

**PERMANENT NOISE ATTENUATION EASEMENT**

When recorded return to:  
Brent Beller  
Fullenkamp Jobeun Johnson & Beller LLP  
11440 West Center Road, Suite C  
Omaha, NE 68144

THAT 20535 FORT, LLC, a Nebraska limited liability company, hereinafter referred to as GRANTOR (whether one or more) for and in consideration of the sum of ten (\$10.00) dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the Sanitary and Improvement District No. 598 of Douglas County, Nebraska, and the City of Omaha, Nebraska, a Municipal Corporation, hereinafter collectively referred to as "GRANTEE", and to its successors and assigns, a permanent noise attenuation easement in, through, across and under the parcel of land legally described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A" EASEMENT LEGAL DESCRIPTIONS  
AND  
SHADED EASEMENT DEPICTIONS, HEREINAFTER REFERRED TO  
AS THE "EASEMENT AREA"**

The Easement Area shall provide spacing between vehicular noise on adjacent roadways(s) and any facilities that could be occupied by or serve as a gathering place of person(s).

The GRANTOR and its successors and assigns reserve the right to construct and install grass, shrubbery, landscaping, trees, utilities and fences within the Easement Area. All structures, sheds, patios, decks, swing sets, playgrounds, pools, or any other facilities that could be occupied by or serve as a gathering place of person(s), are prohibited within the easement area.

The GRANTOR hereby warrants and confirms to the GRANTEE that it is the owner of the Easement Area, and that it has the right to grant and convey this easement in the manner set forth herein. This easement runs with the land and shall run in favor of and be binding upon the parties hereto and to their respective grantees, assigns, successors and agents.


[signature page to follow]

TDDIA

VSJ

IN WITNESS WHEREOF, the said party of the first part has hereunto and these presents to be signed by its respective signatory below this 13 day of January 2021

**20535 FORT, LLC**, a Nebraska limited liability company,

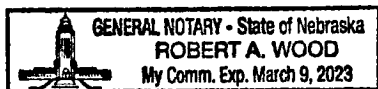
By:   
Name: Christian Kloster  
Title: Managing Member

STATE OF NEBRASKA            )  
  ) SS  
COUNTY OF DOUGLAS        )

On this 13 day of JANUARY, 2021, before me, a Notary Public in and for said County, personally came **Christian Kloster**, on behalf of 20535 Fort, LLC, known to me to be the Managing Member of said company and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such member and the voluntary act and deed of said company.

WITNESS my hand and Notarial Seal the day and year last above written.

[Seal]



  
NOTARY PUBLIC

**GRANTEE:**

ATTEST:

By: Jill Pietrocini  
Clerk

SANITARY AND IMPROVEMENT  
DISTRICT NO. 598 OF DOUGLAS  
COUNTY, NEBRASKA

By: [Signature]  
Chairman

STATE OF NEBRASKA     )  
                                  ) SS  
COUNTY OF DOUGLAS    )

On this <sup>13</sup> day of ~~JANUARY~~ 2021, before me, a Notary Public in and for said County, personally came **Christian Kloster**, the Chairman, to me personally known to be the respective officer of said SANITARY AND IMPROVEMENT DISTRICT NO. 598 OF DOUGLAS COUNTY, NEBRASKA and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as Chairman and the voluntary act and deed of said SANITARY AND IMPROVEMENT DISTRICT NO. 598 OF DOUGLAS COUNTY, NEBRASKA

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal: 

[Signature]  
NOTARY PUBLIC

STATE OF NEBRASKA     )  
                                  ) SS  
COUNTY OF DOUGLAS    )

On this <sup>13<sup>th</sup></sup> day of ~~JANUARY~~ 2021 before me, a Notary Public in and for said County, personally came **Jill Pietrocini**, the Clerk, to me personally known to be the respective officer of said SANITARY AND IMPROVEMENT DISTRICT NO. 598 OF DOUGLAS COUNTY, NEBRASKA and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as Clerk and the voluntary act and deed of said SANITARY AND IMPROVEMENT DISTRICT NO. 598 OF DOUGLAS COUNTY, NEBRASKA

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal: 

[Signature]  
NOTARY PUBLIC

Imprinted Seal

CITY OF OMAHA, a Municipal Corporation

ATTEST:

[Signature] 3/4/2021  
Elizabeth Butler  
City Clerk, City of Omaha

By [Signature] 3/4/2021  
Jean Stothert  
Mayor, City of Omaha

APPROVED AS TO FORM:

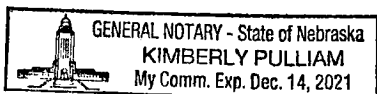
[Signature] 2/25/21  
ASSISTANT CITY ATTORNEY Date

STATE OF NEBRASKA )  
  ) SS  
COUNTY OF DOUGLAS )

On this 4th day of March, 2021, before me, a Notary Public in and for said County, personally came Elizabeth Butler, City Clerk of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as City Clerk and the voluntary act and deed of said Municipal Corporation.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



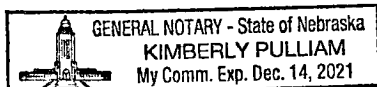
[Signature]  
NOTARY PUBLIC

STATE OF NEBRASKA )  
  ) SS  
COUNTY OF DOUGLAS )

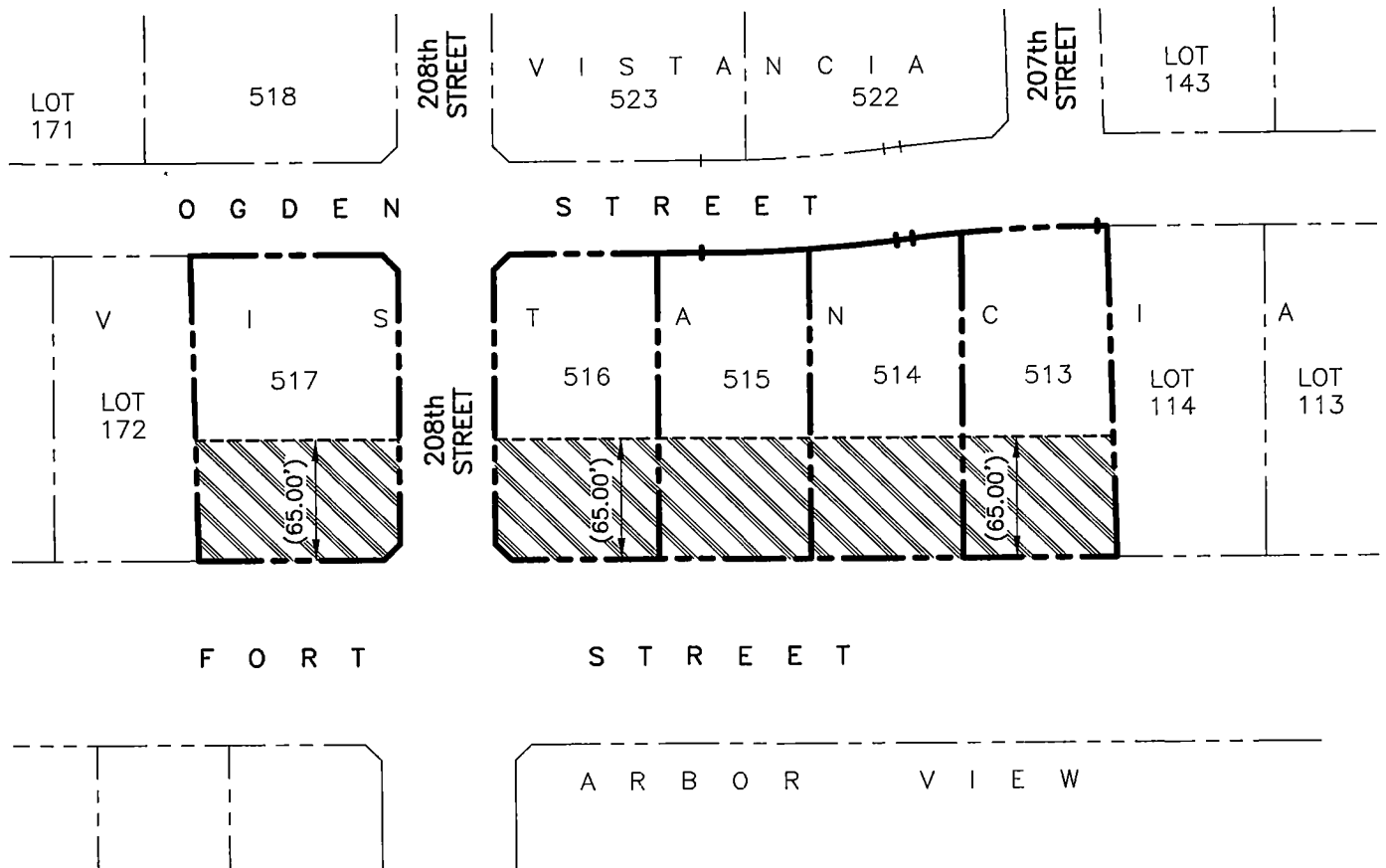
On this 4th day of March, 2021, before me, a Notary Public in and for said County, personally came Jean Stothert, Mayor of the City of Omaha, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal:



[Signature]  
NOTARY PUBLIC



**LEGAL DESCRIPTION**

THE SOUTH 65.00 FEET IN WIDTH OF LOTS 513, 514, 515, 516 AND 517, VISTANCIA, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA.

|  |   |  |                      |
|--|---|--|----------------------|
|  | Job Number: 2069-107-EX(NA5)<br>thompson, dreessen & dorner, inc.<br>10836 Old Mill Rd<br>Omaha, NE 68154<br>p.402.330.8860 f.402.330.5866<br>td2co.com | Date: SEPTEMBER 9, 2020<br>Drawn By: RJR<br>Reviewed By: JDW<br>Revision Date: | <h1>EXHIBIT "A"</h1> |
|  |   |  | 20535 FORT, LLC      |