

EASEMENT

1976 JUN 29 AM 9:50

THIS EASEMENT made this 24th day of June, 1976, between the undersigned, Ronald W. Hunter, Trustee (herein referred to as the "Grantor") and 133 Estates Homeowners Association, a Nebraska non-profit corporation (herein called the "Grantee"),

WHEREAS, the Grantor has platted a subdivision in Washington County, Nebraska under the name of 133 Estates (herein referred to as the "Subdivision") and desires to grant water line and other utility easements on said Subdivision to the Grantee,

NOW, THEREFORE, in consideration of one dollar and other valuable consideration, the following is agreed between the parties hereto:

1. Grant of Easements. The Grantor, being the owner of the Subdivision, does herewith give and grant unto the Grantee, its successors and assigns, perpetual easements for a water line or lines and any other utilities (such as, but not limited to, electrical power, telephone service, sanitary sewers, storm sewers, gas lines, or any other utilities) which the Grantee in its discretion may decide to install or have installed in part or all of the Subdivision over, on, across and under the lots in the Subdivision as shown on the Plat and Dedication filed on April 5, 1976 in Plat Book 2, Pages 116-121 of the records of Washington County (herein referred to as the "Plat") for a water line or lines, and where applicable, a well, said easements being all of those shown on the Plat (including those marked "10' Utility Easement [Typical]" and those marked "Water Line Easement [Typical]"), except the easement marked "Power Line Easement" which has already been granted to another utility company, and the width and location of the easements being granted herein being the same as shown on the Plat.

2. Purpose of Easements. The scope and purpose of said easements are for the construction, placement, operation, repair, maintenance, replacement and renewal of a water line or lines, including all necessary related appurtenances on such appropriate lots as shown on the Plat. The further scope and purpose of said easements is for the construction, placement, operation, repair, maintenance, replacement, and renewal of all other utilities and lines of every kind and description which the Grantee in its sole discretion determines to place or have placed in part or all of the Subdivision, including but not limited to, electrical power, telephone service, sanitary sewers, storm sewers, gas lines, or any other utilities. The Grantee and its contractor and/or engineer shall have the full and continuing right and authority to enter upon said easements in order to perform any of the acts and functions described within the scope and purpose of such easements.

STATE OF NEBRASKA, COUNTY OF WASHINGTON) SS 1697
 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
 THIS 29th DAY OF June A.D. 19 76
 AT 9:50 O'CLOCK A M. AND RECORDED IN BOOK
109 AT PAGE 50, 52
 COUNTY CLERK Charlotta Potvin
 DEPUTY Barbara Faulstich

3. Grantee's Obligation. The Grantee at its sole cost agrees to construct, place, operate, repair, maintain, replace and renew the well and water line or lines on the easements and any other of the foregoing utilities which the Grantee installs or has installed on the easements.

4. Binding Effect. This Easement shall be binding upon the successors and personal representatives, and assigns of the respective parties hereto.

5. Assignment. Part or all of the easements herein may be assigned by the Association and the Association may grant such rights in these easements to such utility companies as the Association shall determine.

IN WITNESS WHEREOF, the Grantor and Grantee have caused the due execution of this Easement as of the day and year first above written.

GRANTOR:

Ronald W. Hunter, Trustee
 Ronald W. Hunter, Trustee

GRANTEE:

133 ESTATES HOMEOWNERS ASSOCIATION,
 a Nebraska non-profit corporation,

By Dennis A. Andersen
 President