



MISC 2004164682



DEC 21 2004 15:40 P 8

OVER OLA

Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE
12/21/2004 15:40:18.02



2004164682

WELL EASEMENT AGREEMENT

This Well Easement Agreement is made and entered into as of this 16th day of December, 2004, by and between TRITON HOMES, L.C., an Iowa limited liability company (the "Grantor") and STEVEN E. TAYLOR AND SUSAN M. TAYLOR, husband and wife (the "Grantee").

Preliminary Statement

Concurrently with the execution of this Well Easement Agreement, Grantor has purchased from Grantee certain real estate in Douglas County, Nebraska, as legally described on Exhibit "A" attached hereto (the "Grantor Property"). Grantee is the owner of property situated immediately adjacent to the Grantor Property, which is legally described on Exhibit "B" attached hereto (the "Grantee Property").

There is situated on the Grantor Property a well and related improvements that are utilized by Grantee for the benefit of the Grantee Property (the "Well Improvements").

Grantee desires to secure from Grantor and Grantor desires to grant to Grantee an easement providing for Grantees use and right to maintain the Well Improvements for such time as the Well Improvements continue to be used by the owner of the Grantee Property.

NOW, THEREFORE, in consideration of the foregoing, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grantor hereby grants, and conveys to Grantee and its successors and assigns an easement over, upon, and under that part of the Grantor Property as depicted and legally described on Exhibit "C" attached hereto (the "Easement Area").
2. The easement granted herein shall run with the land, inure to the benefit of and be binding upon the Grantor and Grantee, and the owners of the Grantor Property and Grantee Property and each of their respective heirs, personal representatives and assigns; continuing for such period as the Well Improvements continue to be used by the owner of the Grantee Property.
3. The term of the easement granted herein shall continue until such time as the owner of the Grantee Property is no longer using the Well Improvements for the benefit of the Grantee Property

Rev.
LAMP, RYNEARSON AND ASSOCIATES, INC.
14710 W. DODGE RD. STE 100
OMAHA NE 68154-2027

Misc	FEE	40.00	FB	01-60000
8	BKP	2-15-11	CFO	COMP
1	DEL		SCAN	

(the "Easement Term"). Upon termination of the Easement Term, Grantee shall take such actions as may be necessary or appropriate to close the well in accordance with the requirements of applicable law and shall secure such certificates and evidence of well closure as may at that time be required by applicable law.

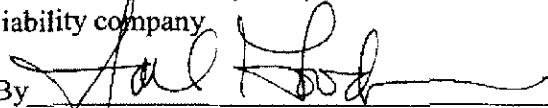
4. Grantee agrees that at all times it shall maintain the Well Improvements in good and safe condition, at its sole expense.

5. Grantor covenants and agrees as the owner of the Easement Area that it has the right to convey the easement granted herein; and that Grantor will warrant and defend the title to said easement against the lawful claims and demands of all persons whomsoever.

6. Grantor acknowledges that the easement is granted in consideration of the purchase and sale arrangements pertaining to Grantor's purchase of the Grantor Property from Grantee and that such consideration constitutes full payment for the easement granted herein.

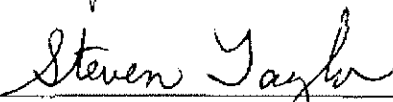
IN WITNESS WHEREOF, the parties have executed this Easement Agreement to be effective as of the date day and year first above-written.

TRITON HOMES, L.C., an Iowa limited liability company

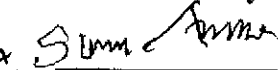
By 

Name: Joel Goodman

Title: President



Steven E. Taylor, Grantee

x 

Susan M. Taylor, Grantee

STATE OF IOWA)
) ss.
COUNTY OF POLK)

The foregoing instrument was acknowledged before me this 16th day of December 2004, by Joel Goodman, President of Triton Homes, L.C., an Iowa limited liability company, on behalf of the company.

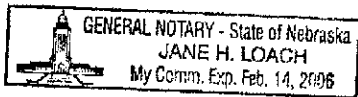


M Bosma

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 30th day of December 2004, by Steven E. Taylor and Susan M. Taylor, husband and wife.

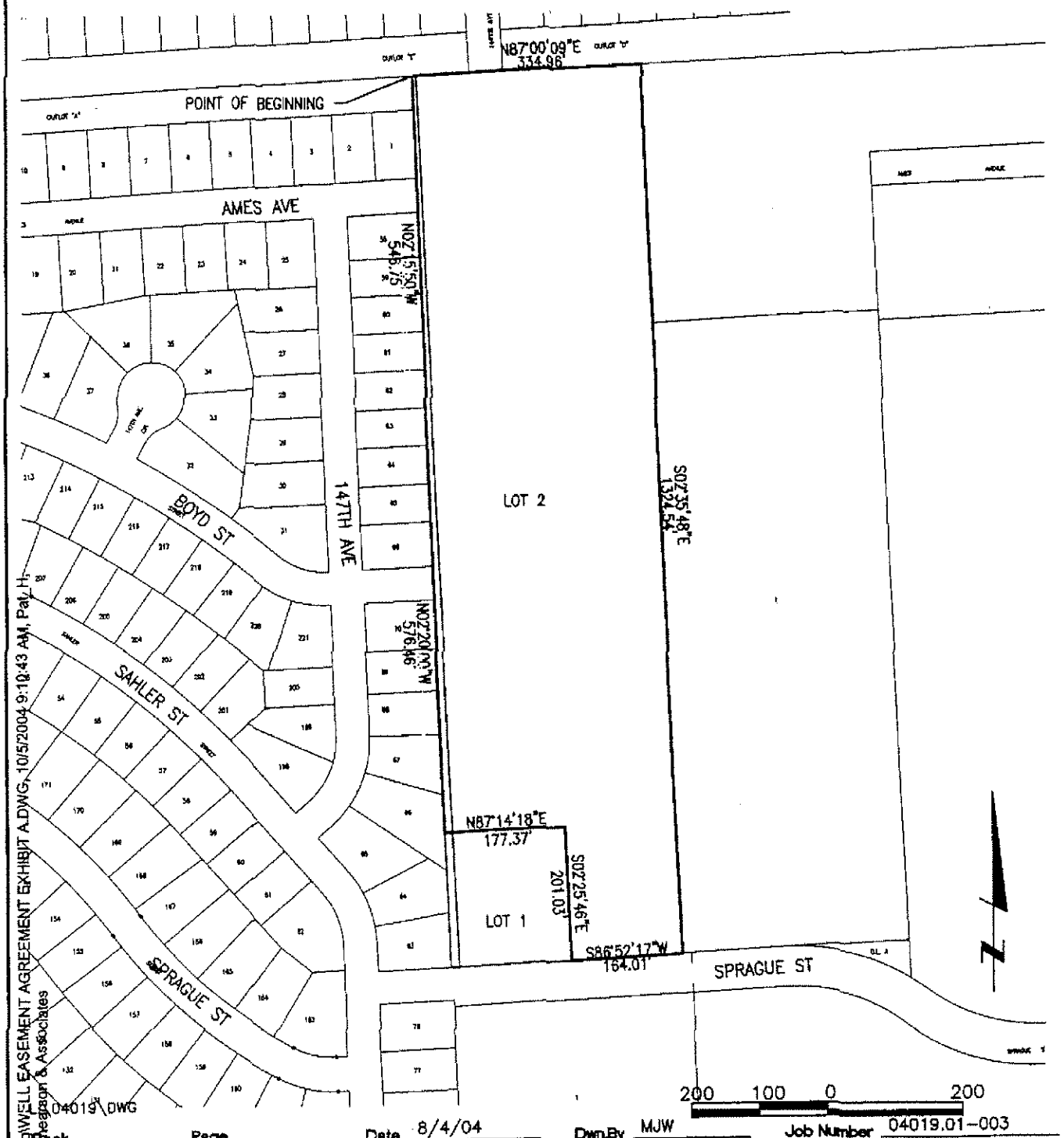


Jane H. Loach

Notary Public

00206663

WELL EASEMENT AGREEMENT Exhibit "A"



WELLS EASEMENT AGREEMENT EXHIBIT A.DWG, 10/5/2004 9:10:43 AM, Pat.H.
 Lamp, Rynearson & Associates
 04019.DWG

Page _____ Date 8/4/04 Dwn.By MJW Job Number 04019.01-003

D:\04019\LD\T0419.DWG
 Adobe PDF, Lamp, Rynearson & Associates


	Lamp, Rynearson & Associates, Inc. 14710 West Dodge Road, Suite 100 Omaha, Nebraska 68154-2027	WWW.LRA-INC.COM (Ph) 402.496.2498 (Fax) 402.496.2730
---	---	---

EXHIBIT A

LEGAL DESCRIPTION

That part of the East Half of the Southeast Quarter, Section 2, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the northwest corner of said East Half of the Southeast Quarter of Section 2;

Thence North 87°00'09" East (assumed bearings) for 334.96 feet along the north line of said East Half of the Southeast Quarter of Section 2 and the south line of WESTIN HILLS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska to the extended west line of Lot 1, HILLSBOROUGH POINT NO. 2, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence South 02°35'48" East for 1324.54 feet to the southwest corner of said Lot 1, HILLSBOROUGH POINT NO. 2;

Thence South 86°52'17" West for 164.01 feet along the north right of way line of Sprague Street;

Thence North 02°25'46" West for 201.03 feet;

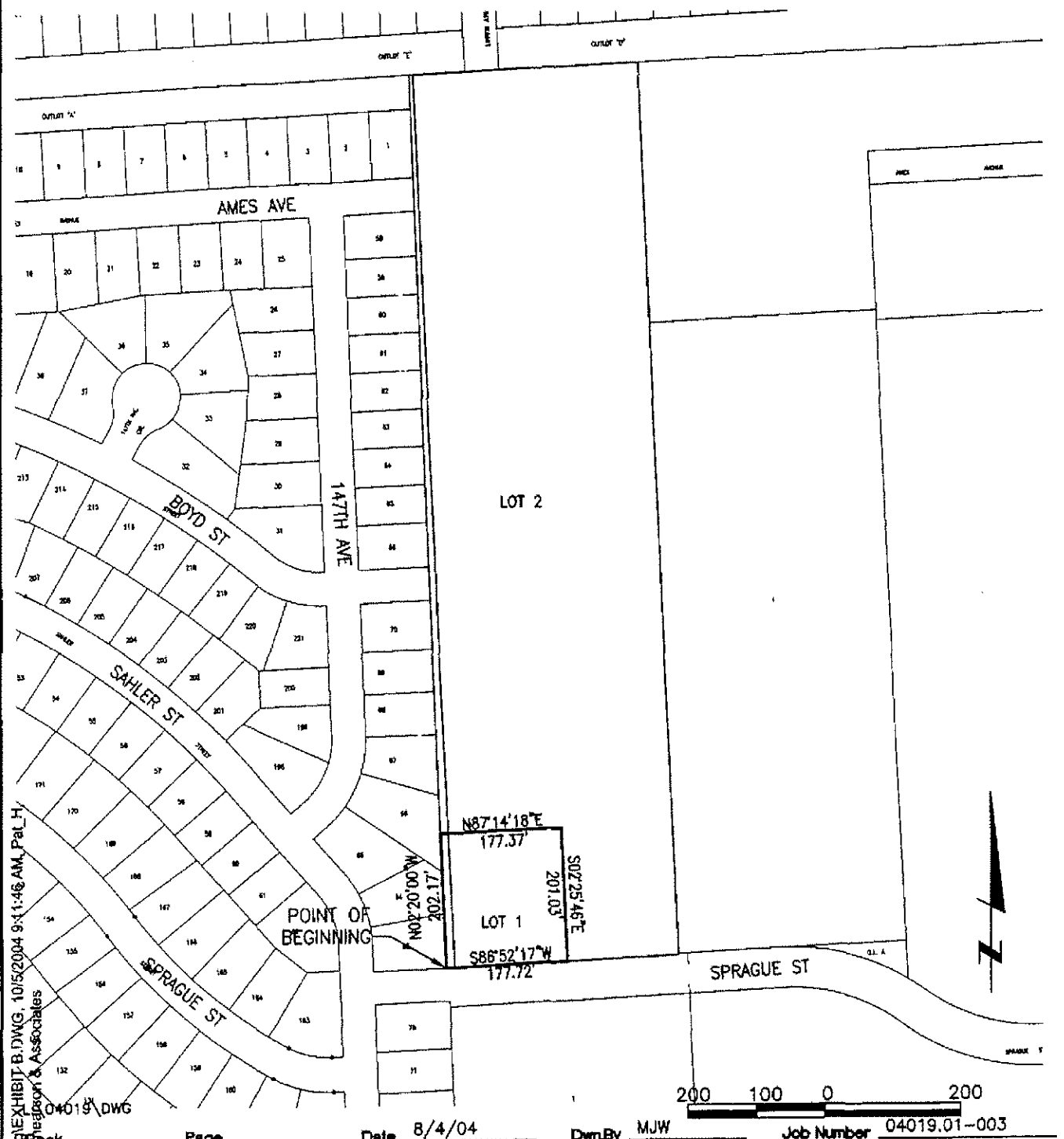
Thence South 87°14'18" West for 177.37 feet to the east line of Lot 66, ARBOR OAKS REPLAT 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence North 02°20'00" West for 576.46 feet to the northeast corner of Lot 64, ARBOR OAKS, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Thence North 02°15'50" West for 546.75 feet to the Point of Beginning;

Contains 412,736 square feet or 9.475 acres.

WELL EASEMENT AGREEMENT Exhibit "B"



04019.LD.T0419
 Adobe PDF, Lamp, Ryneason & Associates
 04019.DWG
 10/5/2004 9:41:46 AM, Pal_H

Page _____ Date 8/4/04 DwnBy MJW Job Number 04019.01-003


	Lamp, Ryneason & Associates, Inc. 14710 West Dodge Road, Suite 100 Omaha, Nebraska 68154-2027	WWW.LRA-INC.COM (Ph) 402.496.2498 (Fax) 402.496.2730
---	--	---

EXHIBIT B

LEGAL DESCRIPTION

That part of the East Half of the Southeast Quarter of Section 2, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:
Beginning at the southeast corner of Lot 63, ARBOR OAKS REPLAT ONE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;
Thence North $02^{\circ}20'00''$ West (assumed bearings) for 202.17 feet along the east line of Lots 63 through 66, inclusive, ARBOR OAKS REPLAT ONE;
Thence North $87^{\circ}14'18''$ East for 177.37 feet;
Thence South $02^{\circ}25'46''$ East for 201.03 feet to the north right of way line of Sprague Street;
Thence South $86^{\circ}52'17''$ West for 177.72 feet along said north right of way line to the Point of Beginning.
Contains 35,792 square feet or 0.822 acre.

October 4, 2004
LAMP, RYNEARSON & ASSOCIATES, INC.
04019.01 003 (Well Easement Agreement)

WELL EASEMENT AGREEMENT Exhibit "C"

LEGAL DESCRIPTION

A permanent easement for water wells over that part of Outlot A, VILLAGES ON SPRAGUE, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Commencing at the northeast corner of Lot 1, VILLAGES ON SPRAGUE;

Thence South 87°21'47" West (bearings referenced to the Final Plat of VILLAGES ON SPRAGUE) for five feet along the north line of said Lot 1 to the TRUE POINT OF BEGINNING;

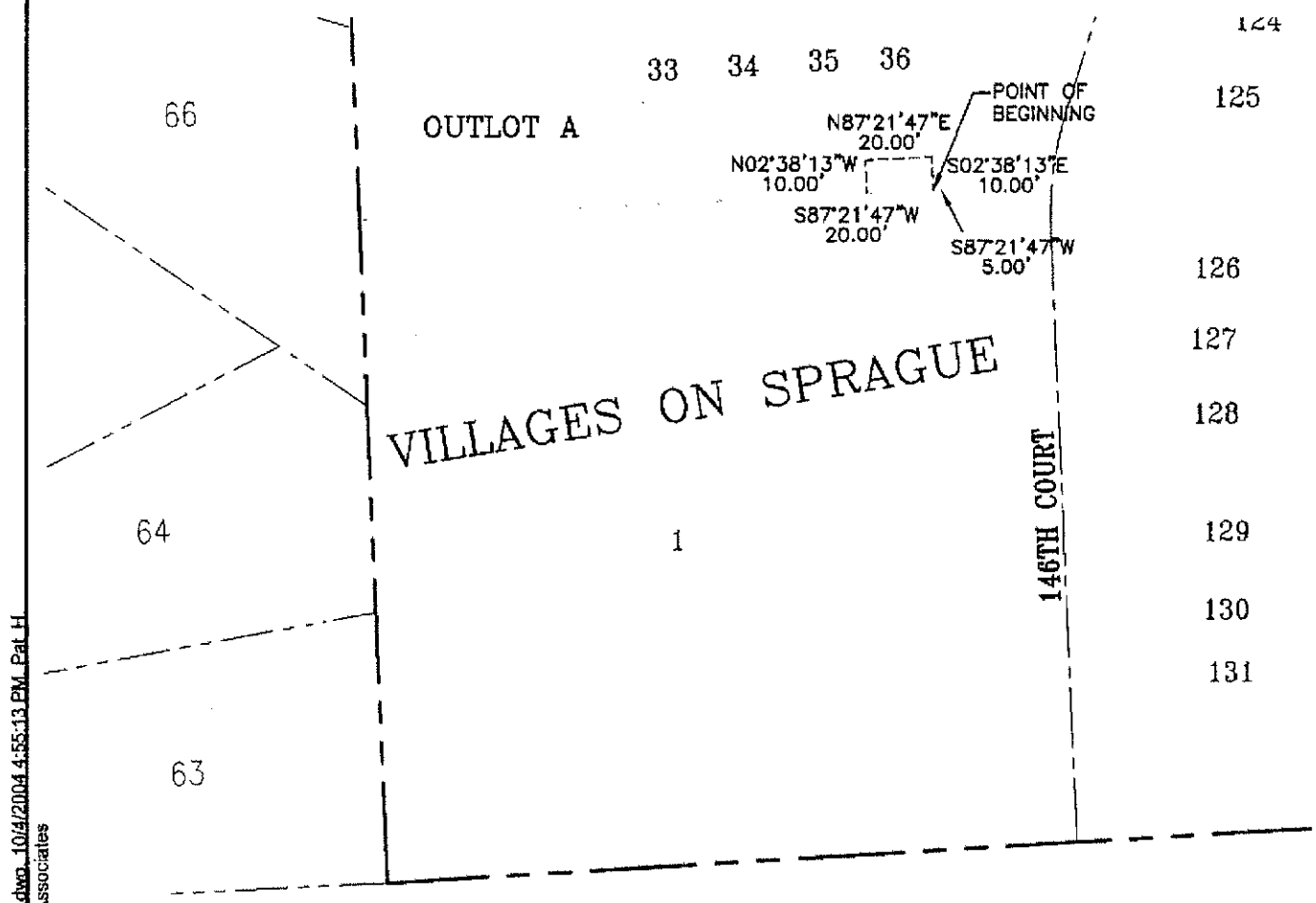
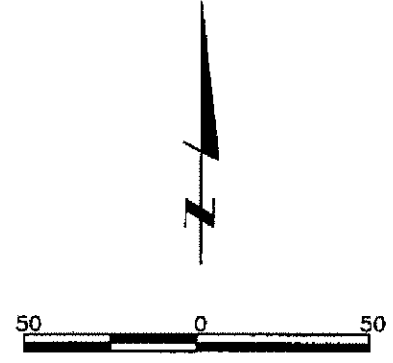
Thence South 87°21'47" West for twenty feet (20');

Thence North 02°38'13" West for ten feet (10');

Thence North 87°21'47" East for twenty feet (20');

Thence South 02°38'13" East for ten feet (10') to the Point of Beginning.

Contains 200 square feet.



L:\0419\LD\0419E101.dwg 10/9/2004 4:55:13 PM Pat H
Lamp, Ryneason & Associates

04019\dwg\0419E101.dwg

Book _____ Page _____ Date 9/9/04 Dwn.By EAM Job Number 04019.01-003

Lamp, Ryneason & Associates, Inc. WWW.LRA-INC.COM
 14710 West Dodge Road, Suite 100 (Ph) 402.496.2498
 Omaha, Nebraska 68154-2027 (Fax) 402.496.2730