Lincoln-Lancaster County Health Department
Environmental Public Health Division
3140 N Street • Lincoln NE 68510-1514
Phone: 402-441-8643

APR 26 2013

A

Permit Number H5000796

Onsite Wastewater Treatment System
Request for Site Clearance and Permit

Include Form B and C. Submit correct fee with this Application

3 acres or more required for: ☐ Septic System ☒ Lagoon ☐ Other (Refer to Form C)

The undersigned hereby requests site clearance and permit to construct a Wastewater Treatment System in conformance with appropriate regulations.

PLEASE PRINT OR TYPE

A. Onsite System Location

Address 6800 N 84th (no rural route) City Lincoln, NE Zip 68507

Legal Description W 1/2 (1/4) 35 (1/4) 11 (Section) 7 (Township) (Range) (Subdivison) (Addition) 39 (Block) (Lot)

PID 18:35:100:004,000

B. Owner

Name Steven L. Harms Revocable Trust Signature Steven L. Harms trustee

Address 2200 N. 98 City/State/Zip Lincoln, Ne 68505

Home Phone 402 770 9083 Work Phone 402 770 9083

C. Certified Installer

Name: Michael P. Dietze Signature Michael P. Dietze

Address PO Box 114 City/State/Zip Lincoln, NE 68462

Work Phone 402-786-5620

D. Engineer

☐ **Check and complete if engineer designed system** P.E. License Number:

Designer Name Firm Work Phone

E. This system will serve a

☐ Residential Dwelling Number of Bedrooms — Whirlpool Bathtub? ☐ Yes ☐ No Total Acres 4.79

Garbage Grinder? ☐ Yes ☐ No

☒ Commercial Establishment/Other Facility Specify LAGOON Design flow in gallons per day 100

Type of Wastewater ☒ Domestic ☐ Non-Domestic

DO NOT WRITE BELOW THIS LINE

Approval Process ☑ Municipal Code 24.38 ☐ County Resolution No. 02-30

1. Health Department
Site visits
Comments
Date rec'd 5/1/13
Date frwd
ACTION ☑ Approved ☐ Disapproved
Signature

2. Supt. Bldg. Insp. or Village Clerk
Comments
Date rec'd
Date frwd
ACTION ☐ Approved ☐ Disapproved
Signature

3. City or County Engineer
Comments
Date rec'd
Date frwd
ACTION ☐ Approved ☐ Disapproved
Signature

Installation Final Written Approval
By
Date

Business Office Use Only
Date Received 7-1-13 Amount Paid 355.—
Received By BHall Cash/Check No. 29953

White - Health Department Yellow - Engineer Pink - Building & Safety

Form A Updated: 1/13

Return to: Kent E. Endacott, Woods & Aitken LLP, 301 S. 13th Street, Suite 500, Lincoln, NE 68508

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made and entered into on May____, 2013, by and between **STEVEN L. HARMS, TRUSTEE OF THE STEVEN L. HARMS REVOCABLE TRUST dated MAY 9, 2008 and STEVEN L. HARMS, SUCCESSOR TRUSTEE OF THE KIM R. HARMS REVOCABLE TRUST dated MAY 9, 2008** (collectively, hereinafter "Grantors"), and **HARMS PROPERTIES, LLC, a Nebraska limited liability company** (hereinafter collectively "Grantee").

In consideration of the covenants and agreements contained herein, the parties agree as follows:

1. Grantors are the owners of Lot 39 I.T., located in the W ½ of Section Thirty-Five (35), Township Eleven (11) North, Range Seven (7) East of the 6th P.M., Lancaster County, Nebraska (hereinafter the "Burdened Property").

2. Grantors and Grantee entered into a Severance Agreement recorded with the Lancaster County Register of Deeds Office on April 16, 2013 as Instrument # 3013017198 pursuant to which Grantee erected a pre-fabricated Mortons Buildings, Inc. Building with regard to the following-described real property (hereinafter the "Benefited Property"):

> A tract of land consisting of a portion of Lot 39 I.T., located in the W ½ of Section Thirty-Five (35), Township Eleven (11) North, Range Seven (7) East of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:
>
> Beginning at the SW corner of the NW ¼ of said Section Thirty-Five (35); thence: N00°00'00"E (Assumed), on the West Line of said NW 1/4, a distance of 848.27'; thence: N90°00'00"E, a distance of 405.53'; thence:S00°00'00"E, a distance of 311.09'; Thence: N90°00'00"W, a distance of 405.53' to a point on said West Line; thence: N00°00'00"E, on said line, a distance of 311.09' to the point of beginning and containing a calculated area of 2.896 acres more or less, including 0.235 acres of County Road Right of Way.

3. It is necessary for Grantee to obtain an easement to construct a lagoon on the Burdened property in order to erect improvements on the Benefited Property.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

GRANTORS:

Steven L. Harms, Trustee of the Steven L. Harms Revocable Trust dated May 9, 2008

Steven L. Harms, Successor Trustee of the Kim R. Harms Revocable Trust dated May 9, 2008

GRANTEE:

Seth A. Harms, Manager, Harms Properties, LLC

Steven L. Harms, Manager, Harms Properties, LLC

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on _____, 2013, by Steven L. Harms, Trustee of the Steven L. Harms Revocable Trust dated May 9, 2008 and Steven L. Harms, Successor Trustee of the Kim R. Harms Revocable Trust dated May 9, 2008.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on _____, 2013, by Seth A. Harms, Manager, Harms Properties, LLC.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on _____, 2013, by Steven L. Harms, Manager, Harms Properties, LLC.

Notary Public

Inst # 2013031245 Mon Jun 17 16:15:26 CDT 2013
Filing Fee $22.00
Lancaster County, NE Assessor/Register of Deeds cpocks Office EASE
Pages 3

Return to Kent E Endacott, Woods & Aitken LLP, 301 S 13th Street, Suite 500, Lincoln, NE 68508

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made and entered into on May 30, 2013, by and between **STEVEN L. HARMS, TRUSTEE OF THE STEVEN L. HARMS REVOCABLE TRUST dated MAY 9, 2008 and STEVEN L. HARMS, SUCCESSOR TRUSTEE OF THE KIM R. HARMS REVOCABLE TRUST dated MAY 9, 2008 and CHARLES M. JETTON, JR. (also known as CHARLES MARTIN JETTON) AND MARYLINN I. JETTON (also known as MARILYNN IRENE JETTON), CO-TRUSTEES OF THE CHARLES MARTIN JETTON, JR. AND MARYLINN IRENE JETTON REVOCABLE TRUST DATED OCTOBER 6, 2009** (collectively, hereinafter "Grantors"), and **HARMS PROPERTIES, LLC, a Nebraska limited liability company** (hereinafter collectively "Grantee").

In consideration of the covenants and agreements contained herein, the parties agree as follows:

1. Grantors are the owners of Lot 37 Irregular Tracts, located in the W ½ of Section Thirty-Five (35), Township Eleven (11) North, Range Seven (7) East of the 6th P.M., Lancaster County, Nebraska (hereinafter the "Burdened Property").

2. Grantors and Grantee entered into a Severance Agreement recorded with the Lancaster County Register of Deeds Office on April 16, 2013 as Instrument # 3013017198 pursuant to which Grantee erected a pre-fabricated Mortons Buildings, Inc. Building with regard to the following-described real property (hereinafter the "Benefited Property"):

> A tract of land consisting of a portion of Lot 39 I.T., located in the W ½ of Section Thirty-Five (35), Township Eleven (11) North, Range Seven (7) East of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:
>
> Beginning at the SW corner of the NW ¼ of said Section Thirty-Five (35); thence: N00°00'00"E (Assumed), on the West Line of said NW 1/4, a distance of 848.27'; thence: N90°00'00"E, a distance of 405.53'; thence:S00°00'00"E, a distance of 311.09'; Thence: N90°00'00"W, a distance of 405.53' to a point on said West Line; thence: N00°00'00"E, on said line, a distance of 311.09' to the point of beginning and containing a calculated area of 2.896 acres more or less, including 0.235 acres of County Road Right of Way.

3. It is necessary for Grantee to obtain an easement to construct a lagoon on the Burdened property in order to erect improvements on the Benefited Property.

4. Grantee agrees that it shall be solely responsible for all costs of the construction and ongoing maintenance of said lagoon, including all fences, and further agrees to indemnify and hold Grantors harmless for any damages, costs and expenses in connection with said lagoon.

5. This Easement Agreement shall be binding upon the heirs, successors and assigns of the parties hereto and shall run with the land.

6. This Easement Agreement may be executed in counterparts, each of which shall constitute an original and all of which, taken together, shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

GRANTORS:

Steven L. Harms, Trustee of the Steven L. Harms Revocable Trust dated May 9, 2008

Steven L. Harms, Successor Trustee of the Kim R. Harms Revocable Trust dated May 9, 2008

Charles Jetton, Jr., Co-Trustee of the Charles Martin Jetton, Jr. and Marylinn Irene Jetton Revocable Trust
Dated October 6, 2009

Marylinn I. Jetton, Co-Trustee of the Charles Martin Jetton, Jr. and Marylinn Irene Jetton Revocable Trust Dated October 6, 2009

GRANTEE:

Seth A. Harms, Manager, Harms Properties, LLC

Steven L. Harms, Manager, Harms Properties, LLC

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on May 30th, 2013, by Steven L. Harms, Trustee of the Steven L. Harms Revocable Trust dated May 9, 2008 and Steven L. Harms, Successor Trustee of the Kim R. Harms Revocable Trust dated May 9, 2008.

GENERAL NOTARY - State of Nebraska
ERIC B. TODD
My Comm. Exp. June 15, 2014

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on May 30, 2013, 2013, by Charles M. Jetton, Jr. (also known as Charles Martin Jetton) Co-Trustee of the Charles Martin Jetton, Jr. and Marylinn Irene Jetton Revocable Trust Dated October 6, 2009.

GENERAL NOTARY - State of Nebraska
MATT CLARE
My Comm. Exp. June 21, 2016

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on May 30, 2013, 2013, by Marylinn I. Jetton (also known as Marylinn Irene Jetton), Co-Trustee of the Charles Martin Jetton, Jr. and Marylinn Irene Jetton Revocable Trust Dated October 6, 2009.

GENERAL NOTARY - State of Nebraska
MATT CLARE
My Comm. Exp. June 21, 2016

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on 5/30, 2013, by Seth A. Harms, Manager, Harms Properties, LLC.

GENERAL NOTARY - State of Nebraska
PATRICK H REESE
My Comm. Exp. December 4, 2016

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing Severance Agreement was acknowledged before me on May 30th, 2013, by Steven L. Harms, Manager, Harms Properties, LLC.

GENERAL NOTARY - State of Nebraska
ERIC B. TODD
My Comm. Exp. June 15, 2014

Notary Public

Lincoln-Lancaster County Health Department
Environmental Public Health Division (402) 441-8027
3140 N Street Lincoln, Nebraska 68510-1514

ON-SITE WASTE WATER SYSTEM
CONSTRUCTION - INSTALLATION PERMIT
No. HS000776

System Type: Lagoon

Situs: No Site Address Specified

Issued: 7/15/2013

Expires: 6/28/2014

Description: S35, T11, R7, 6th Principal Meridian, LOT 39 NW

Owner: HARMS, STEVEN L REVOCABLE TRUST
2200 N 98 ST
LINCOLN, NE 68505

Judith A Halstead
Judith A. Halstead, MS, Health Director

Dear Applicant:

The above document is your permit to construct a new On-site Waste Water System at the location listed. Please contact this office once the sytem is complete in order to schedule a final inspection before use.

Judith A Halstead
Judith A. Halstead, MS
Health Director

WAVERLY PLUMBING
P.O. BOX 116
WAVERLY, NE 68462

SCANNED

APR 16 2013

Lincoln-Lancaster County Health Department
Environmental Public Health Division
3140 N Street • Lincoln NE 68510-1514
Phone: 402-441-8643

A

Permit Number H5000796

Onsite Wastewater Treatment System Request for Site Clearance and Permit

Include Form B and C. Submit correct fee with this Application

3 acres or more required for: ☐ Septic System ☒ Lagoon ☐ Other (Refer to Form C)

The undersigned hereby requests site clearance and permit to construct a Wastewater Treatment System in conformance with appropriate regulations.

PLEASE PRINT OR TYPE

A. Onsite System Location

Address 6800 N 84th - 6950 actual address (no rural route) City Lincoln, NE Zip 68507

Legal Description W 1/2 | 35 | 11 | 7 | | | 39
(1/4 | 1/4 | Section | Township | Range | Subdivison | Addition | Block | Lot)

PID 18:35:100:004,000

B. Owner

Name Steven L. Harms Revocable Trust Signature Steven L. Harms trustee

Address 2200 N. 98 City/State/Zip Lincoln, Ne. 68505

Home Phone 402 770 9083 Work Phone 402 770 9083

C. Certified Installer

Name: Michael P. Dietze Signature Michael P. Dietze

Address PO Box 114 City/State/Zip Lincoln, NE 68462

Work Phone 402-786-5620

D. Engineer

☐ Check and complete if engineer designed system P.E. License Number:

Designer Name Firm Work Phone

E. This system will serve a

☐ Residential Dwelling Number of Bedrooms — Whirlpool Bathtub? ☐ Yes ☐ No Total Acres 4.29
Garbage Grinder? ☐ Yes ☐ No

☒ Commercial Establishment/Other Facility Specify LAGOON Design flow in gallons per day 100

Type of Wastewater ☒ Domestic ☐ Non-Domestic

DO NOT WRITE BELOW THIS LINE

Approval Process ☑ Municipal Code 24.38 ☐ County Resolution No. 02-30

1. Health Department
Site visits Line + Lagoon - Need Fence 11/4/13 Date rec'd 5/1/13
Date frwd
Comments * Lagoon is up - 4/4/14.
ACTION ☑ Approved ☐ Disapproved
Signature

2. Supt. Bldg. Insp. or Village Clerk
Comments Date rec'd
Date frwd
ACTION ☐ Approved ☐ Disapproved
Signature

3. City or County Engineer
Comments Date rec'd
Date frwd
ACTION ☐ Approved ☐ Disapproved
Signature

Installation Final Written Approval
By
Date 4/8/14

Business Office Use Only
Date Received 7-1-13 Amount Paid 355.-
Received By BHall Cash/Check No. 29953

White - Health Department Yellow - Engineer Pink - Building & Safety

Form A Updated: 1/13