

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION AUTHORIZING CHAIR TO SIGN EASEMENT TO GRETNA RURAL
FIRE DISTRICT FOR WATER MAIN EXTENSION

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2007), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the Gretna Rural Fire District has asked for an easement across County road right-of-way for the purpose of extending a water main, and the granting of said easement is in the best interests of the Citizens of Sarpy County.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT, pursuant to the statutory authority set forth above, the Chair of this Board, together with the County Clerk, be and hereby are authorized to execute on behalf of this Board a certain Permanent Water Line Easement to the Gretna Rural Fire District, a copy of which is attached hereto.

DATED this 29th day of September, 2009.

Moved by Rusty Hike, seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]

none

Rich Jansen

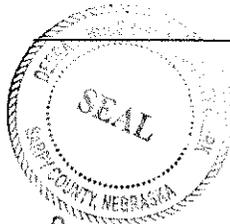
[Signature]

[Signature]

ABSTAIN:

[Signature]

none



[Signature]
County Clerk

Approved as to form:

[Signature]
Deputy County Attorney

PERMANENT WATER LINE EASEMENT

THIS INDENTURE made this 29th day of September, 2009, between Sarpy County, Nebraska, hereinafter referred to as "Grantor", and Gretna Rural Fire District, hereinafter referred to as "Grantee",

WITNESSETH:

That Grantor, in consideration of the sum of Two Dollars (\$2.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to the Grantee, and its successors and assigns, an easement and right-of-way to construct, lay, maintain, operate, repair, relay, remove and reconstruct, at any time, and a pipeline for the transportation of water, and all appurtenances thereto (the "Water Line"), together with the right of ingress and egress to and from the same and on, over, under and through lands described as follows:

PERMANENT EASEMENT

The following tract in Sarpy County, Nebraska, and being described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof for the legal description of the easement and right-of-way (the "Easement Area").

TO HAVE AND TO HOLD said Easement and Right-of-Way unto the said Grantee, and its successors and assigns under the terms set forth herein.

1. After completion of the initial installation of the Water Line, Grantee shall restore the surface of the Easement Area as nearly as possible to the condition existing prior to such work, and Grantee shall repair or restore any damage done by Grantee on any subsequent entry on the Easement Area.

2. Grantee is solely responsible for constructing, operating and maintaining the above-described improvements and Grantee shall indemnify and hold harmless the Grantor, and its successors and assigns, from any and all claims for personal injury or damage to property arising out of or in connection with construction, operation and maintenance of the above described improvements.

3. The Water Line will go under the existing 168th Street within the Easement Area. Grantee shall tunnel the Water Line under 168th Street and not cut the street. The Grantor reserves the right to maintain, repair, construct and reconstruct 168th Street and if

EXHIBIT "A"

Legal Description

Commencing at the northwest corner of Lot 1, Gretna Rural Fire District Subdivision, and proceeding directly west across the 168th Street right of way to a point on the west right of way line, then proceeding south along the west right of way line of 168th Street 40 feet, then proceeding directly east from the west right of way line of 168th Street to a point on the west lot line of Lot 1, Gretna Rural Fire District Subdivision, then proceeding north along the west lot line of Lot 1, Gretna Rural Fire District Subdivision, 40 feet to the point of beginning.