

Rembolt Juddke
1201 Senior Mall
H 102 68508

OCT 1 4 22 PM '00

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039833

4550

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05/18/00
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PERMANENT SANITARY SEWER AND LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Wilma A. Monnington and Warren A. Monnington, wife and husband; Donna L. Clements and Boyd Clements, wife and husband; Greta A. Dudley and Melvin Dudley, wife and husband; herein called "Grantor," whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250.00), duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby GRANT and CONVEY unto the City of Waverly, Nebraska, a municipal corporation, its successors and assigns, herein called "Grantee," the RIGHT, PRIVILEGE AND EASEMENTS to construct, reconstruct, maintain, operate, and replace an underground sanitary sewer line, and appurtenances thereto belonging, over and through the following described real property, to-wit:

See Exhibits A and B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD UNTO THE CITY OF WAVERLY, NEBRASKA, its successors and assigns, so long as such sanitary sewer line shall be maintained, together with the right of ingress and egress to said property, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said sanitary sewer line and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

Any manholes located within the easement area shall be located 36 inches or more below ground level and shall remain so recessed so long as easement area is used for agricultural purposes. Grantee will pay to Grantors any damages which Grantee causes to growing crops and fences arising from Grantee's use after initial construction is completed.

1

THIS INSTRUMENT, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this
17 day of September, 1996.

Wilma A. Monnington
WILMA A. MONNINGTON

Warren A. Monnington
WARREN A. MONNINGTON

Donna L. Clements
DONNA L. CLEMENTS

Boyd Clements
BOYD CLEMENTS

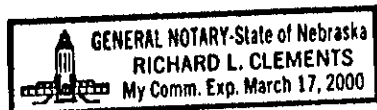
Greta A. Dudley
GRETA A. DUDLEY

Melvin L. Dudley
MELVIN DUDLEY

STATE OF NEBRASKA)
COUNTY OF CASS) ss.

29 The foregoing instrument was acknowledged before me this day of September, 1996, by Wilma A. Monnington.

(S E A L)

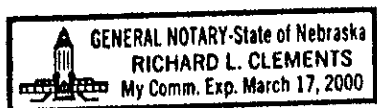


Richard L. Clements
Notary Public

STATE OF NEBRASKA)
COUNTY OF CASS) ss.

29 The foregoing instrument was acknowledged before me this day of September, 1996, by Warren A. Monnington.

(S E A L)

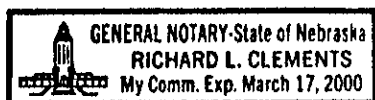


Richard L. Clements
Notary Public

STATE OF NEBRASKA)
COUNTY OF CASS) ss.

17 The foregoing instrument was acknowledged before me this day of September, 1996, by Donna L. Clements.

(S E A L)

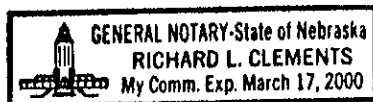


Richard L. Clements
Notary Public

STATE OF NEBRASKA)
COUNTY OF CASS) ss.

17 The foregoing instrument was acknowledged before me this day of September, 1996, by Boyd Clements.

(S E A L)

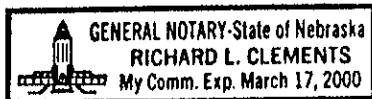


Richard L. Clements
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF CASS)

The foregoing instrument was acknowledged before me this
29 day of September, 1996, by Greta A. Dudley.

(S E A L)

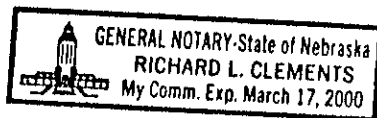


Richard L. Clements
Notary Public

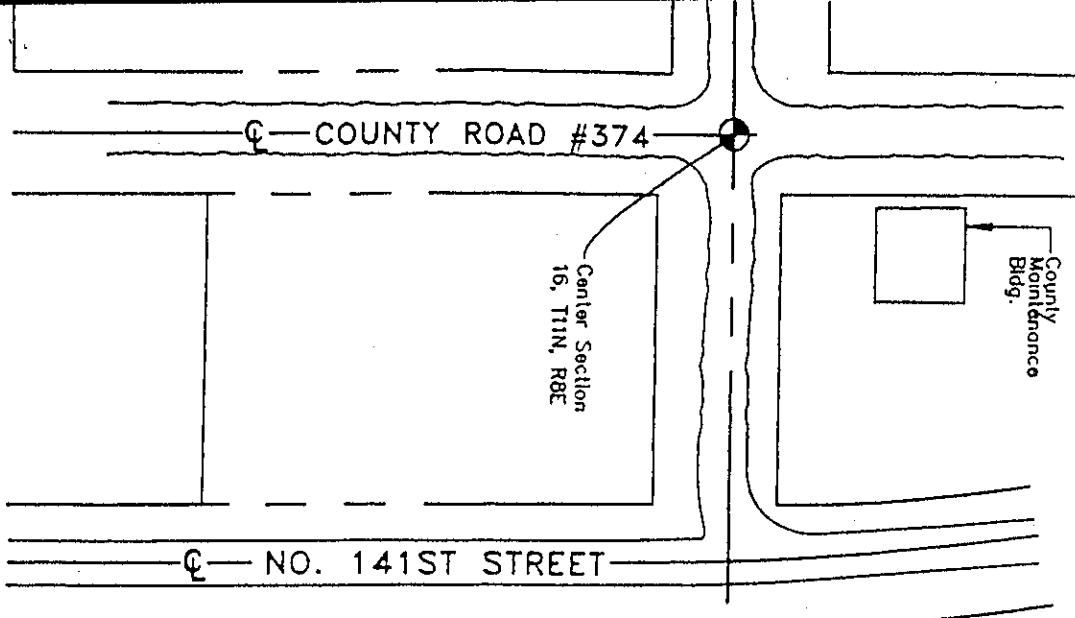
STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this
29 day of September, 1996, by Melvin Dudley.

(S E A L)



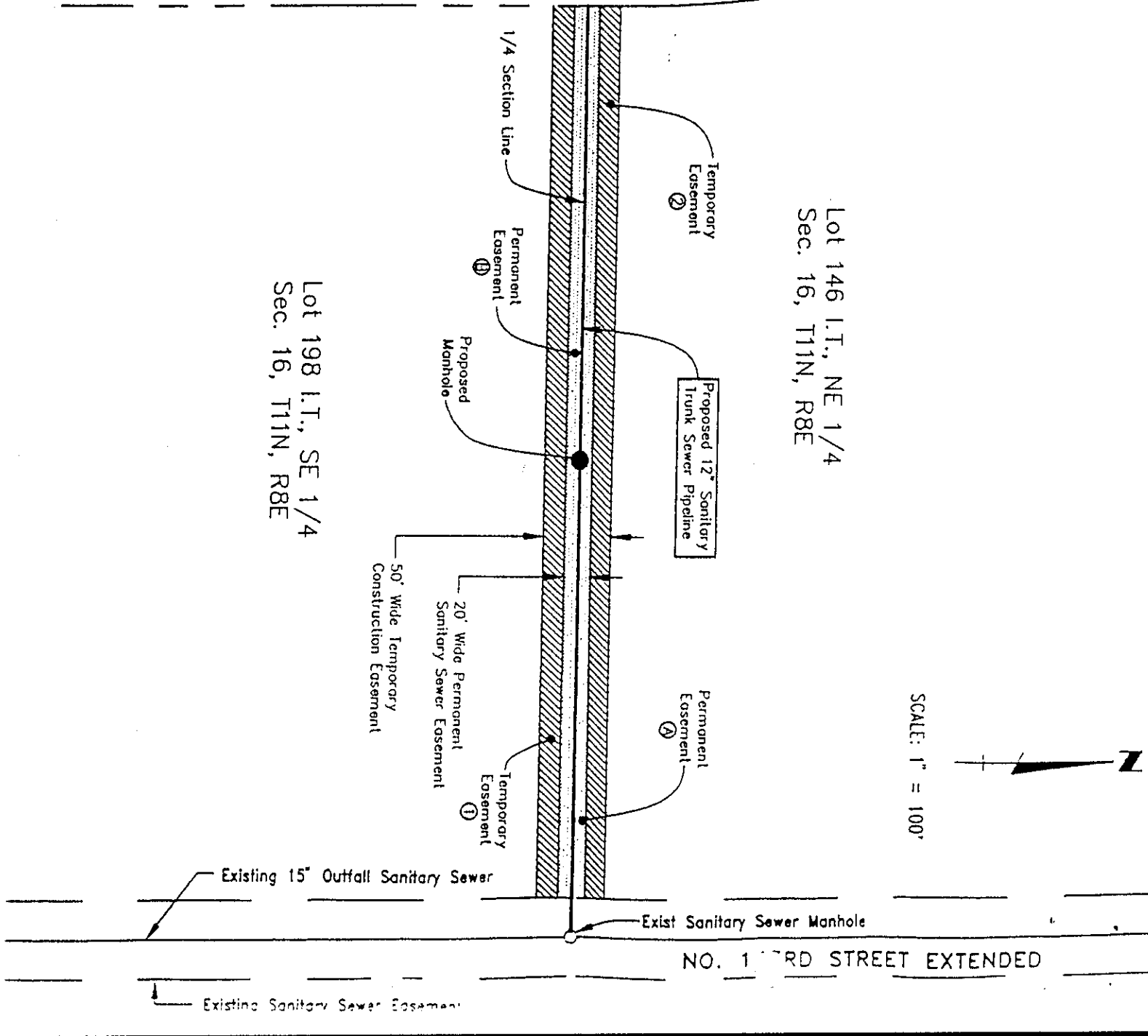
Richard L. Clements
Notary Public



Lot 146 I.T., NE 1/4
 Sec. 16, T11N, R8E

Lot 198 I.T., SE 1/4
 Sec. 16, T11N, R8E

SCALE: 1" = 100'



NO. 1ST RD STREET EXTENDED

CITY OF WAVERLY, NEBRASKA - SANITARY TRUNK SEWER
LEGAL DESCRIPTIONS FOR LOT 146 I.T. IN THE NE4 SEC 16-T11N-R8E

LEGAL DESCRIPTION - PERMANENT EASEMENT AREA A

PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A SANITARY TRUNK SEWER PIPELINE LOCATED IN LOT 146, IRREGULAR TRACTS, IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER SECTION; THENCE EASTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 267.80 FEET TO THE EASTERLY 141ST STREET RIGHT OF WAY LINE AND THE POINT OF BEGINNING; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 664.76 FEET TO THE WEST LINE OF THE EXISTING OUTFALL SANITARY SEWER LINE EASEMENT; THENCE NORTHERLY, NORTH 00 DEGREES, 31 MINUTES, 16 SECONDS WEST, ALONG THE WEST LINE OF SAID OUTFALL SANITARY SEWER LINE EASEMENT, A DISTANCE OF 10.00 FEET; THENCE WESTERLY, NORTH 89 DEGREES, 57 MINUTES, 00 SECONDS WEST, ALONG A LINE 10.00 FEET NORTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 664.72 FEET TO SAID EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE SOUTHERLY, SOUTH 00 DEGREES, 16 MINUTES, 34 SECONDS EAST, ALONG SAID EASTERLY 141ST STREET RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION AND THE POINT OF BEGINNING, CONTAINING AN AREA OF 6647.39 SQUARE FEET, (0.15 ACRES), MORE OR LESS.

CITY OF WAVERLY, NEBRASKA - SANITARY TRUNK SEWER
LEGAL DESCRIPTIONS FOR LOT 146 I.T. IN THE NE4 SEC 16-T11N-R8E

LEGAL DESCRIPTION - TEMPORARY EASEMENT AREA 2

TEMPORARY EASEMENT TO A TRACT OF LAND FOR CONSTRUCTION OF A SANITARY TRUNK SEWER PIPELINE LOCATED IN LOT 146, IRREGULAR TRACTS, IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER SECTION; THENCE EASTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 267.80 FEET TO THE EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 664.76 FEET TO THE WEST LINE OF THE EXISTING OUTFALL SANITARY SEWER LINE EASEMENT; THENCE NORTHERLY, NORTH 00 DEGREES, 31 MINUTES, 16 SECONDS WEST, ALONG THE WEST LINE OF SAID EXISTING OUTFALL SANITARY SEWER LINE EASEMENT, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY, NORTH 00 DEGREES, 31 MINUTES, 16 SECONDS WEST, CONTINUING ALONG THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 15.00 FEET; THENCE WESTERLY, NORTH 89 DEGREES, 57 MINUTES, 00 SECONDS WEST, ALONG A LINE 25.00 FEET NORTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 664.65 FEET TO SAID EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE SOUTHERLY, SOUTH 00 DEGREES, 16 MINUTES, 34 SECONDS EAST, ALONG SAID EASTERLY 141ST STREET RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG A LINE 10.00 FEET NORTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION, A DISTANCE OF 664.72 FEET TO THE WEST LINE OF SAID EXISTING OUTFALL SANITARY SEWER LINE EASEMENT AND THE POINT OF BEGINNING, CONTAINING AN AREA OF 9970.28 SQUARE FEET, (0.23 ACRES), MORE OR LESS.

CITY OF WAVERLY, NEBRASKA - SANITARY TRUNK SEWER
LEGAL DESCRIPTIONS FOR LOT 198 I.T. IN THE SE4 SEC 16-T11N-R8E

LEGAL DESCRIPTION - PERMANENT EASEMENT AREA B

PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A SANITARY TRUNK SEWER PIPELINE LOCATED IN LOT 198, IRREGULAR TRACTS, IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE EASTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 267.80 FEET TO THE EASTERLY 141ST STREET RIGHT OF WAY LINE AND THE POINT OF BEGINNING; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 664.76 FEET TO THE WEST LINE OF THE EXISTING OUTFALL SANITARY SEWER LINE EASEMENT; THENCE SOUTHERLY, SOUTH 00 DEGREES, 31 MINUTES, 16 SECONDS EAST, ALONG THE WEST LINE OF SAID OUTFALL SANITARY SEWER LINE EASEMENT, A DISTANCE OF 10.00 FEET; THENCE WESTERLY, NORTH 89 DEGREES, 57 MINUTES, 00 SECONDS WEST, ALONG A LINE 10.00 FEET SOUTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 664.80 FEET TO SAID EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE NORTHERLY, NORTH 00 DEGREES, 16 MINUTES, 34 SECONDS WEST, ALONG SAID EASTERLY 141ST STREET RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION AND THE POINT OF BEGINNING, CONTAINING AN AREA OF 6647.81 SQUARE FEET, (0.15 ACRES), MORE OR LESS.

CITY OF WAVERLY, NEBRASKA - SANITARY TRUNK SEWER
LEGAL DESCRIPTIONS FOR LOT 198 I.T. IN THE SE4 SEC 16-T11N-R8E

LEGAL DESCRIPTION - TEMPORARY EASEMENT AREA 1

TEMPORARY EASEMENT TO A TRACT OF LAND FOR CONSTRUCTION OF A SANITARY TRUNK SEWER PIPELINE LOCATED IN LOT 198, IRREGULAR TRACTS, IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE EASTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 267.80 FEET TO THE EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, CONTINUING ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 664.76 FEET TO THE WEST LINE OF THE EXISTING OUTFALL SANITARY SEWER LINE EASEMENT; THENCE SOUTHERLY, SOUTH 00 DEGREES, 31 MINUTES, 16 SECONDS EAST, ALONG THE WEST LINE OF SAID EXISTING OUTFALL SANITARY SEWER LINE EASEMENT, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY, SOUTH 00 DEGREES, 31 MINUTES, 16 SECONDS EAST, CONTINUING ALONG THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 15.00 FEET; THENCE WESTERLY, NORTH 89 DEGREES, 57 MINUTES, 00 SECONDS WEST, ALONG A LINE 25.00 FEET SOUTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 664.87 FEET TO SAID EASTERLY 141ST STREET RIGHT OF WAY LINE; THENCE NORTHERLY, NORTH 00 DEGREES, 16 MINUTES, 34 SECONDS WEST, ALONG SAID EASTERLY 141ST STREET RIGHT OF WAY LINE, A DISTANCE OF 15.00 FEET; THENCE EASTERLY, SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST, ALONG A LINE 10.00 FEET SOUTHERLY OF, PERPENDICULAR MEASUREMENT, AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, A DISTANCE OF 664.80 FEET TO THE WEST LINE OF SAID EXISTING OUTFALL SANITARY SEWER LINE EASEMENT AND THE POINT OF BEGINNING, CONTAINING AN AREA OF 9972.52 SQUARE FEET, (0.23 ACRES), MORE OR LESS.