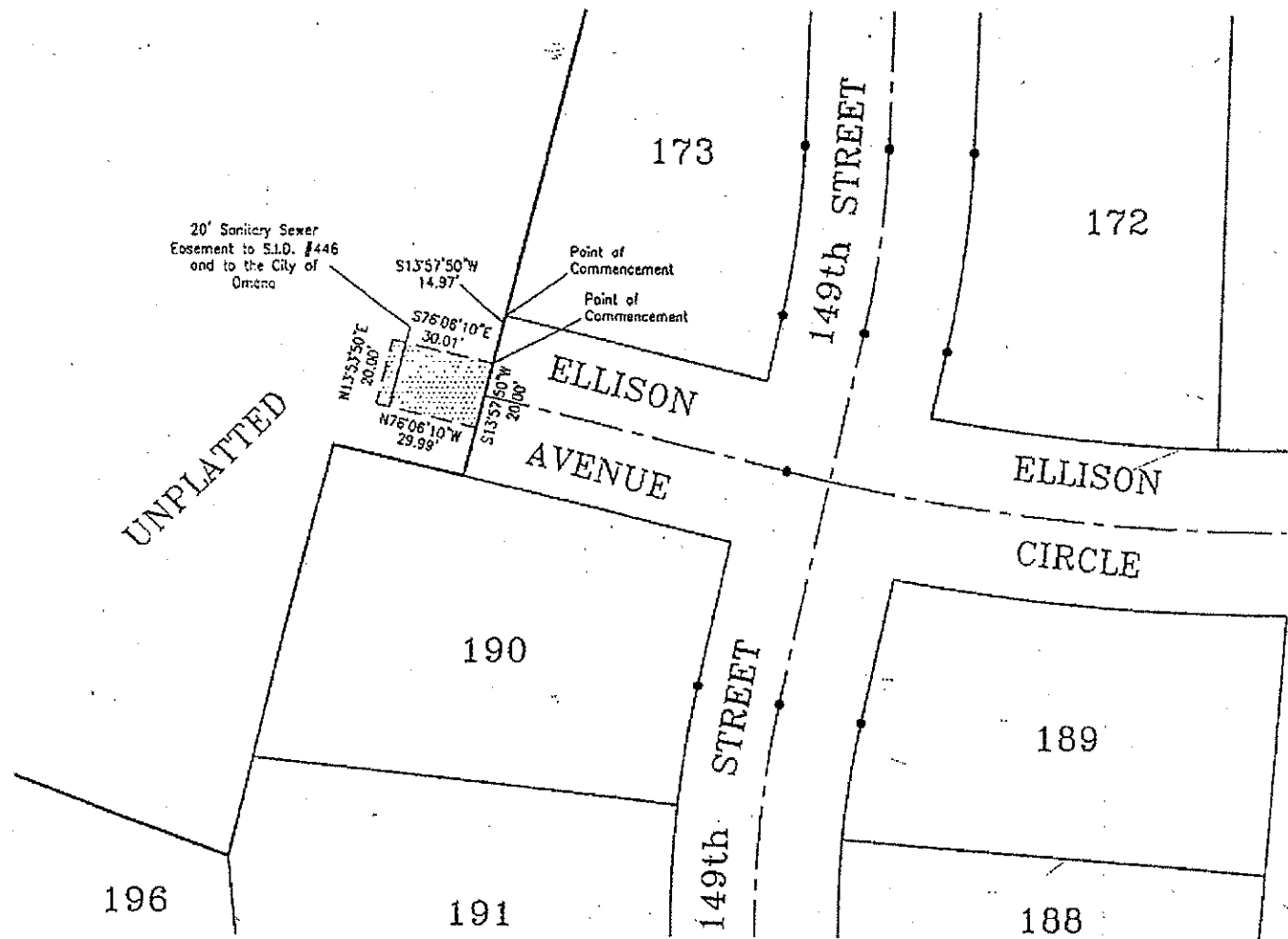
Thence South 82°48'18" East for 30.83 feet to the Point of Beginning.

Contains 602 square feet.

December 16, 1999  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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# SADDLEBROOK



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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030



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

Commencing at the southwest corner of Lot 173, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South  $13^{\circ}57'50''$  West (bearings referenced to the Final Plat of SADDLEBROOK) for 14.97 feet along the extended west line of said Lot 173 and the west end of the right of way of Ellison Avenue to the TRUE POINT OF BEGINNING;

Thence continuing South  $13^{\circ}57'50''$  West for 20.00 feet;

Thence North  $76^{\circ}06'10''$  West for 29.99 feet;

Thence North  $13^{\circ}53'50''$  West for 20.00 feet;

Thence South  $76^{\circ}06'10''$  East for 30.01 feet to the Point of Beginning.

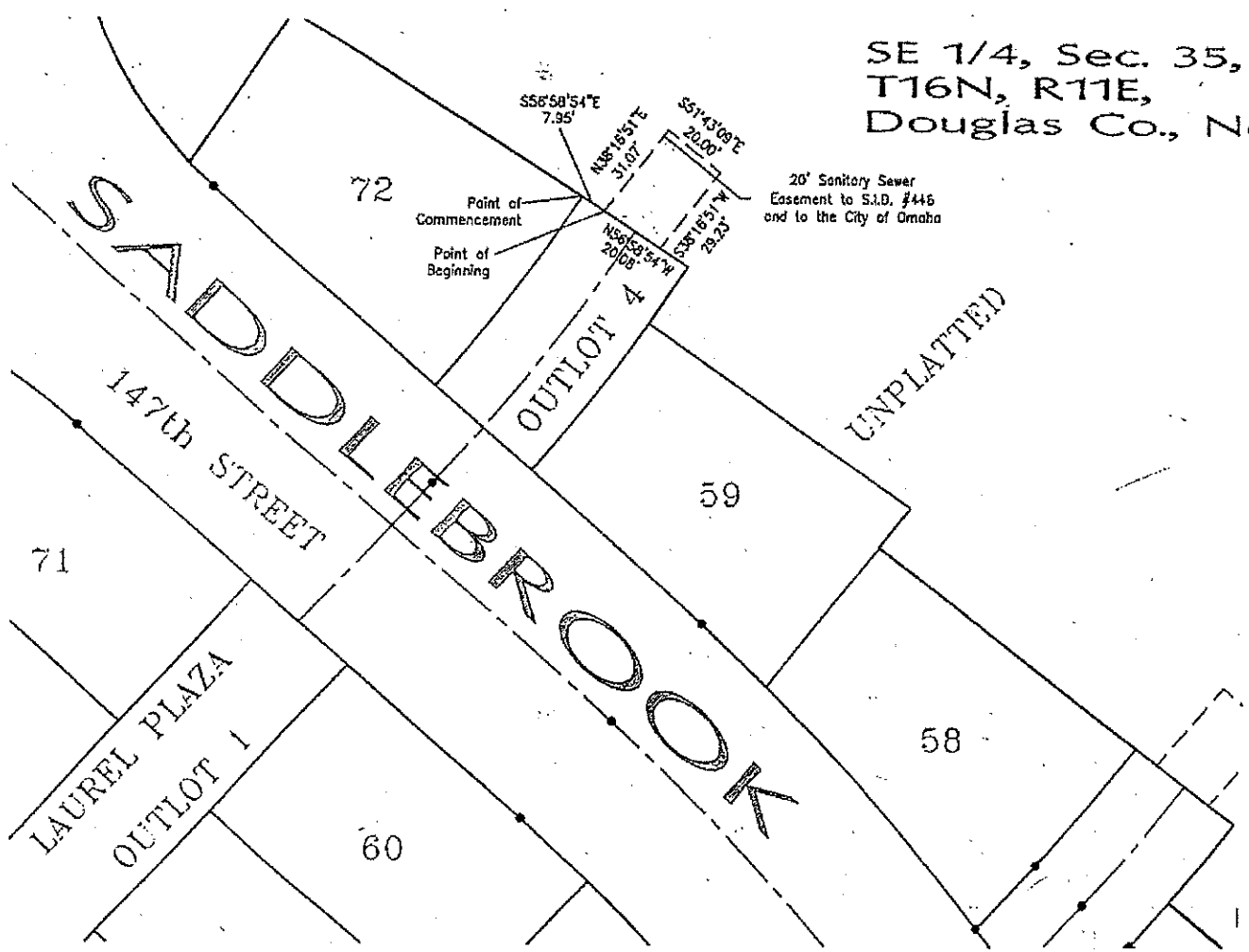
Contains 600 square feet.





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

20' Sanitary Sewer  
Easement to S.D. #446  
and to the City of Omaha



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**lamp, rynearson & associates, inc.**  
engineers                      surveyors                      planners

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

ph 402-496-2498  
fax 402-496-2730

**LEGAL DESCRIPTION**

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

Commencing at the east corner of Lot 72, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 56°58'54" East (bearings referenced to the Final Plat of SADDLEBROOK) for 7.95 feet along the extended northeast line of said Lot 72 and the east end of the right of way of Outlot 4, SADDLEBROOK (Laurel Plaza) to the TRUE POINT OF BEGINNING;

Thence North 38°16'51" East for 31.07 feet;

Thence South 51°43'09" East for 20.00 feet;

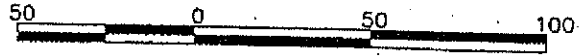
Thence South 38°16'51" West for 29.23 feet to the east line of Outlot 4;

Thence North 56°58'54" West for 20.08 feet to the Point of Beginning.

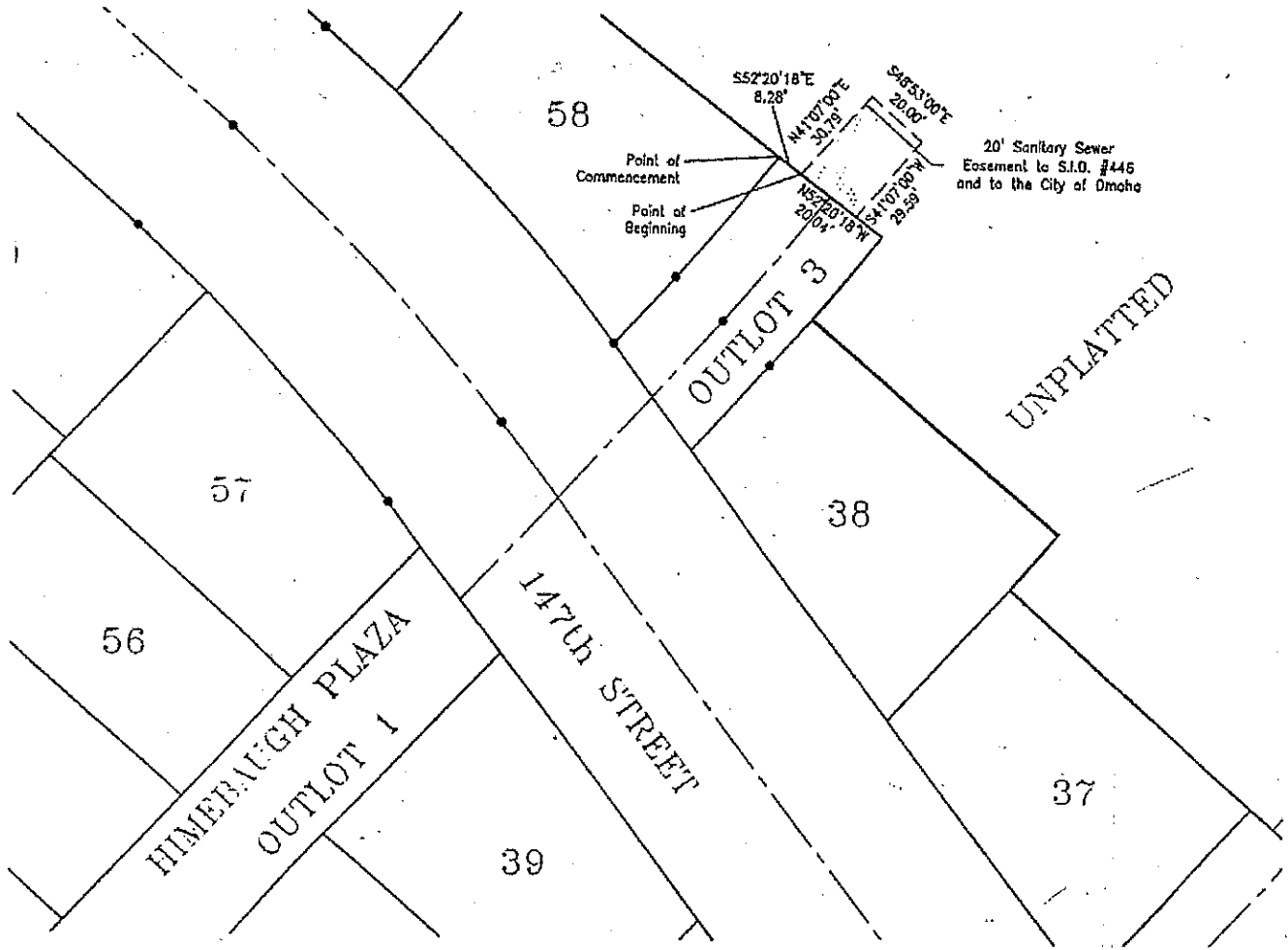
Contains 603 square feet.

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December 16, 1999  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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# SADDLEBROOK



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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030



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

Commencing at the east corner of Lot 58, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 52°20'18" East (bearings referenced to the Final Plat of SADDLEBROOK) for 8.28 feet along the extended northeast line of said Lot 58 and the east end of the right of way of Outlot 3, SADDLEBROOK (Himebaugh Plaza) to the TRUE POINT OF BEGINNING;

Thence North 41°07'00" East for 30.79 feet;

Thence South 48°53'00" East for 20.00 feet;

Thence South 41°07'00" West for 29.59 feet to the east line of Outlot 3;

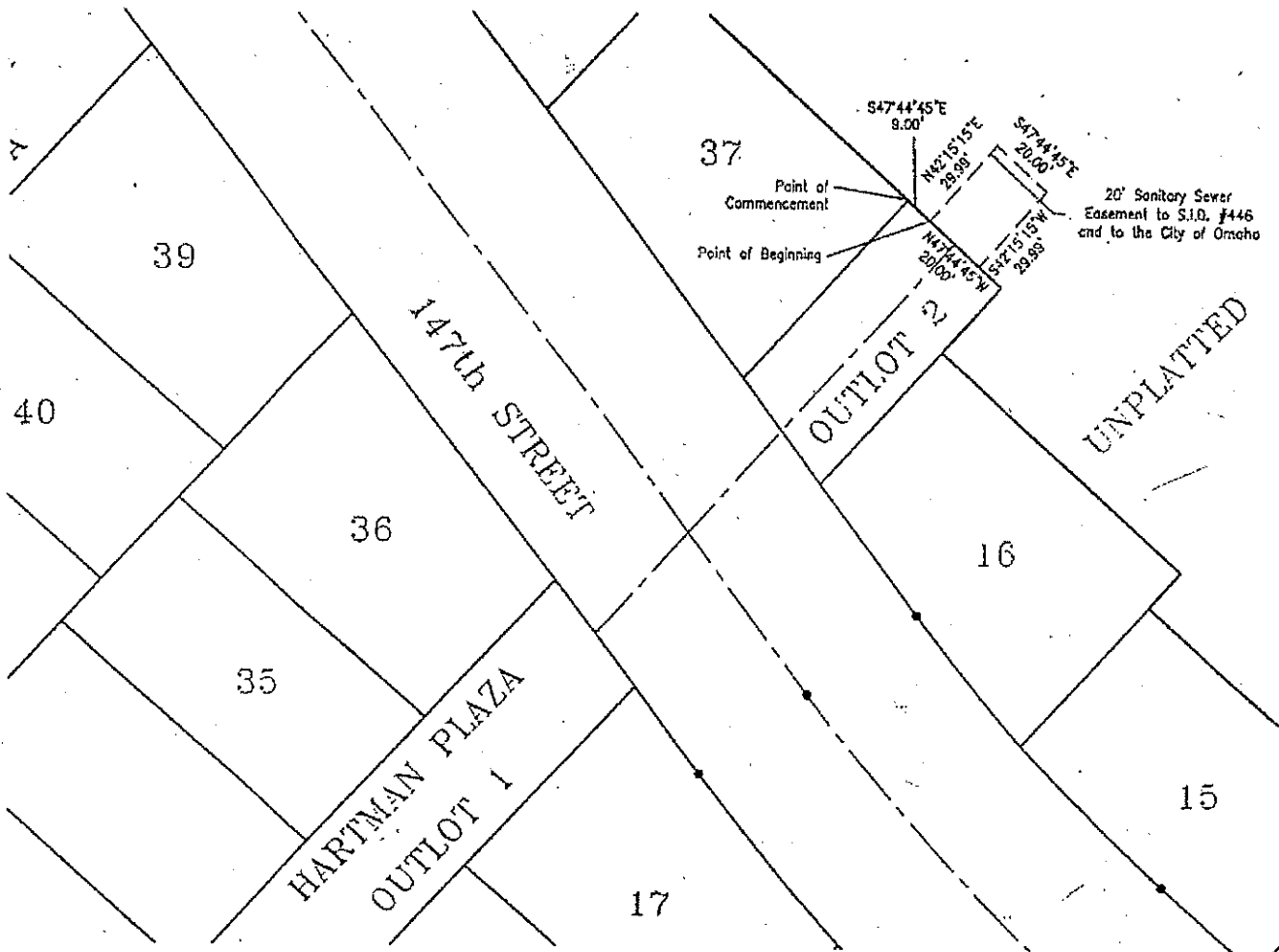
Thence North 52°20'18" West for 20.04 feet to the Point of Beginning.

Contains 604 square feet.

December 16, 1999  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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# SADDLEBROOK



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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030



**lamp, rynearson & associates, inc.**

engineers

surveyors

planners

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

ph 402-496-2498  
fax 402-496-2730

LEGAL DESCRIPTION

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

Commencing at the east corner of Lot 37, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 47°44'45" East (bearings referenced to the Final Plat of SADDLEBROOK) for 9.00 feet along the extended northeast line of said Lot 37 and the east end of the right of way of Outlot 2, SADDLEBROOK (Hartman Plaza) to the TRUE POINT OF BEGINNING;

Thence North 42°15'15" East for 29.99 feet;

Thence South 47°44'45" East for 20.00 feet;

Thence South 42°15'15" West for 29.99 feet to the east line of Outlot 2;

Thence North 47°44'45" West for 20.00 feet to the Point of Beginning.

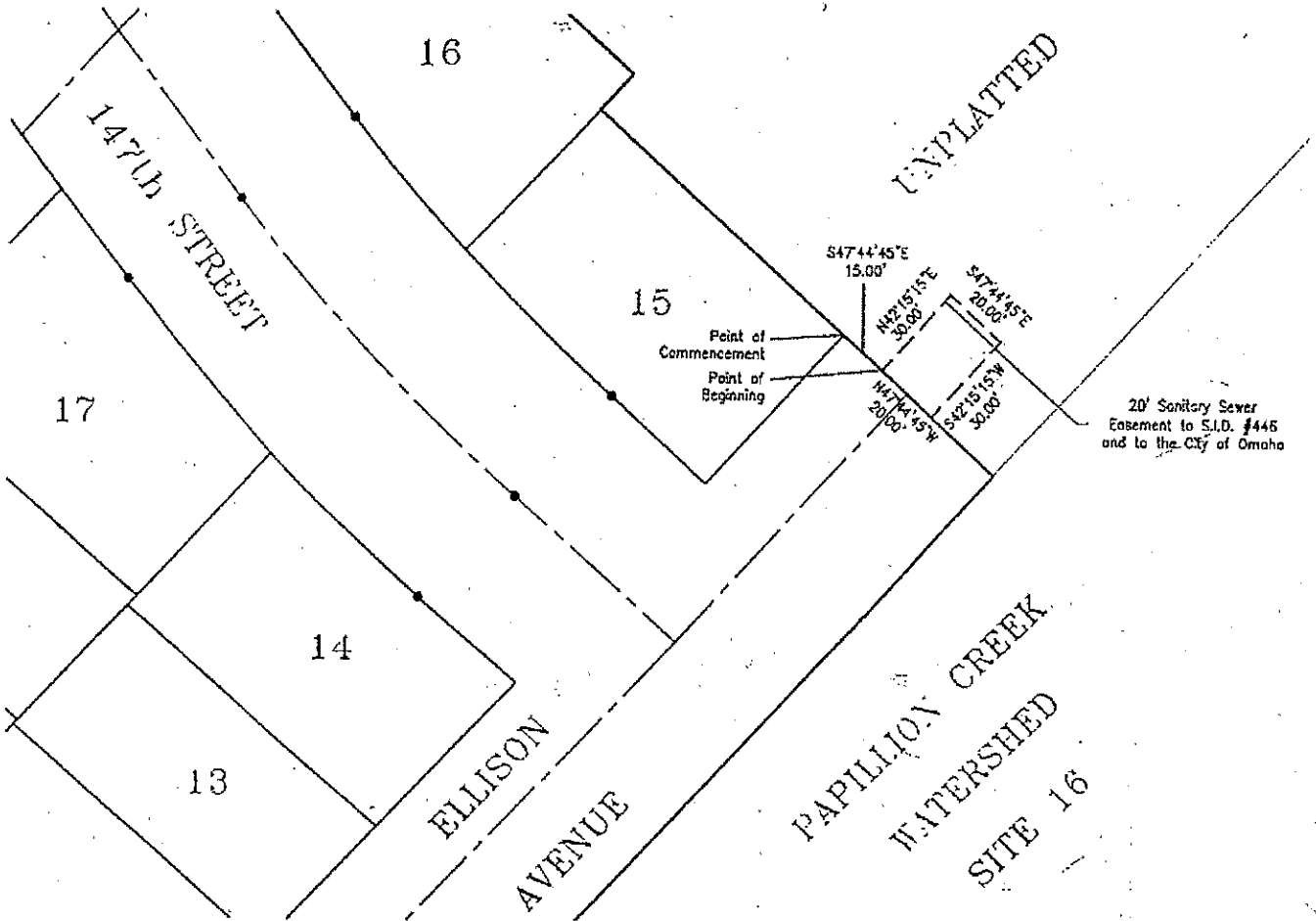
Contains 600 square feet.

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December 16, 1999  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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# SADDLEBROOK



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Book \_\_\_\_\_ Page \_\_\_\_\_ Date Jan. 10, 2000 Dwn.By DJB Job Number 96057.11-030



## lamp, rynearson & associates, inc.

engineers

surveyors

planners

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

ph 402-496-2488  
fax 402-496-2730

LEGAL DESCRIPTION

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

Commencing at the east corner of Lot 15, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 47°44'45" East (bearings referenced to the Final Plat of SADDLEBROOK) for 15.00 feet along the extended northeast line of said Lot 15 and the east end of the right of way of Ellison Avenue to the TRUE POINT OF BEGINNING;

Thence North 42°15'15" East for 30.00 feet;

Thence South 47°44'45" East for 20.00 feet;

Thence South 42°15'15" West for 30.00 feet to the east end of Ellison Avenue;

Thence North 47°44'45" West for 20.00 feet to the Point of Beginning.

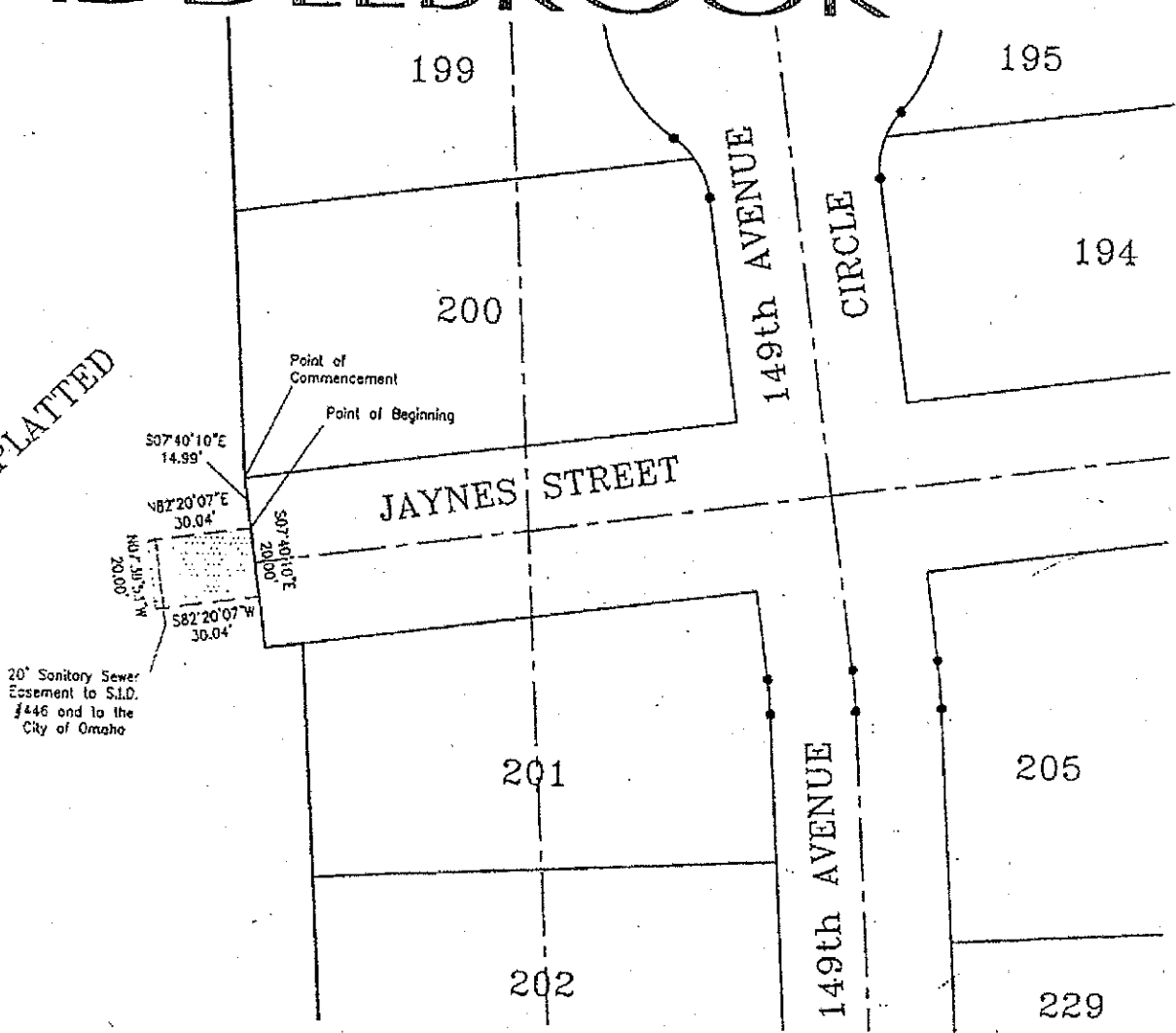
Contains 600 square feet.





# SADDLEBROOK

UNPLATTED



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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 twenty foot (20') strip easement for the construction and maintenance of sanitary sewers over that part of the Southwest Quarter of Section 35, Township 16 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows:

Commencing at the southwest corner of Lot 200, SADDLEBROOK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 07°40'10" East (bearings referenced to the Final Plat of SADDLEBROOK) for 14.99 feet along the extended west line of Lot 200 and the west end of the right of way of Jaynes Street to the TRUE POINT OF BEGINNING;

Thence South 07°40'10" East for 20.00 feet;

Thence South 82°20'07" East for 30.04 feet;

Thence North 07°39'53" West for 20.00 feet;

Thence North 82°20'07" East for 30.04 feet to the Point of Beginning.

Contains 601 square feet.

December 16, 1999

LAMP, RYNEARSON & ASSOCIATES, INC.  
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