

THIS INSTRUMENT made this 12<sup>th</sup> day of September 1962, between the following named persons all of whom are hereafter called the parties of the first part with respect to lands whose descriptions follow their names:

THOMAS A. BJORGE MARGARET M. BJORGE	Owners of Lot 9, Block 13, Rockbrook, except the 5.10 feet thereof
GEORGE W. KINNICK JEAN P. KINNICK	Owners of the South 10 feet of Lot 9, Block 13, Rockbrook
FLETCHER W. WILLIAMS ANNIS G. WILLIAMS	Owners of an easement in the South 10 feet, Lot 9, Block 13, Rockbrook
ROBERT B. BELKNAP MARTHA A. BELKNAP	Owners of Lot 8, Block 13, Rockbrook
WILLARD J. WELLS, JR. PAULA B. WELLS	Owners of Lot 7, Block 13, Rockbrook
WALTER G. ZIMMERMANN SARAH R. ZIMMERMANN	Owners of the following described parcel, to-wit:

Beginning at a point 141.9 feet West and 60 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 28, Township 15 North, Range 12 East of the 6th P. M., Douglas County, Nebraska, thence South 726 feet, thence West 300 feet to the East line of Rockbrook Addition, thence North along the East line of Rockbrook Addition 726 feet, thence East 300 feet to the place of beginning, containing 5 acres, more or less, except the South 217.8 feet thereof.

and SANITARY AND IMPROVEMENT DISTRICT NO. 96, hereafter called the District, witnesseth:

That said parties of the first part and each with respect only to the individual property owned by him as recited above, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to them in hand paid by the said District, the receipt whereof is hereby acknowledged, do hereby grant, sell, convey and confirm unto the said District, its successors and assigns the right to use, construct, build, lay, maintain, repair and reconstruct a sanitary sewer pipe for the passage of sewer water and sewage in, through, over and under the parcel of land described as follows, to-wit:

That part of Block 13, Rockbrook, a platted and recorded subdivision in Sections 28 and 31, Township 15 North, Range 12 East of the 6th P. M., Douglas County, Nebraska, and that part of the Southeast Quarter of the Southeast Quarter of said Section 28, more particularly described as follows: A strip of land thirty (30) feet in width the center line of which is an irregular line whose beginning and description is here set forth: Beginning at a point on the Westerly line of Lot 9, Block 13, of said Rockbrook, said point being 19.0 feet North-erly of the Southwest corner of Lot 9; thence South 89° 11' 30" East (Assumed Bearing) along a line 19.0 feet Northerly of and parallel to the South line of said Lot 9, a distance of 104.3 feet; thence North 01° 53' 00" West a distance of 430.2 feet; thence North 71° 52' 00" East a distance of 193.87 feet to a point 165.9 feet Easterly of the Northeast corner of Lot 7, Block 13, and 230.5 feet Northeasterly of the Southeast corner of Lot 7, Block 13 of said Rockbrook.

of this easement is 30 days after the improvement is

The purpose of the first part grant and convey such right and easement... only over, upon, across and within those lots... covenant to keep the conditions hereof only with respect to the lots owned by them, their heirs, successors and assigns.

Said easement is granted upon the express condition that if any changes, repairs, or alterations are necessary to be made at any time, or if any portion of any sewer needs to be reconstructed after the lots are filled or improved, the District shall make good or cause to be made good to the owner or owners of the above property any damage that may be done by said changes, or alterations, repairs or reconstruction in the way of damage to trees, grounds, buildings or other improvements thereon, including crops, barns, gardens and lawns, caused by work and construction done by the District.

Said District shall cause any trench made on the aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said trench, or sod to be placed thereon, at the option of the District, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the District in any of said construction and work.

Said parties of the first part for themselves and their heirs, executors and administrators and for their assigns do confirm with the said District, and its successors and assigns, that they, the parties of the first part, are well seized in fee of the above described property and that they have the right to grant and convey this easement in the manner and form aforesaid, and that they will, and their heirs, executors, administrators and assigns shall warrant and defend this easement to said District and its successors and assigns against the lawful claim and demands of all persons.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said parties of the first part have hereunto set their hands the day and year first above written.

Peter W. Wilkins

Robert B. Selby

Anna G. Wilkins

Maria A. Baker

Harold Kinnick

William F. Selby

Jean P. Kinnick

Paula B. Selby

Sarah B. Zimmerman

Arthur L. Zimmerman

*Thomas A. Borge*

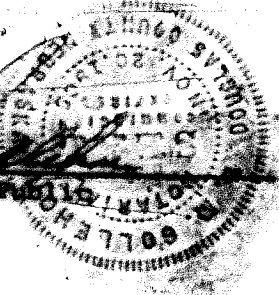
*Marilyn M. Borge*

STATE OF NEBRASKA)  
 )SS  
COUNTY OF DOUGLAS)

On this 13<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named Thomas A. Borge and Marilyn M. Borge, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the day aforesaid.

*E. J. Sullivan*  
Notary Public

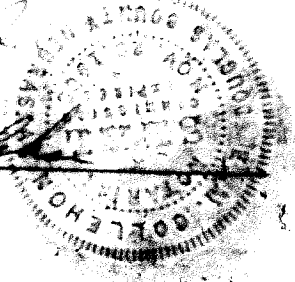


STATE OF NEBRASKA)  
 )SS  
COUNTY OF DOUGLAS)

On this 12<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named Robert B. Belknap and Martha A. Belknap, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the day aforesaid.

*E. J. Sullivan*  
Notary Public

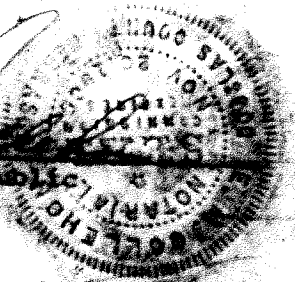


STATE OF NEBRASKA)  
 )SS  
COUNTY OF DOUGLAS)

On this 12<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named Willard J. Wells, Jr. and Paula B. Wells, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their voluntary act and deed for the purpose therein stated.

WITNESS my hand and Notarial Seal the day aforesaid.

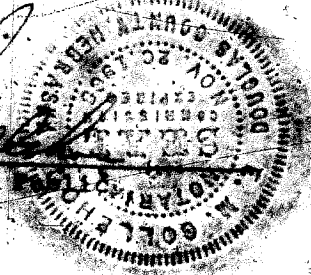
*E. J. Sullivan*  
Notary Public



STATE OF NEBRASKA)  
 )SS  
COUNTY OF DOUGLAS)

On this 12<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named Walter G. Zimmermann and Sarah R. Zimmermann, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their

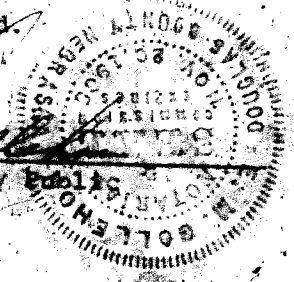
voluntary act and deed for the purpose therein stated.  
witness my hand and Notarial Seal the day aforesaid.

*[Signature]*  
Notary Public  


STATE OF NEBRASKA)  
  )SS  
COUNTY OF DOUGLAS)

On this 12<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named George W. Kinnick and Jean P. Kinnick, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their voluntary act and deed for the purpose therein stated.

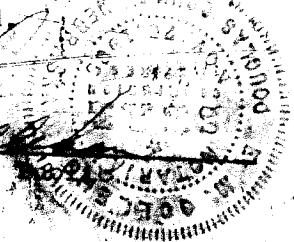
WITNESS my hand and Notarial Seal the day aforesaid.

*[Signature]*  
Notary Public  


STATE OF NEBRASKA)  
  )SS  
COUNTY OF DOUGLAS)

On this 12<sup>th</sup> day of September, 1962, before me, a Notary Public in aforesaid county, personally came the above named Fletcher W. Williams and Annis G. Williams, who are personally known to me to be the identical persons whose names are affixed to the above instrument and acknowledged the instrument to be their voluntary act and deed for the purpose therein stated.

WITNESS My hand and Notarial Seal the day aforesaid.

*[Signature]*  
Notary Public  


Received and approved this 12 day of September, 1962.

*[Signature]*  
Chairman

ATTEST:  
*[Signature]*  
Clerk

188-386-481

COUNTY OF DOUGLAS

925

On this day of [illegible] 1973, before me, the undersigned, a Notary Public in and for the State of Nebraska, personally appeared [illegible] and [illegible], known to me to be the identical persons whose names are subscribed to the foregoing instrument and acknowledged the instrument to be their voluntary act and deed for the purposes therein expressed.

Witness my hand and official seal the day abovesaid.

STATE OF NEBRASKA  
COUNTY OF DOUGLAS

31  
mull

RECEIVED  
1973 SEP 13 PM 2:50  
I THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

386 of 477  
[Handwritten signatures and notes]

386 of 477  
[Handwritten notes]