

285

PROTECTIVE COVENANTS

OF

HAPPY HILL SUBDIVISION

TO WHOM IT MAY CONCERN;

The undersigned hereby declares that the following covenants are to run with the land and shall be binding on all present and future owners or all or any part of the following described real estate:

lots 1 & 3 through 20, both inclusive in Happy Hill, a subdivision located in Sections 20 and 29-T 12N-R14E of the 6th P.M., Cass County, Nebraska.

If the present or future owners of any of said lots or their grantees, heirs, or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons owning any part of said real estate to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these covenants by judgement or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

A. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. All tax lots shall be kept free of trash and debris and weeds shall be kept cut to a height of no more than twelve inches above the ground.

B. No trailer, basement, tent, shack, garage, barn or other out building erected on said real estate shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a

COMPARED

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residence, and before any building shall be occupied as a residence, the entire building must be substantially completed and the exterior must be fully completed.

C. No building shall be located on any lot nearer than fifty (50) feet to the front or fifty (50) feet from the rear lot lines, and twenty-five (25) feet from the side lot lines. Accessory buildings may be located fifteen (15) feet from the rear lot line.

D. A perpetual license and easement is hereby reserved in favor of and granted to Nebraska Public Power District and Lincoln Telephone and Telegraph Company, other utilities, their successors and assigns., to erect and operate, maintain, repair and renew cables, conduits and poles with the necessary supports, sustaining wires, cross-arms, guys and anchors and other instrumentalities and to extend thereon wires for the carrying and transmission of electric current for light, heat and power and for all telephone and telegraph and message service over, under, and upon a ten (10) foot strip of land adjoining the front rear and side boundary lines of said lots; said license being granted for the use and benefit of all present and future owners of lots, provided, however, that said side lot line easement is granted upon the specific condition that if both of said utility companies fail to construct poles and wires along any of said side lot lines within sixty (60) days after their removal, then this side line easement shall automatically terminate and become void as to such unused or abandoned easement-ways.

F. The following prohibitions shall be observed on all lots:

1. No dwelling constructed on another addition or location shall be moved to any lot.

2. No fuel tanks on the outside of any house shall be exposed to view.
3. No garage or other out building shall be erected on any lot for dwelling purposes before the residence thereon is constructed.
4. All accessory buildings shall have a useful purpose and if used for the shelter of animals shall not exceed the necessary size for such shelter and the design for such accessory building shall be harmonious and compatible with both the area and with the main structure, provided that colored metal will be permitted.
5. The assembly, disassembly or general service work on any car, truck, equipment or other machinery shall be prohibited except in an enclosed garage and the storage or parking of cars, trucks, equipment or other machinery shall likewise be prohibited for any period longer than thirty (30) days.
6. No commercial raising of livestock shall be permitted. Any lot of 2 acres and over may maintain one horse, llama, other hooved animal or bipedal bird, with a typical adult height over four feet. Such a lot may have one additional animal for each additional full acre of lot area over two acres.

**GENERAL PROVISIONS:**

1. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them, for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years, unless an instrument signed by a majority of them

owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

2. For a period of five years from the date of the recording of this agreement, no building shall be erected, constructed, altered, placed or permitted to remain on any tax lot herein described until the plans and specifications have been approved in writing by Sarpy R. & R. Co., including any plans for drainage.

3. All construction must also conform to the zoning and building restrictions of the City of Plattsmouth.

4. The owner of each platted lot shall pay the sum of \$100.00 per year for each platted lot which he owns, said sum to be deposited into a special fund to be used for road maintenance.

5. Enforcement shall be proceedings at law, or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages, subject to increase by the Homeowners Association.

6. Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

DATED this 15 day of October, 1999.

SARPY R. & R. CO.

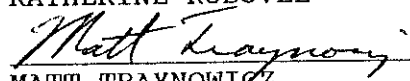
  
LOUIS G. RIHA, President

\_\_\_\_\_  
BLYTHE KUBOVEE

\_\_\_\_\_  
ROYEN EBLEN

\_\_\_\_\_  
DR. OTTO RATH

\_\_\_\_\_  
KATHERINE KUBOVEE

  
MATT TRAYNOWICZ

\_\_\_\_\_  
JANET RATH

# MISCELLANEOUS RECORD NO. 14

51516-REDFIELD & COMPANY, INC., OMAHA

PLAT  
Sarpy R & R Co.  
to  
Public

FILED: 21 January 1998 1:40 P.M.  
Patricia Meisinger, Register of Deeds  
\$ 15.00 Doc.#352

(Filed in Plat Book 13, Page 20A)

### "HAPPY HILL 2ND SUBDIVISION"

a MAJOR SUBDIVISION, being all of Assessor's Lot 11, located in the  
N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 29-T12N-R14E of the 6th P.M., Cass  
County, Nebraska

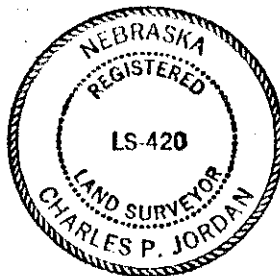
#### SURVEYOR'S CERTIFICATE

I hereby certify that I have accurately surveyed and staked the boundary of "HAPPY HILL 2ND SUBDIVISION", being all of Assessor's Lot 11, located in the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 29-T12N-R14E of the 6th P.M., Cass County, Nebraska, described as follows:

Beginning at the NW Corner of Assessor's Lot 11, (said point being 331.30' South of the N $\frac{1}{4}$  Corner of said Section 29); thence S 89°03'34" E, 1315.49'; thence S 0°10'05" E, 149.98'; thence S 89°43'42" E, 557.43' to a point on the Westerly right of way line of River Road; thence S 19°33'24" E, 202.59'; thence N 89°23'27" W, 1939.56' to a point on the West line of the NE $\frac{1}{4}$ ; thence N 0°15'27" W, 344.50' to the point of beginning. Contains 12.84 acres, more or less.

Signed this 31st day of December, 1997.

Charles P. Jordan  
CHARLES P. JORDAN LS 420



#### DEDICATION

KNOW ALL MEN BY THESE PRESENTS

that the Sarpy R & R Co., a Nebraska Corp., LOUIS RIHA, Jr., (President), being the sole owner of the tract of land described within the Surveyor's Certificate, do hereby approve of my land being subdivided, as shown on this plat, to now be known as "HAPPY HILL 2ND SUBDIVISION". The 50' wide street right of way is hereby dedicated to the public, for public use. I do also grant 5' wide easements along all lot lines for the placement and maintenance of any and all public utilities, on, over, through, under and across said easements. This subdivision is also subject to any and all easements of record, (especially Lots 9, 10 & 11-Happy Hill Subdivision), as of the last date shown hereon.

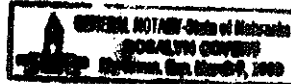
Louis Riha, Jr.  
LOUIS RIHA, Jr., (President)  
SARPY R & R CO., a Nebraska Corp.

#### ACKNOWLEDGEMENT OF NOTARY

STATE OF Nebraska )

COUNTY OF Cass )  
On this 16th day of January, 1998, before me, a notary public duly commissioned and qualified in and for said County, did appear LOUIS RIHA, Jr., (President of Sarpy R & R Co., a Nebraska Corp., who is personally known by me to be the identical person whose name appears on this plat, and he did acknowledge his execution of the foregoing dedication to be his voluntary act and deed. Witness my hand and official seal the date last aforesaid.

Rosalyn Covert  
ROSALYN COVERT  
NOTARY PUBLIC



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iron

My commission expires 3/9/99

#### APPROVAL OF MAYOR AND CITY COUNCIL

This plat of "HAPPY HILL 2ND SUBDIVISION", is hereby approved by the Mayor and City Council of the City of Plattsmouth, Nebraska, this 19 day of December, 1997, pursuant to provisions of Section 11-119, of the Plattsmouth City Code 1991.

WITNES:

Rosalyn Covert  
ROSALYN COVERT, CLERK

Charles L. Wondra  
CHARLES L. WONDRA, Mayor

#### APPROVAL OF CITY PLANNING BOARD

This plat of "HAPPY HILL 2ND SUBDIVISION", is hereby approved by the City Planning Board of the City of Plattsmouth, Nebraska, this 5 day of Jan, 1998.

Marcus Nichols  
MARCUS NICHOLS, Chairman

#### APPROVAL OF CITY ADMINISTRATING OFFICIAL

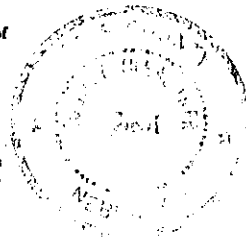
This plat of "HAPPY HILL 2ND SUBDIVISION", is hereby approved by the City Administrating Official of the City of Plattsmouth, Nebraska, this 5 day of Jan, 1998.

Jeff Sennett  
JEFF SENNETT, City Administrating Official

#### COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due against the property described within the Surveyor's certificate and embraced within this plat, as shown by the records of this office, this 16th day of January, 1998.

Richard Wassinger  
RICHARD WASSINGER, CO. TREASURER



County

Major  
Subdivision

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MISCELLANEOUS RECORD NO. 14

51516-REDFIELD & COMPANY, INC., OMAHA

(NEBRASKA REGISTERED LAND SURVEYOR )
(LS-420 )
(Charles P. Jordan )

PLAT APPROVAL

KNOW ALL MEN BY THESE PRESENTS:

that we, CHARLES K. WEBER and GLORIA J. WEBER, (husband & wife), being the sole owners of the tract of land described within the Surveyor's Certificate, do hereby approve of "LOT 1295-A, BEAVER LAKE SUBDIVISION", being split as shown on this plat. This subdivision is also subject to any and all easements of record, as of the last date shown hereon.

Charles K. Weber
CHARLES K. WEBER

Gloria J. Weber
GLORIA J. WEBER

ACKNOWLEDGEMENT OF NOTARY

STATE OF Nebraska )
)ss
COUNTY OF Cass )

On this 11 day of December, 1992, before me, a notary public, duly commissioned and qualified in and for said County, did appear CHARLES K. WEBER and GLORIA J. WEBER, (husband & wife), who are personally known by me to be the identical persons whose names appears on this plat, and they did acknowledge their execution of the foregoing plat approval to be their voluntary act and deed.

Witness my hand and official seal the date last aforesaid.

(GENERAL NOTARY-State of Nebraska )
(ALBERT T. SCHMUECKER )
(My Comm. Exp. May 26, 1995 )
My commission expires May 26, 1995.

Albert T. Schmuecker
NOTARY PUBLIC

COUNTY ZONING ADMINISTRATOR'S CERTIFICATE

I hereby certify that this subdivision of land meets the criteria of an "ADMINISTRATIVE SUBDIVISION", as specified in the Cass County Zoning Ordinance, updated in 1983, including all amendments thereto.

Signed this 17th day of December, 1992.

Norris Franzen
NORRIS FRANZEN, CO. ZONING ADMIN.

COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due against the property described within the surveyor's certificate and embraced within this plat, as shown by the records of this office, this 14th day of December, 1992.

(CASS COUNTY )
(COUNTY TREASURER SEAL )
(NEBRASKA )

Richard Wassinger
RICHARD WASSINGER, CO. TREASURER

APPROVAL OF BEAVER LAKE ASSOCIATION BOARD

This plat of "LOT 1295-A, BEAVER LAKE SUBDIVISION " is hereby approved by the Beaver Lake Association Board, with the lot split as shown hereon, this 15 day of December, 1992.

Robert E. Hague
Secretary

FILED: 23 December 1992 3:30 P.M.
Patricia Meisinger, Register of Deeds
\$ 35.00 Doc#470

(Filed in Plat Book 6, Page 44A)

"HAPPY HILL SUBDIVISION"

located in Sections 20 and 29-T12N-R14E of the 6th P.M., Cass County, Nebraska

(FINAL PLAT)

SURVEYOR'S CERTIFICATE

I hereby certify that I have accurately surveyed and staked the boundary of "HAPPY HILL SUBDIVISION", a subdivision which includes Lots or fractional Lots 123, 124, 125 and 65, located in Sections 20 and 29-T12N-R14E of the 6th P.M., Cass County, Nebraska, more fully described as follows:

Beginning at the S 1/4 Corner of said Section 20; thence N 0°12'12" E, along the West line of the SE 1/4 of Section 20, 265.34'; thence S 89°48'38" W, 66.00'; thence N 0°19'16" E, 835.29'; thence N 89°14'17" W, 167.09'; thence S 58°42'52" W, 370.85'; thence N 28°17'42" W, 481.93'; thence N 4°09'58" E, 978.44'; thence N 6°40'31" W, 96.73' to a point on the South right-of-way line of Wintersteen Road; thence N 72°09'19" E, 29.47' to a point of curvature; thence following the arc of a 226.46' radius curve to the left, 114.57', (the long chord bears N 57°39'43" E, 113.35'), to a point of tangent; thence N 43°10'06" E, 375.65'; thence N 52°01'37" E, 155.79' to a point of curvature; thence following the arc of a 55.09' radius curve to the right, 77.43', (the long chord bears S 87°42'39" E, 71.21'), to a point of tangent; thence S 47°26'55" E, 472.60' to a point of curvature; thence following the arc of a 1305.04' radius curve to the left, 204.78', (the long chord bears S 51°55'51" E, 204.57'), to a point of tangent; thence S 56°26'21" E, 57.39' to a point of curvature; thence following the arc of a 559.07' radius curve to the right, 277.44', (the long chord bears S 42°13'18" E, 274.60'), to a point of tangent; thence S 28°00'18" E, 2076.76'; thence S 19°31'17" E, 365.46' to a point on the North line of the NE 1/4 of Section 29; thence S 19°33'24" E, 519.81';

Blue Ribbon
100% HUMAN MADE

MISCELLANEOUS RECORD NO. 14

51516-REDFIELD & COMPANY, INC., OMAHA

of the NE 1/4 of Section 29; thence N 0°15'27" W, along said West line, 331.50' to the point of beginning. Contains 103.43 Acres, more or less. [106.37-2.94=103.43 acres] .....

[Note: This boundary description includes Tax Lot 34, (2.94 Acres), but it is not part of this subdivision, as shown on this plat. That portion of Penny Lane is a 50' wide easement granted to Sarpy R & R Co., a Nebraska Corporation, from Clark Wiles]

Signed this 21st day of December, 1992.

Charles P. Jordan
CHARLES P. JORDAN LS 420

(NEBRASKA REGISTERED LAND SURVEYOR )
(LS-420 )
(Charles P. Jordan )

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

that I, LOUIS RIHA, Jr., President of Sarpy R & R Co., a Nebraska Corporation, being the sole owner of the tract of land described within the Surveyor's Certificate, do hereby approve of my land being subdivided, as shown on this plat, to now be known as "HAPPY HILL SUBDIVISION". The Streets are 50' wide and are hereby dedicated to the public, for public use. I do also grant the following described easements: 10' wide easements along all lot lines for the placement and maintenance of any and all public utilities, on, over, through, under and across said easements; A 30' wide easement for ingress and egress across the most Southerly line of Lot 9; A 30' wide easement for ingress and egress, being 15' eaither side of the line common to Lot 9 and Lot 10; an easement for road right of way, across the Northeasterly part of Lot 1, being described as follows: Beginning at the NE Corner of Lot 1; thence N 47°26'55" W, along the North line of Lot 1, 443.56'; thence S 52°01'35" W, 100.00; thence S 59°33'01" E, 470.48' to the point of beginning; Lot 17 has a 10' wide easement for the purpose of maintaining, repairing or replacing of an existing water line and well situated thereon, that serves Tax Lot 133. This subdivision is also subject to any and all easements of record, as of the last date shown hereon.

Louis Riha, Jr. Pres.
LOUIS RIHA, Jr. (President), Sarpy R & R Co., a Nebraska Corp.

ACKNOWLEDGEMENT OF NOTARY

STATE OF Nebraska )
)ss
COUNTY OF Cass )

On this 21st day of December, 1992, before me, a notary public, duly commissioned and qualified in and for said County, did appear LOUIS RIHA, Jr., (President), Sarpy R & R Co., a Nebraska Corp., who is personally known by me to be the identical person whose name appears on this plat, and he did acknowledge his execution of the foregoing dedication to be his voluntary act and deed.

Witness my hand and official seal the date last aforesaid. Rosalyn Covert
NOTARY PUBLIC

(GENERAL NOTARY-State of Nebraska )
(ROSALYN COVERT )
(My Comm. Exp. Mar. 9, 1995 )
My commission expires 3/9/95

APPROVAL OF MAYOR AND CITY COUNCIL

This plat of "HAPPY HILL SUBDIVISION", is hereby approved by the Mayor and City Council of the City of Plattsmouth, Nebraska, this 7th day of December, 1992, pursuant to provisions of Section 11-119, of the Plattsmouth City Code 1984

ATTEST:

Rosalyn Covert
ROSALYN COVERT, CLERK

Ronald L. Buethe
RONALD L. BUETHE, MAYOR

(CITY OF PLATTSMOUTH )
(SEAL )
(NEBRASKA )

COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due against the property described within the Surveyor's certificate and embraced within this plat, as shown by the records of this office, this 21st day of December, 1992.

(CASS COUNTY )
(COUNTY TREASURER'S SEAL )
(NEBRASKA )

Richard Wassinger
RICHARD WASSINGER, CO. TREASURER

APPROVAL OF CITY PLANNING BOARD

This plat of "HAPPY HILL SUBDIVISION", is hereby approved by the City Planning Board of the City of Plattsmouth, Nebraska, this 17 day of December, 1992.

Marcus Nichols
MARCUS NICHOLS, CHAIRMAN

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PLAT
Kendall G. Dimmitt
to
Public

FILED: 23 December 92 3:32 P.M.
Patricia Meisinger, Register of Deeds
\$ 15.00 Doc.#471

(Filed in Plat Book 6, Page 46A)

"TAX LOT 25"

An ADMINISTRATIVE SUBDIVISION located in the SW 1/4 of the SE 1/4, (being a part of Tax Lot 2).

Blue Border
100% LINEN LEDGER

#542

# WARRANTY DEED

**Richard E. Newton**, a Single Person, **GRANTOR** in consideration of ONE DOLLAR and other good and valuable consideration received from **GRANTEE**,

**Sarpy R. & R. Company**

conveys unto **GRANTEE**, the following described real estate.

A fraction of Assessor's Lot 11, Located in the NE1/4 of Section 29-T12N-R14E of the 6th P.M., Cass County, Nebraska, described as follows: Beginning at the NW corner of Assessor's Lot 11, (said point being 331.30' south of the N1/4 corner); thence S 89°01'11"E, 1315.97'; Thence S 0°06'27"E, 150.00'; Thence S 89°40'22"E, 557.32' to a point on the westerly right-of-way of the county road; Thence S 19°30'56"E, along said right-of-way, 202.59'; Thence N 89°20'45"W, 1940.08' to a point on the west line of the NE1/4; Thence N 0°10'53"W, 344.50' to the point of beginning. Contains 12.85 acres, more or less. **GRANTOR** (covenants jointly and severally, if more than one) with the **GRANTEE** that

**GRANTOR:**

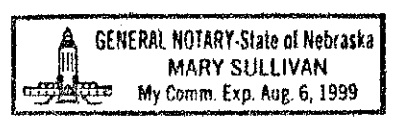
1. is lawfully seized of such real estate and that the same is free from encumbrances;
2. has legal power and lawful authority to convey the same.
3. warrants and will defend title to the real estate against the lawful claims of all persons.

EXECUTED this 17 day of June, 1997

Richard E. Newton

STATE OF NEBRASKA     )  
    ) SS  
 COUNTY OF CASS        )

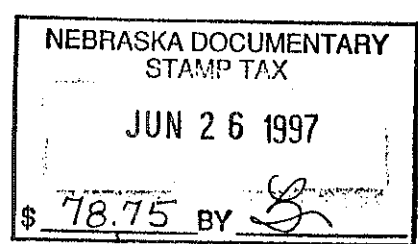
The forgoing instrument was acknowledged before me on the 17 day of June, 1997 by Richard E. Newton, Grantor.



Mary Sullivan  
Notary Public

Filed for record and entered in Numerical Index on June 26 1997  
2:20 o'clock  
P. M., and recorded in Deed Record 165, Page 299.  
 Doc # 542 \$ 5.50

**COMPARED**  
Linda Feder  
 Register or Deputy Register of Deeds





#369

QUITCLAIM DEED

GRANVILLE HEEBNER, a single person, herein called the Grantor, whether one or more, in consideration of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, quitclaims to CHARLES DEAN HEEBNER, Grantee, the following described real estate (as defined in Neb.Rev. Stat. §76-201) in Cass County, Nebraska:

Tax Lot 133, more particularly described as a fraction of Lot 9, Lot 32 and Lot 36, all in fractional Section 10, Township 12 North, Range 14, East of the 6th P.M., Cass County, Nebraska, more fully described as follows: Beginning at a point 2863.47 feet North and 311.45 feet West of the South quarter corner of said Section 20, (said point being the Northwesterly intersection of the County Roads Right-of-way lines); thence South 52 degrees 13 minutes 13 seconds West, 101.71 feet; thence South 43 degrees 38 minutes 31 seconds West, 380.53 feet to a point of curvature; thence following the arc of a 157.78 feet radius curve to the right, 32.98 feet (the long chord bears S 49 degrees 37 minutes 49 seconds West, 32.92'); thence North 9 degrees 38 minutes 38 seconds West, 161.59 feet to the center line of a creek (also the South line of Tax Lot 132); thence North 65 degrees 36 minutes 43 seconds East, 150.00 feet; thence North 31 degrees 57 minutes 30 seconds E, 114.00 feet; thence North 69 degrees 11 minutes 30 seconds East, 197.29 feet to a point on the Westerly Right-of-way line of the County Road; thence South 25 degrees 23 minutes 31 seconds East, 32.15 feet to the point of beginning, containing a calculated area of 0.96 acres, more or less,

together with an easement across the following described property for the purpose of maintaining, repairing, and replacing an existing water line and well located on a portion of the easement area, to-wit:

Referring to the Northeast corner of Tax Lot 133 (described above); thence South 52 degrees 13 minutes 13 seconds West, 101.71 feet; thence South 43 degrees 38 minutes 31 seconds West, 184.81 feet to the True Point of Beginning; thence South 28 degrees 05 minutes 39 seconds East, 101.98 feet; thence South 61 degrees 54 minutes 21 seconds West, 10.00 feet; thence North 28 degrees 05 minutes 39 seconds West, 98.68 feet; thence North 43 degrees 38 minutes 31 seconds East, 10.53 feet to the point of beginning.

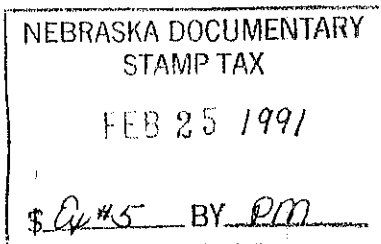
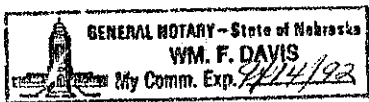
Executed this 25th day of February, 1991.

*Granville Heebner*  
Granville Heebner

STATE OF NEBRASKA :  
COUNTY OF OTTOE : ss.

The foregoing instrument was acknowledged before me on February 25, 1991, by Granville Heebner, a single person.

*WM F Davis*  
Notary Public



COMPARED

FILED FEB 25 1991 AT P. U. IN ROOM 150 OF Deed  
PAGE 30  
2132  
# 369 \$ 5.00  
Patricia Meringo

#126

WARRANTY DEED

GRANVILLE HEEBNER, a single person, herein called the Grantor, whether one or more, in consideration of SIXTY-FIVE THOUSAND and 00/100 (\$65,000.00) DOLLARS, receipt of which is hereby acknowledged, conveys to SARPY R & R CO., A Nebraska Corporation, Grantees, the following described real estate (as defined in Neb.Rev. Stat. §76-201) in CASS County, Nebraska:

Tax Lot 134 located North of County Road 131 in the North half of the Southeast Quarter of Section 20, Township 12, Range 14, containing 0.25 acres; Tax Lot 124 located South of County Road 131 in the North half of the Southeast Quarter of Section 20, Township 12, Range 14, containing 1.39 acres; Tax Lot 125 located South of County Road 131 in the Southwest Quarter of Section 20, Township 12, Range 14, except Sub Lot 1 of Tax Lot 125, which Tax Lot 125 contains 27.37 Acres; Tax Lot 123 located West of County Road 373 in the Southeast Quarter of Section 20, Township 12, Range 14, except Tax Lot 34, which Tax Lot 123 contains 59.11 Acres; (and Tax Lot 65 in the Northeast Quarter of Section 29, Township 12, Range 14, containing 15.44 acres; all in Cass County, Nebraska. A Plat of said tracts is attached to this Contract and made a part hereof, as though fully set forth herein.

The above described real estate is subject to an Easement across the following described real estate, to-wit:

Referring to the Northeast corner of Tax Lot 133 (described above); thence South 52 degrees 13 minutes 13 seconds West, 101.71 feet; thence South 43 degrees 38 minutes 31 seconds West, 184.81 feet to the True Point of Beginning; thence South 28 degrees 05 minutes 39 seconds East, 101.98 feet; thence South 61 degrees 54 minutes 21 seconds West, 10.00 feet; thence North 28 degrees 05 minutes 39 seconds West, 98.68 feet; thence North 43 degrees 38 minutes 31 seconds East, 10.53 feet to the point of beginning,

which easement was granted to Charles Dean Heebner in a Quit Claim Deed dated February 25, 1991, and recorded in Book 150 at page 30 of the Deed records of Cass County, Nebraska, for the purpose of maintaining, repairing, and replacing an existing water line and well located on a portion of the easement area.

Grantor covenants (jointly and severally, if more than one) with the Grantees that Grantor:

- 1) is lawfully seized of such real estate and that it is free from encumbrances, except easements, reservations, covenants and restrictions of record;
- 2) has legal power and lawful authority to convey the same;
- 3) warrants and will defend the title to the real estate against the lawful claims of all person.

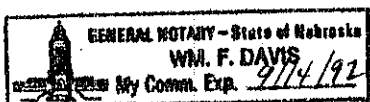
Executed this 4th day of September, 1991.

Granville Heebner  
Granville Heebner

STATE OF NEBRASKA :  
COUNTY OF OTTOE : ss.

The foregoing instrument was acknowledged before me on Sept. 4, 1991, by Granville Heebner, a single person.

Wm F. Davis  
Notary Public



NEBRASKA DOCUMENTARY  
STAMP TAX  
SEP 9 1991  
\$ 97.50 BY PM

FILED FOR RECORD 9-9-91 AT 2:18 P.M.  
IN BOOK 151 OF DEED PAGE 289  
REGISTER OF DEEDS, CASS CO., NE  
DOC# 126 Patricia Meisinger

COMPARING