# THIS PAGE INCLUDED FOR INDEXING PAGE DOWN FOR BALANCE OF INSTRUMENT

RETURN TO: Nodd he Companies

AHN: Todd Swizerek

2285 5. 67th 57

Omaha, NE 68106

CHECK NUMBER

# PERMANENT SEWER EASEMENT (LIMITED LIABILITY COMPANY)

When recorded return to: City of Omaha, Nebraska Public Works Department General Services Division R-O-W Section («ROW\_Agent»)

	FOR	OFFICE USE ONLY
	Project:	
	City Proj. No.:	ı
	Tract No.:	
	Address:	

#### KNOW ALL MEN BY THESE PRESENTS:

THAT NEW WEST FARM HOLDINGS, LLC, a Nebraska Limited Liability Company, hereinafter referred to as GRANTOR, (whether one or more) for and in consideration of the sum of One and no/100 Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby grant and convey unto the City of Omaha, Nebraska, a Municipal Corporation, hereinafter referred to as "CITY," and to its successors and assigns, and SANITARY AND IMPROVEMENT DISTRICT NO. 583 OF DOUGLAS COUNTY, NEBRASKA, a Nebraska political subdivision (hereinafter referred to as the "SID", and collectively with CITY, the "GRANTEE") permanent easement for the right to construct, maintain and operate a sewer (either for storm or sanitary purposes), drainage structure, and/or drainage way, and appurtenances thereto, in, through, and under the parcel of land described as follows, to-wit

# SEE ATTACHED EXHIBITS "C" through "K" PERMANENT EASEMENT LEGAL DESCRIPTION

TO HAVE AND TO HOLD unto said CITY, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, maintaining, operating, repairing or replacing said sewer at the will of the CITY. The GRANTOR may, following construction of said sewer continue to use the surface of the easement strip conveyed hereby for other purposes, subject to the right of the CITY to use the same for the purposes herein expressed.

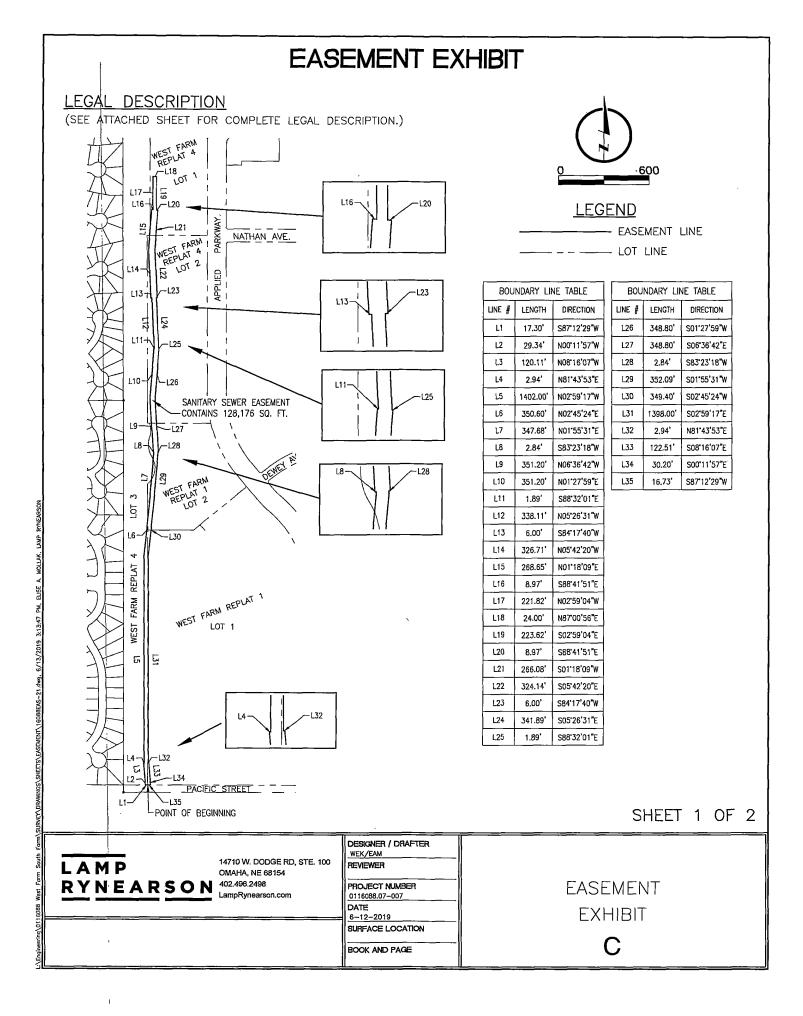
It is further agreed as follows:

1) That no buildings, improvements, or other structures, nor any grading, fill or fill material, or embankment work, shall be placed in, on, over, or across said easement strip by GRANTOR, his or their successors and assigns without express approval of the CITY. Improvements which

- may be approved by CITY include landscaping, road and/or street surfaces, parking area surfacing, and/or pavement. These improvements and any trees, grass or shrubbery placed on said easement shall be maintained by GRANTOR, his heirs, successors or assigns.
- 2) That CITY will replace or rebuild any and all damage to improvements caused by CITY exercising its rights of inspecting, maintaining or operating said sewer, except that damage to, or loss of trees and shrubbery will not be compensated for by CITY.
- 3) That CITY may construct, maintain, repair, reconstruct and operate additional sewer systems within the permanent easement described above.
- 4) This permanent sewer easement is also for the benefit of any contractor, agent, employee, or representative of the CITY and any of said construction and work.
- 5) That CITY shall cause any trench made on said easement strip to be properly refilled and shall cause the premises to be left in a neat and orderly condition.
- 6) That said GRANTOR for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said CITY and its assigns, that he or they, the GRANTOR is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this permanent sewer easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors, and administrators, shall warrant and defend this permanent easement to said CITY and its assigns against the lawful claims and demands of all persons. This permanent sewer easement runs with the land.
- 7) That said permanent sewer easement is granted upon the condition that the CITY may remove or cause to be removed all presently existing improvements thereon, including but not limited to, crops, vines, trees within the easement area as necessary for construction.
- 8) The CITY reserves the absolute right to terminate this permanent easement at any time prior to the payment of the above stated consideration, but in no event later than 60 days after the execution of this Easement Agreement.
- 9) That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings, except a Temporary Construction Easement if and as applicable, between the GRANTOR and the CITY or its agents; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the CITY or its agents or employees, except as are set forth herein (if applicable):

IN WITNESS WHEREOF, the said party of the first part has hereunto and these presents		
to be signed by its respective member(s) this day of, 2019.		
NEW WEST FARM HOLDINGS, LLC		
A Nebraska limited liability company,		
By: NORTH AMERICAN CASUALTY CO., a Nebraska corporation, Manager		
AUTHORIZED MEMBER: ATTEST:		
Mm TITE		
(Jeffrey A. Silver, Vice President) (Name and Title)		
STATE OF <u>NEBRASKA</u> ) COUNTY OF <u>DOUGLAS</u> )		
On this 24 day of June, 2019, before me, a Notary Public in and for said		
County, personally came <u>Jeffrey A. Silver, Vice President of NORTH AMERICAN CASUALTY CO.</u> , a Nebraska corporation, Manager of <b>NEW WEST FARM HOLDINGS</b> , <u>LLC.</u> , to me personally known to be the respective member(s) of said Limited Liability		
Company and the identical person(s) whose name(s) is (are) affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and		
deed as such member(s) and the voluntary act and deed of said Limited Liability Company.		
WITNESS my hand and Notarial Seal the day and year last above written.		
GENERAL NOTARY - State of Nebraska LINDA S. DAVIS My Comm. Exp. September 1, 2019  NOTARY PUBLIC		
Notary Seal		

i	CITY OF OMAHA, a Municipal Corporation
Seputy	ATTEST:  Kinden of Major, City of Omaha  BY:  Jean Stothert,  Mayor, City of Omaha  Imprinted Seal
,	APPROVED AS TO FORM:
	ASSISTANT CITY ATTORNEY DATE
	STATE OF NEBRASKA )
	OUNTY OF DOUGLAS )
	On this 27th day of
	WITNESS my hand and Notarial Seal the day and year last above written.  Notary Seal:  SHERRI L. BROWN My Comm. Exp. Sept. 15, 2020  NOTARY PUBLIC
	STATE OF NEBRASKA ) ) SS
	On this Of Douglas )  On this Of Douglas , 20/9, before me, a Notary Public in and for said County, personally came Kinher Wollies ACity Clerk of the City of Omaha 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:  A GENERAL NOTARY - State of Nebraska SHERRI L. BROWN My Comm. Exp. Sept. 15, 2020  NOTARY PUBLIC



#### LEGAL DESCRIPTION

A PERMANENT SANITARY SEWER EASEMENT OVER THAT PART OF LOTS 1 AND 2, WEST FARM REPLAT 1 AND LOTS 1 THROUGH 3, INCLUSIVE, WEST FARM REPLAT 4, SUBDIVISIONS, AS SURVEYED, PLATTED, AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, WEST FARM REPLAT 4; THENCE SOUTH 87°12'29" WEST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 17.30 FEET ALONG THE SOUTH LINE OF SAID LOT 24;

THENCE NORTH 00°11'57" WEST FOR 29.34 FEET;

THENCE NORTH 08'16'07" WEST FOR 120.11 FEET;

THENCE NORTH 81'43'53" EAST FOR 2.94 FEET;

THENCE NORTH 02'59'17" WEST FOR 1402.00 FEET 24.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 3, WEST FARM REPLAT 4;

THENCE NORTH 02'45'24" EAST FOR 350.60 FEET;

THENCE NORTH 01°55'31" EAST FOR 347.68 FEET;

THENCE SOUTH 83°23'18" WEST FOR 2.84 FEET;

THENCE NORTH 06'36'42" WEST FOR 351.20 FEET;

THENCE NORTH 01°27'59" EAST FOR 351.20 FEET;

THENCE SOUTH 88'32'01" EAST FOR 1.89 FEET;

THENCE NORTH 05°26'31" WEST FOR 338.11 FEET;

THENCE SOUTH 84°17'40" WEST FOR 6.00 FEET;

THENCE NORTH 05'42'20" WEST FOR 326.71 FEET;

THENCE NORTH 01'18'09" EAST FOR 268.65 FEET;

THENCE SOUTH 88'41'51" EAST FOR 8.97 FEET;

THENCE NORTH 02°59'04" WEST FOR 221.82 FEET; THENCE NORTH 87°00'56" EAST FOR 24.00 FEET;

THENCE SOUTH 02°59'04" EAST FOR 223.62 FEET;

THENCE 300TH 02 39 04 EAST FOR 223.02 FEE

THENCE SOUTH 88°41'51" EAST FOR 8.97 FEET;

THENCE SOUTH 01'18'09" WEST FOR 266.08 FEET;

THENCE SOUTH 05°42'20" EAST FOR 324.14 FEET;

THENCE SOUTH 84°17'40" WEST FOR 6.00 FEET;

THENCE SOUTH 05'26'31" EAST FOR 341.89 FEET;

THENCE SOUTH 88°32'01" EAST FOR 1.89 FEET;

THENCE SOUTH 01°27'59" WEST FOR 348.80 FEET;

THENCE SOUTH 06'36'42" EAST FOR 348.80 FEET;

THENCE SOUTH 83°23'18" WEST FOR 2.84 FEET;

THENCE SOUTH 01.55'31" WEST FOR 352.09 FEET;

THENCE SOUTH 02°45'24" WEST FOR 349.40 FEET;

THENCE SOUTH 02°59'17" EAST FOR 1398.00 FEET 4.00 FEET EAST OF AND

PARALLEL WITH THE WEST LINE OF SAID LOT 1, WEST FARM REPLAT 1;

THENCE NORTH 81°43'53" EAST FOR 2.94 FEET;

THENCE SOUTH 08'16'07" EAST FOR 122.51 FEET;

THENCE SOUTH 00°11'57" EAST FOR 30.20 FEET TO THE SOUTH LINE OF SAID

LOT 1, WEST FARM REPLAT 1;

THENCE SOUTH 87°12'29" WEST FOR 16.73 FEET TO THE POINT OF BEGINNING; CONTAINS 128,176 SQUARE FEET.

SHEET 2 OF 2

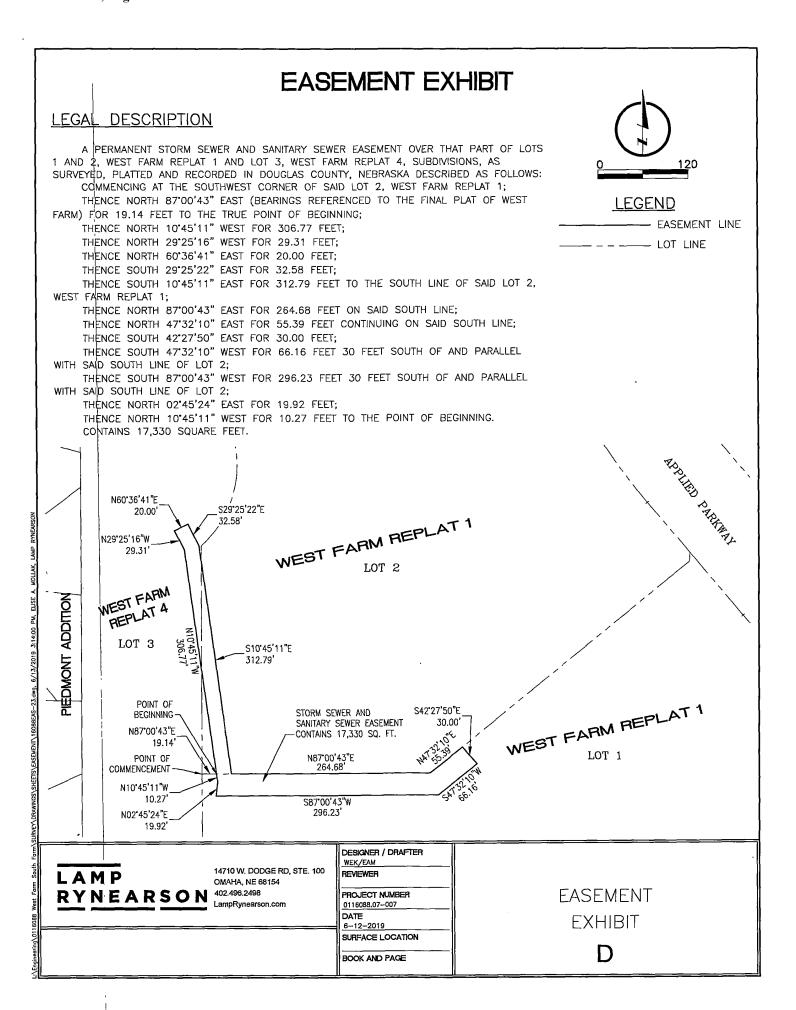
LAMP RYNEARSON

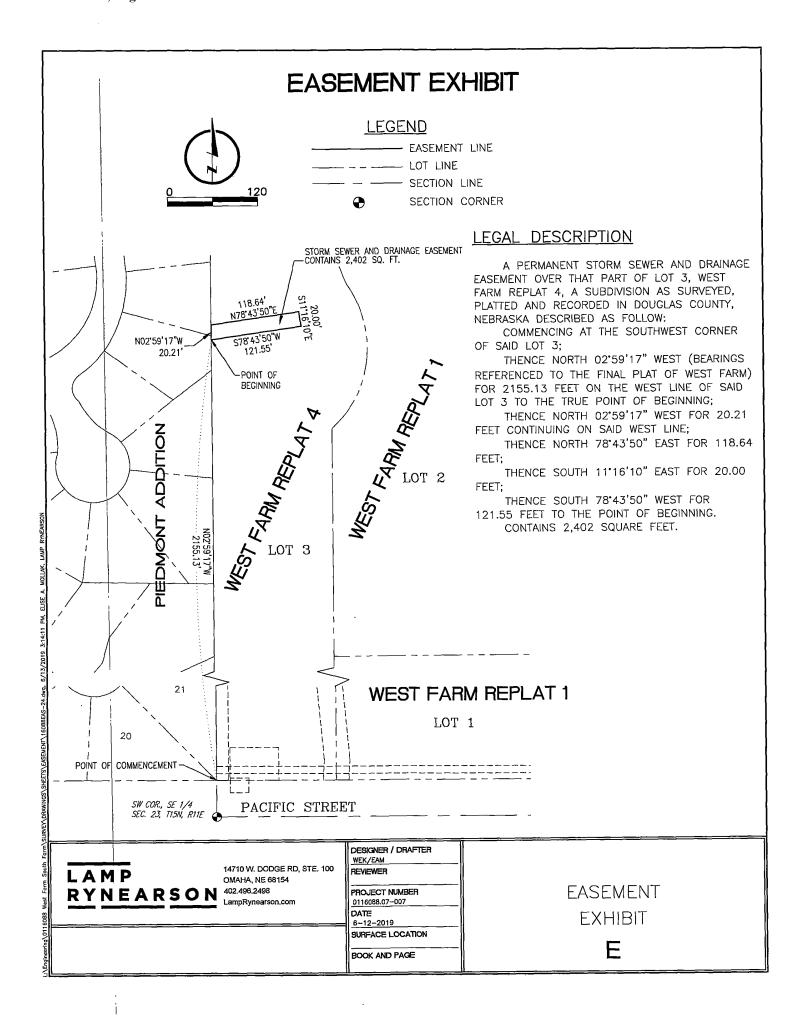
14710 W. DODGE RD, STE. 100 OMAHA, NE 68154 402.496,2498 LampRynearson.com DESIGNER / DRAFTER
WEK/EAM
REVIEWER
PROJECT NUMBER
0116088.07-007
DATE

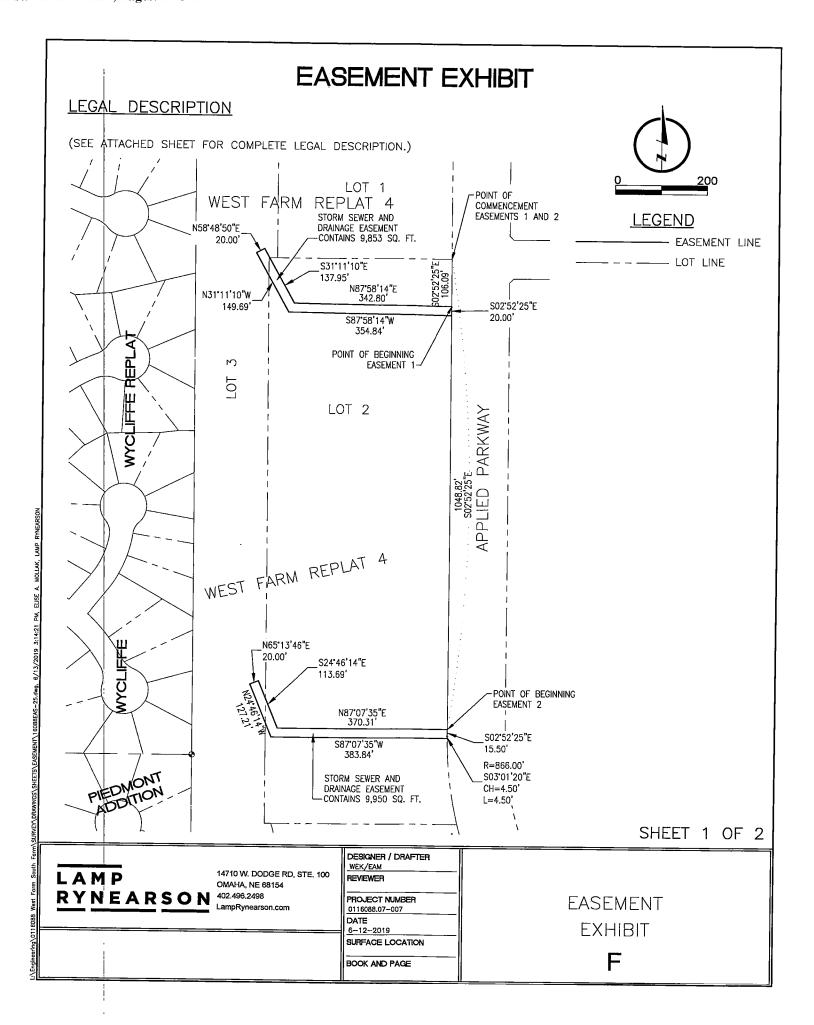
SURFACE LOCATION
BOOK AND PAGE

EASEMENT EXHIBIT

C







### LEGAL DESCRIPTION

#### EASEMENT 1

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOTS 2 AND 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 02'52'25" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 106.09 FEET ON THE EAST LINE OF SAID LOT 2 TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 02'52'25" EAST FOR 20.00 FEET ON SAID EAST LINE;

THENCE SOUTH 87°58'14" WEST FOR 354.84 FEET;

THENCE NORTH 31'11'10" WEST FOR 149.69 FEET;

THENCE NORTH 58'48'50" EAST FOR 20.00 FEET;

THENCE SOUTH 31°11'10" EAST FOR 137.95 FEET;

THENCE NORTH 87.58'14" EAST FOR 342.80 FEET TO THE POINT OF BEGINNING.

CONTAINS 9,853 SQUARE FEET.

#### EASEMENT 2

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOTS 2 AND 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 02'52'25" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 1048.82 FEET ON THE EAST LINE OF SAID LOT 2 TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 02°52'25" EAST FOR 15.50 FEET CONTINUING ON SAID EAST LINE:

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 866.00 FEET AND A LONG CHORD BEARING SOUTH 03°01'20" EAST FOR 4.50 FEET) FOR AN ARC LENGTH OF 4.50 FEET CONTINUING ON SAID EAST LINE;

THENCE SOUTH 87'07'35" WEST FOR 383.84 FEET;

THENCE NORTH 24°46'14" WEST FOR 127.21 FEET;

THENCE NORTH 65°13'46" EAST FOR 20.00 FEET:

THENCE SOUTH 24°46'14" EAST FOR 113.69 FEET;

THENCE NORTH 87'07'35" EAST FOR 370.31 FEET TO THE POINT OF BEGINNING.

CONTAINS 9,950 SQUARE FEET.

SHEET 2 OF 2

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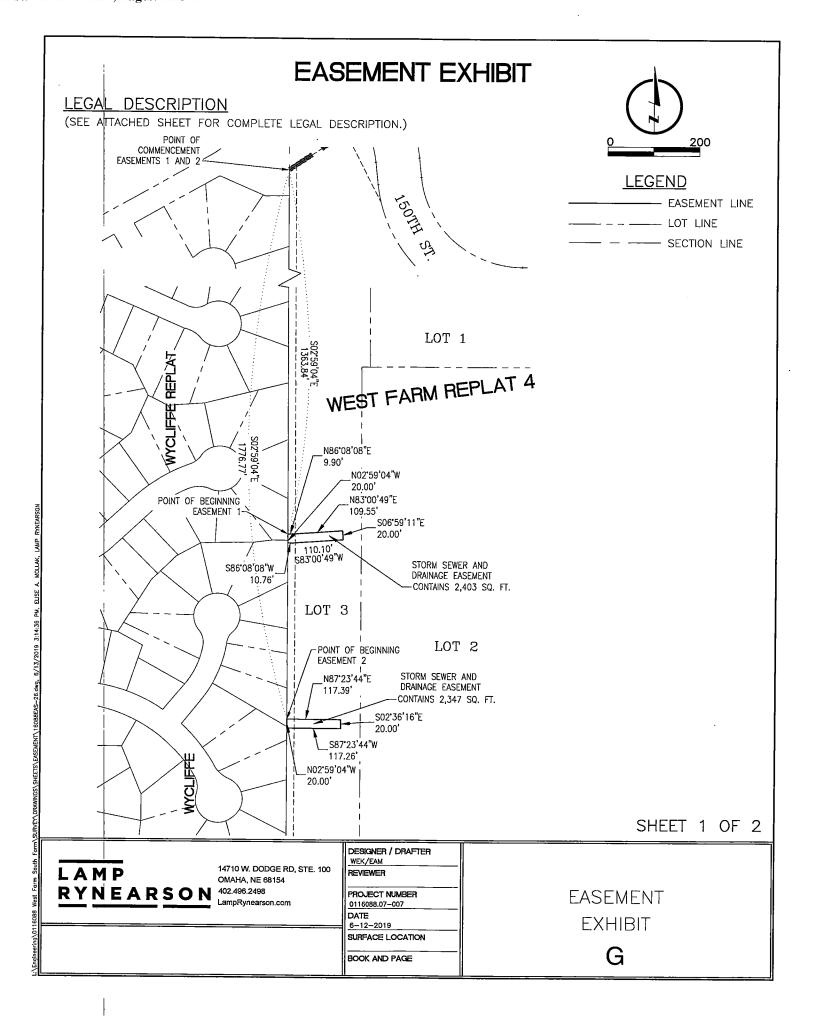
14710 W. DODGE RD, STE. 100 **OMAHA, NE 68154** 

WEK/EAM REVIEWER PROJECT NUMBER 0116088.07-007 DATE 6-12-2019 SURFACE LOCATION BOOK AND PAGE

DESIGNER / DRAFTER

EASEMENT **EXHIBIT** 

F



## LEGAL DESCRIPTION

#### EASEMENT 1

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOT 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 02°59'04" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 1363.84 FEET ON THE WEST LINE OF SAID LOT 3 TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 86'08'08" EAST FOR 9.90 FEET; THENCE NORTH 83'00'49" EAST FOR 109.55 FEET;

THENCE SOUTH 06'59'11" EAST FOR 20.00 FEET; THENCE SOUTH 83'00'49" WEST FOR 110.10 FEET;

THENCE SOUTH 86.08'08" WEST FOR 10.76 FEET TO SAID WEST LINE OF SAID LOT 3;

THENCE NORTH 02.59'04" WEST FOR 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,403 SQUARE FEET.

#### EASEMENT 2

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOT 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 02'59'04" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 1776.77 FEET ON THE WEST LINE OF SAID LOT 3 TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 87'23'44" EAST FOR 117.39 FEET;

THENCE SOUTH 02°36'16" EAST FOR 20.00 FEET;

THENCE SOUTH 87.23'44" WEST FOR 117.26 FEET TO SAID WEST LINE OF SAID LOT 3;

THENCE NORTH 02°59'04" WEST FOR 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,347 SQUARE FEET.

SHEET 2 OF 2

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WEK/EAM
REVIEWER

PROJECT NUMBER
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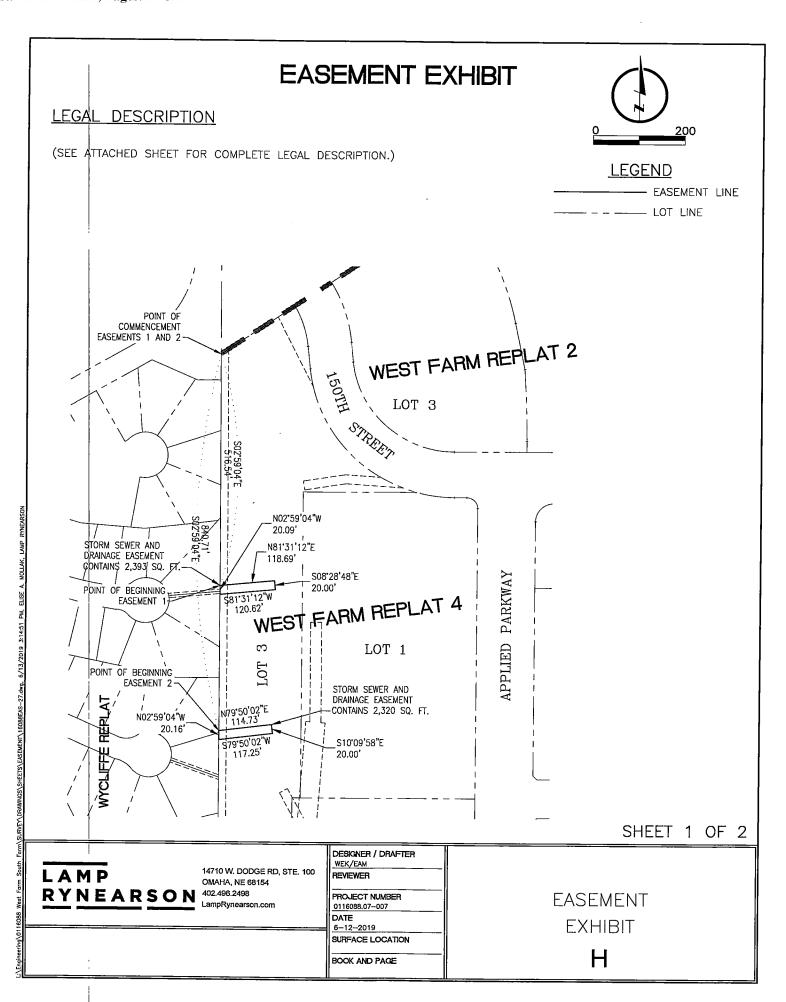
DATE
6-12-2019

SURFACE LOCATION

BOOK AND PAGE

EASEMENT EXHIBIT

G



#### LEGAL DESCRIPTION

#### EASEMENT 1

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOT 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 02°59'04" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 516.54 FEET ON THE WEST LINE OF SAID LOT 3 TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 81'31'12" EAST FOR 118.69 FEET;

THENCE SOUTH 08'28'48" EAST FOR 20.00 FEET;

THENCE SOUTH 81'31'12" WEST FOR 120.62 FEET TO SAID WEST LINE OF SAID LOT 3;

THENCE NORTH 02°59'04" WEST FOR 20.09 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,393 SQUARE FEET.

#### EASEMENT 2

A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOT 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 02°59'04" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 840.71 FEET ON THE WEST LINE OF SAID LOT 3 TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 79°50'02" EAST FOR 114.73 FEET;

THENCE SOUTH 10°09'58" EAST FOR 20.00 FEET:

THENCE SOUTH 79°50'02" WEST FOR 117.25 FEET TO SAID WEST LINE OF SAID LOT 3;

THENCE NORTH 02°59'04" WEST FOR 20.16 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,320 SQUARE FEET.

SHEET 2 OF 2

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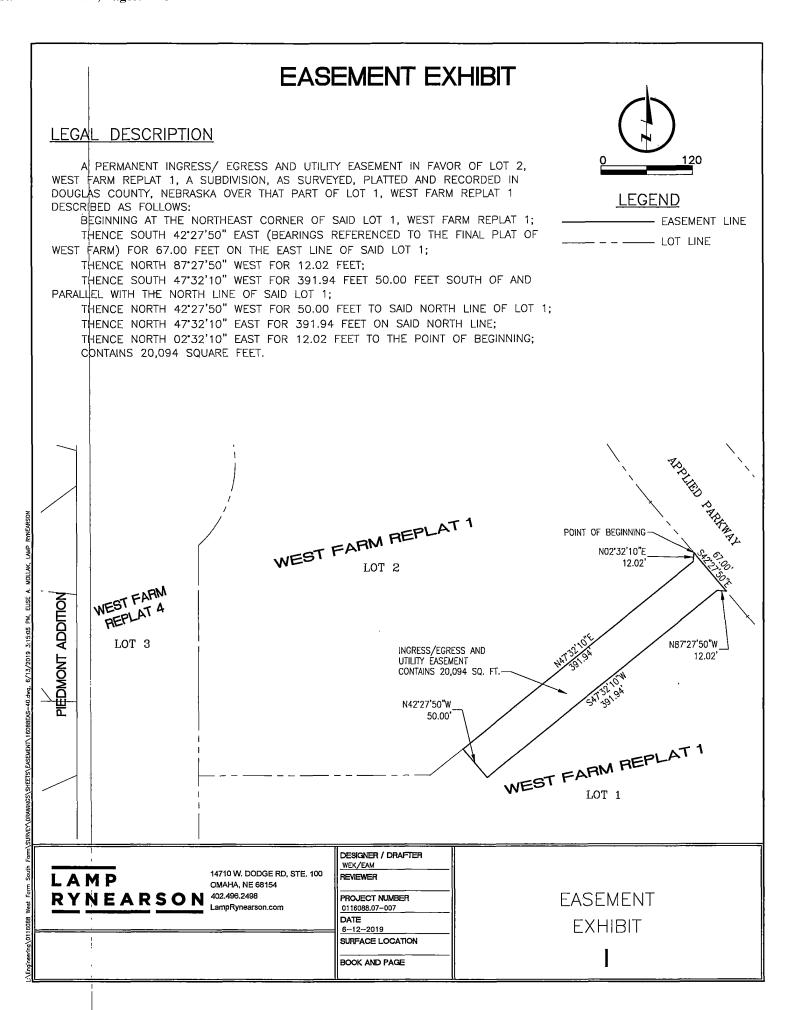
WEK/EAM REVIEWER PROJECT NUMBER 0116088.07-007 DATE 6-12-2019 SURFACE LOCATION

BOOK AND PAGE

DESIGNER / DRAFTER

**FASEMENT EXHIBIT** 

Н



## LEGAL DESCRIPTION

A TEMPORARY TURN AROUND EASEMENT OVER THAT PART OF LOT 1, WEST FARM REPLAT 1, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, WEST FARM REPLAT 1; THENCE SOUTH 02°32'10" WEST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 12.02 FEET ON THE NORTH LINE OF SAID LOT 1;

THENCE SOUTH 47 32'10" WEST FOR 298.03 FEET CONTINUING ON SAID NORTH LINE:

THENCE SOUTH 42°27'50" EAST FOR 50.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 38.50 FEET AND A LONG CHORD BEARING SOUTH 47'32'10" WEST FOR 72.83 FEET) FOR AN ARC LENGTH OF 95.49 FEET;

THENCE NORTH 47'32'10" EAST FOR 72.83 FEET TO THE POINT OF BEGINNING; CONTAINS 1,383 SQUARE FEET.

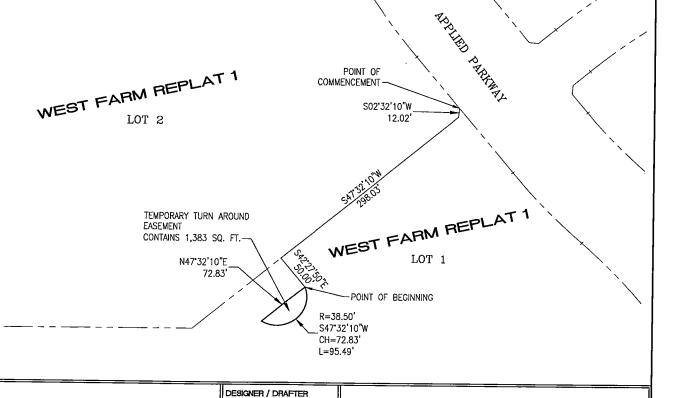


EASEMENT

**EXHIBIT** 

J

EASEMENT LINE
LOT LINE



WEK/EAM

REVIEWER

PROJECT NUMBER

0116088.07-007 DATE

BOOK AND PAGE

6-12-2019 SURFACE LOCATION

14710 W. DODGE RD, STE. 100

OMAHA, NE 68154

LampRynearson.com

LAMP

RYNEARSON 402.496.2498

## LEGAL DESCRIPTION

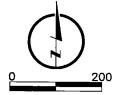
A PERMANENT STORM SEWER AND DRAINAGE EASEMENT OVER THAT PART OF LOT 3, WEST FARM REPLAT 4, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3;

THENCE ON THE EAST LINE OF SAID LOT 3 THE FOLLOWING 3 COURSES:

- THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 228.50 FEET AND A LONG CHORD BEARING SOUTH 20'41'21" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF WEST FARM) FOR 94.62 FEET) FOR AN ARC LENGTH OF 95.31 FEET;
- 2. THENCE SOUTH 08'44'24" EAST FOR 50.27 FEET;
  - THENCE ON A CURVE TO THE LEFT (HAVING A RADIUS OF 317.75 FEET AND A LONG CHORD BEARING SOUTH 35\*33'34" EAST FOR 286.73 FEET) FOR AN ARC LENGTH OF 297.47 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ON A CURVE TO THE LEFT (HAVING A RADIUS OF 317.75 FEET AND A LONG CHORD BEARING SOUTH 67'21'26" EAST FOR 55.15 FEET) FOR AN ARC LENGTH OF 55.22 FEET CONTINUING ON SAID EAST LINE OF LOT 3;



LEGEND

- EASEMENT LINE

LOT LINE

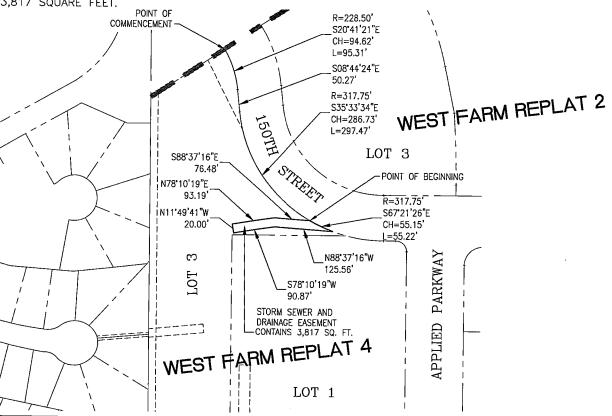
THENCE NORTH 88'37'16" WEST FOR 125.56 FEET;

THENCE SOUTH 78'10'19" WEST FOR 90.87 FEET:

THENCE NORTH 11'49'41" WEST FOR 20.00 FEET:

THENCE NORTH 78'10'19" EAST FOR 93.19 FEET;

THENCE SOUTH 88'37'16" EAST FOR 76.48 FEET TO THE POINT OF BEGINNING; CONTAINS 3,817 SQUARE FEET.



LAMP RYNEARSON

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REVIEWER

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BOOK AND PAGE

DESIGNER / DRAFTER

EASEMENT EXHIBIT

K