

94-13487

INSTRUMENT NUMBER
94-13487

E A S E M E N T

94 JUN 15 AM 11:20

This indenture made this 4 day of May, 1994, between TARA HIGHLANDS, INC., a corporation duly created and existing by virtue of the laws of the State of Nebraska, hereinafter referred to as Grantor and party of the first part, and the City of Papillion, a municipal corporation, duly created and existing by virtue of the laws of the State of Nebraska, hereinafter referred to as Grantee and party of the second part.

W I T N E S S :

1. That the said party of the first part, in consideration of the sum of Ten Dollars and other good and valuable consideration, to it in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, and in the furtherance of the creation of Tara Highlands Paving & Storm Sewer District No. 94-1 and Water Main Connection and Service District No. 94-2 does hereby grant, bargain, sell and release and quitclaim to the said party of the second part, its successors and assigns forever, two permanent storm and sewer drainage easements across tracts of land located in Sarpy County, Nebraska and more specifically described as follows:

- A. The West 10.00 feet in width of Lot 1, Tara Highlands, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska as depicted on Exhibit "A" which is incorporated herein by reference, and
- B. The Northwesterly 10.00 feet in width of Lot 44, Tara Highlands, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska as depicted on Exhibit "B" which is incorporated herein by reference.

Proof	<u> </u>
D.E.	<u> </u>
Verif	<u> </u>
Film	<u> </u>
Checked	<u> </u>
Fee \$	<u>26.00</u>

2. That the monetary consideration paid by the party of the second part, the receipt of which has been herein acknowledged by the party of the first part, includes payment for any permanent and temporary taking, severance, and crop or compaction damage to be caused by the party of the second part.

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3. The scope and purpose of said easement is for the repair, maintenance, replacement and renewal of a storm sewer and drainage pathway. Grantee and its contractors and engineers shall have the full right and authority to enter upon said easement in order to perform any of the acts and functions described within the scope and purposes of this easement document.

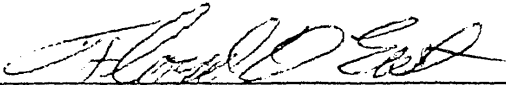
4. This easement shall run in favor of and be binding upon the Grantor, the Grantee, and their respective successors and assigns in interest.

5. Grantee shall have the right of ingress and egress across the Grantor's property for any purposes hereinabove granted. Such ingress and egress shall be exercised in a reasonable manner. Where grantee's facilities have been installed, placed or designated, no trees, permanent buildings or structures shall be placed in or encroached upon the permanent easement area and no change of grade, elevation or any excavation shall be made therein without prior written approval of the Grantee.

6. Grantor represents it has legal possession of said real estate, good, right and lawful authority to make such conveyance; that its assigns and successors in interest shall warrant and defend the same and will indemnify and hold harmless the party of the second part forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

I N W I T N E S S W H E R E O F, Grantor has executed this document on the date and year first above written.

TARA HIGHLANDS, INC.

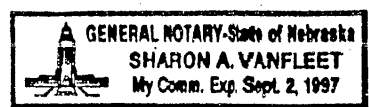
By: 
Floyd D. East
Corporate President

STATE OF NEBRASKA)
)ss
COUNTY OF SARPY)

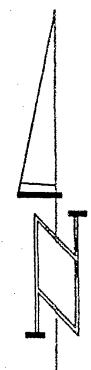
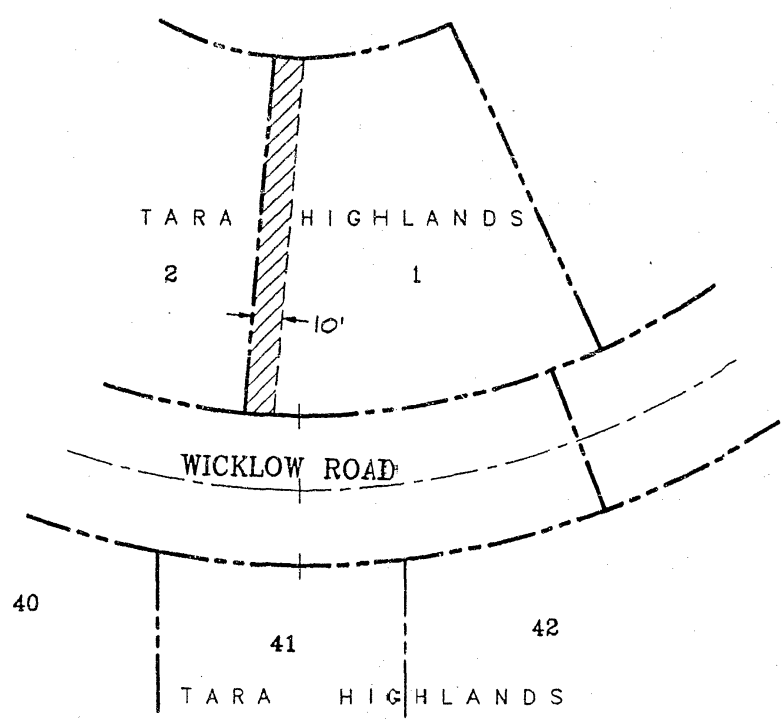
ON THIS 4 day of May, 1994, before me, a Notary Public in and for said county and state, personally appeared FLOYD D. EAST, President of TARA HIGHLANDS, INC., who hereby acknowledges the signing of the foregoing Easement as his voluntary act and deed on behalf of the corporation.

S U B S C R I B E D A N D S W O R N T O before me this 4 day of May, 1994.

Sharon A. Vanfleet
Notary Public



94-13487C



SCALE: 1" = 50'

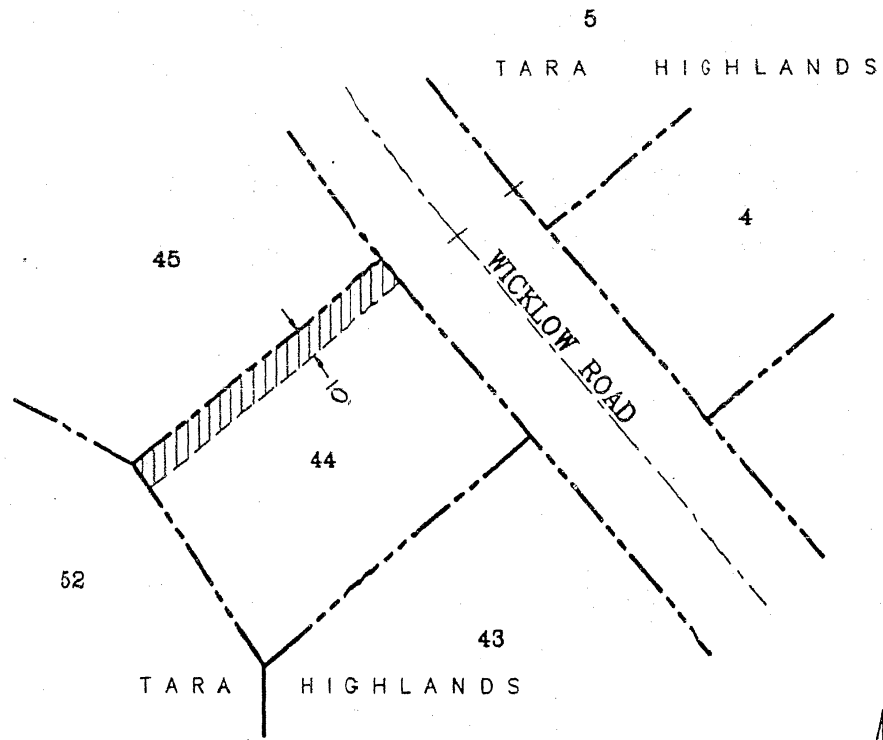
LEGAL DESCRIPTION

THE WEST 10.00 FEET IN WIDTH OF LOT 1, TARA HIGHLANDS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

EXHIBIT "A"

CITY OF PAPIILLION
 TARA HIGHLANDS
 JOB NO. 181-284
 MARCH 4, 1994
 181284E1.DWG

94-13487D



SCALE: 1" = 50'

LEGAL DESCRIPTION

THE NORTHWESTERLY 10.00 FEET IN WIDTH OF LOT 44, TARA HIGHLANDS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

CITY OF PAPILLION
TARA HIGHLANDS
JOB NO. 181-284
MARCH 4, 1994
181284E2.DWG

EXHIBIT "B"

THOMPSON DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8866