

KNOW ALL MEN BY THESE PRESENTS, that JESS P. PALMER and ELLA G. PALMER, husband and wife, of Douglas County, Nebraska, Grantors, in consideration of the sum of Two Hundred Dollars (\$200.00) in hand paid, do hereby

(a) grant, bargain, sell, convey and confirm unto UNION PACIFIC RAILROAD COMPANY, its successors and assigns, a PERPETUAL EASEMENT for the construction, use, maintenance, repair, renewal and reconstruction, of a channel, or water course, for West Papillion Creek for drainage purposes over and across the following described premises of the Grantors, to wit:

That part of the Southwest Quarter (SW 1/4) of Section Twenty-two (22), Township Fifteen (15) North, Range Eleven (11) East of the Sixth Principal Meridian in Douglas County, Nebraska, lying southwesterly of the right of way of the Union Pacific Railroad Company and lying northeasterly and easterly of a line which is parallel with and one hundred (100) feet distant southwesterly and westerly, measured at right angles and/or radially, from the center line of the proposed new channel of West Papillion Creek as now surveyed, located and staked out over and across said Southwest Quarter (SW 1/4) of Section Twenty-two (22).

Together with the right of ingress and egress for the purpose of constructing, using, maintaining, repairing, renewing and reconstructing said channel, or water course; provided, however, that in exercising such right for the maintenance, repair, renewal and reconstruction of said channel or water course, it shall be done in a manner that will not result in damages to the Grantors, their heirs and assigns.

(b) for themselves, their heirs, executors, administrators and assigns, release Union Pacific Railroad Company, its successors and assigns, from any and all claims and demands for damages of whatsoever nature due to or arising from or by reason of water overflowing said channel, or water course, of West Papillion Creek.

TO HAVE AND TO HOLD the above mentioned easement unto the said Union Pacific Railroad Company and to its successors and assigns forever, and the said Grantors, for themselves, their heirs, executors, administrators and assigns, do covenant with the said Union Pacific Railroad Company and with its successors and assigns, that they are lawfully seized of said premises, that they are free from encumbrance, that they have good right and lawful authority to sell the same and that they will and their heirs, executors, administrators

and assigns shall warrant and defend said easement unto the said Union Pacific Railroad Company and its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands this 14th day of April, A. D. 1944.

In Presence of:

W. E. Gilmer
W. E. Gilmer

Jess P. Palmer
Ella G. Palmer
Grantors.



Approved as to form

Approved as to execution

General Attorney

STATE OF NEBRASKA

COUNTY OF Douglas } ss.

On this 14 day of April, A.D. 1944, before me, a Notary Public in and for said County, personally came the above named JESS P. PALMER and ELLA G. PALMER, husband and wife, who are personally known to me to be the identical persons whose names are affixed to the above instrument as Grantors, and they acknowledged said instrument to be their voluntary act and deed.

Witness my hand and Notarial Seal the date last aforesaid.

Mary H. Fowler
Notary Public

(SEAL)

My commission expires on the 20th day of

May, A.D. 1945

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA

27 DAY April 1944 AT 2:35 P.M. THOMAS J. O'CONNOR, REGISTRAR OF DEEDS 130