

EASEMENT

Donald M. Owen, a single person, of 3811 Madison, Omaha, Nebraska 68107 and Laura Ann Owen Kreft and Matthew W. Kreft, husband and wife, of 1100 North 30th, Council Bluffs, Iowa, record owners of the real property and described below, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by the Grantee, as set out and expressed below, do hereby grant, remise and relinquish to Sanitary and Improvement District No. 5 of Cass County, Nebraska, c/o Steven J. Olson, Attorney, 8701 West Dodge Road, Suite 406, Omaha, NE 68114, its successors and assigns, Grantee herein, the perpetual right, privilege and easement to grade and fill, at Grantee's sole expense, Lot 29, Block 26, Buccaneer Bay, a subdivision as surveyed, platted and recorded in Cass County, Nebraska.

Grantor further grants to Grantee:

(a) The right to grade and fill said real property to such extent, depth or quantities as Grantee may from time to time find necessary in its sole and absolute discretion to provide for good drainage off of Treasure Island Road, as surveyed, platted and recorded in Cass County, Nebraska;

(b) The right to ingress to and egress from said real property by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor;

Grantee hereby covenants and agrees:

(a) Grantee shall promptly repair any damage it shall do to Grantor's real property;

(b) Grantee shall indemnify and hold Grantor harmless from and against any and all loss and damage that shall be caused by any negligent act of Grantee's agents or employees during the exercise of Grantee's rights herein.

Grantor reserves the right to use said real property for purposes that will not interfere with Grantee's full enjoyment of the rights granted by this instrument.

FILED FOR RECORD 2-1-94 AT 10:44 A.M.
IN BOOK 514 OF STW PAGE 520
REGISTER OF DEEDS, CASS CO., NE Patricia M. ...

Doc #22 2-15-94

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COMPARED

IN WITNESS WHEREOF, each party to this instrument has caused it to be executed on the date indicated below.

Donald M. Owen
Donald M. Owen
Date 8-25-93

Laura Ann Owen Kreft
Laura Ann Owen Kreft
Date 8/25/93

Mathew W. Kreft
Mathew W. Kreft
Date 8/25/93

Board of Trustees
SANTANA AND IMPROVEMENT DISTRICT
NO. 87 CASS COUNTY, Chairman,
John P. Williams
Date 9-22-93

STATE OF NEBRASKA)
) ss.
COUNTY OF CASS)
Before me, on August 25, 1993 a Notary Public
qualified for said county personally came Mathew W. Kreft and
Laura Ann Owen Kreft, husband and wife, known to me to be the
identical persons who signed the foregoing Baseament and
deed.
SUBSCRIBED AND SWORN to before me on this 26 day of Aug, 1993.

JOSEPH M. VUKOV
GENERAL NOTARY STATE OF NEBRASKA
My Comm. Exp. Febr. 24, 1997

STATE OF NEBRASKA
COUNTY OF CASS
ss.

The foregoing instrument was acknowledged before me on
August 16, 1993 by Donald M. Owen.

JOSEPH M. VUKOV
GENERAL NOTARY STATE OF NEBRASKA
My Comm. Exp. Febr. 24, 1997

Notary Public
Joseph M. Vukov

#22

STATE OF NEBRASKA)
) ss.
COUNTY OF CASS)

Before me, on Sept 21, 1993 a Notary Public qualified for said County, personally came John Williams, Chairman, Sanitary and Improvement District No. 5, known to me to be the identical person who signed the foregoing Easement and acknowledged the execution thereof to be the voluntary act and deed of Sanitary and Improvement District No. 5.

SUBSCRIBED AND SWORN to before me on this 21st day of Sept, 1993.

Steven J. Olson
NOTARY PUBLIC

