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By

RICHARD H. TAYLOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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PAGE DOWN FOR BALANCE OF INSTRUMENT**

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FEE 15.50 FB 01-60000
 BKP 9-16-11 C/O VP COMP VP
 DEL VP SCAN VP FV VP

VP

TOM DOYLE
DOUGLAS COUNTY ENGINEER
15505 WEST MAPLE ROAD
OMAHA, NEBRASKA 68116-5173

Project No. C-28(353)
Tract No. 9

PERMANENT EASEMENT

THIS INDENTURE, made this 30th day of MARCH, 1999

between Horgan Development Company, A Nebraskas Corporation herein after referred to as "Grantor(s)", and the County of Douglas, State of Nebraska, hereinafter called "County".

WITNESSETH:

That said Grantor(s) in consideration of the sum of One Dollars (1.00) and other valuable consideration, to Grantor(s) in hand paid by said County, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said County and its assigns forever, an easement for the right to use, construct, build, maintain and repair a roadway for the passage of traffic, together with all appurtenances, wires, lines, poles, structures and other applicable equipment pertaining to any paving in, through, over and under the parcel of land described as follows, to wit:

(SEE ATTACHED)

No buildings, improvements or structures shall be placed in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of Douglas County. Any trees, grass and shrubbery placed on said easement shall be maintained by Grantor(s), his or their heirs, successors and assigns.

Said County shall cause any excavation made on aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said excavation, and shall cause the premises to be left in a neat and orderly condition. The easement is also for the benefit of any contractor, agent, employee and representative of the County and any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said County and its assigns, that he or they, the Grantor(s), 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 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 easement to said County and its assigns against the lawful claims and demands of all persons.

This easement runs with the land.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and seal(s) the day year and first above written.

Horgan Development Company, A Nebraska Corporation

By Robert P. Horgan, President

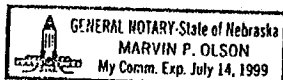
STATE OF NEBRASKA, COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on MARCH 30, 1999.

by Robert P. Horgan, President

Marvin P. Olson
Signature of Person Taking Acknowledgment

Title: _____



T.I.N. _____

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of storm sewers and drainageways over that part of the Southwest Quarter of Section 9, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Commencing at the northwest corner of the said Southwest Quarter of Section 9;

Thence South 02'15'49" East (assumed bearings) for 165.58 feet along the west line of the said Southwest Quarter of Section 9;

Thence North 87'44'11" East for 50.00 feet to the TRUE POINT OF BEGINNING;

Thence North 87'44'11" East for 160.00 feet;

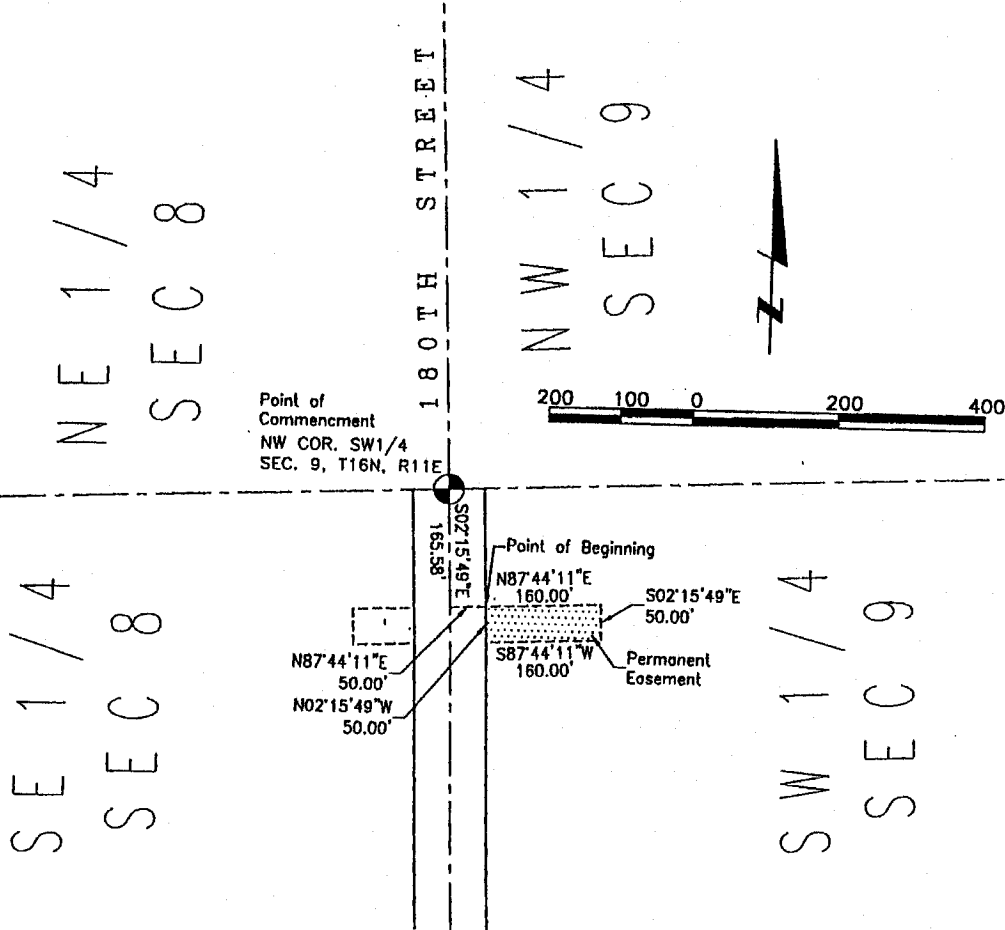
Thence South 02'15'49" East for 50.00 feet parallel with and 210.00 feet east of the west line of the said Southwest Quarter of Section 9;

Thence South 87'44'11" West for 160.00 feet;

Thence North 02'15'49" West for 50.00 feet parallel with and 50.00 feet east of the west line of the said Southwest Quarter of Section 9 to the Point of Beginning.

Contains 0.18 acre.

NW SW



Point of Commencement
NW COR. SW 1/4
SEC. 9, T16N, R11E

Point of Beginning
N87'44'11"E
160.00'
S02'15'49"E
50.00'
S87'44'11"W
160.00'
Permanent Easement

N87'44'11"E
50.00'
N02'15'49"W
50.00'

S02'15'49"E
165.58'

180TH STREET

NE 1/4
SEC 8

NW 1/4
SEC 9

SE 1/4
SEC 8

SW 1/4
SEC 9

96009\DWG\9609E219

Book _____ Page _____ Date 02-18-99 Dwn.By ARJ Job Number 96009.11-355



lamp, rynearson & associates, inc.
engineers surveyors planners

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omaha, nebraska 68154-2028

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