

2004 01955
STATE OF NEBRASKA COUNTY OF WASHINGTON)SS
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 22nd DAY OF April A.D. 2004
AT 10:36 O'CLOCK A.M. AND RECORDED IN BOOK
435 AT PAGE 382-383

COUNTY CLERK Charlotte L. Petersen
DEPUTY Barrett Madsen

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CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to: Hyle E. "Red" Thibault & Martha M. Thibault, husband & wife, hereinafter referred to as **GRANTOR**, by Papio-Missouri River Natural Resources District, a governmental subdivision of the State of Nebraska, hereinafter referred to as **GRANTEE**, the receipt of which is hereby acknowledged, the **GRANTOR** do hereby grant, bargain, sell, transfer, and convey unto the **GRANTEE**, its successor and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove pipelines for the transportation of water, and all valves, devices, connections, and other appurtenances thereto (and the right to have the easement corridor free from other structures, trees and shrubs) in, under, over, across, and through the land of the **GRANTOR** in Washington County, Nebraska, described as follows:

Tax Lot 115 in Section 10, Township 17 North, Range 12 East of the 6th p.m., Washington County, Nebraska.

The easement corridor shall be described as the South Twenty-five Feet (25.0') of the above described property (excluding county road right-of-way), together with the rights of egress and ingress of adjoining lands of the **GRANTOR**.

The **GRANTOR** waives compliance by the **GRANTEE** with the notice and other provisions of the Uniform Procedure for Acquiring Private Property for Public Use (Sec. 25-2501, R.R.S. 1943, et seq., as amended).

The **GRANTOR**, for itself and for its successors and assigns, covenants and agrees that **GRANTOR** are the owner of the Easement Area and that it has good right to convey this easement over the same; that said premises are free and clear of all liens and encumbrances, except easements and covenants of record; and, that it will warrant and defend the title to this Easement against all lawful claims and demands of all persons whomsoever.

This Easement shall not pass, nor be construed to pass, to the **GRANTEE**, any fee simple interest or title to the Easement Area. The **GRANTOR** shall have the reserved right to make reasonable non-structural uses of the Easement Area which do not interfere with the **GRANTEE'S** rights under this Easement.

The consideration hereinabove recited shall constitute payment in full for any damages (except for crops) to the land of the **GRANTOR**, his successors and assigns, by reason of the installation, and construction of the structures or improvements

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referred to herein. The **GRANTEE** covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the **GRANTOR**, his successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the **GRANTEE**, its successors and assigns.

IN WITNESS WHEREOF, the **GRANTOR** has executed this instrument this 20th day of April, 2004.

Hyle E. Thibault
GRANTOR

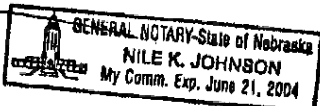
Martha M. Thibault
GRANTOR

STATE OF NEBRASKA)
COUNTY OF Washington)ss.

On this 20th day of April, 2004, before me, a Notary Public in and for said Washington County, personally came the above named Hyle E. Thibault and Martha M. Thibault, who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the above instrument as **GRANTOR**, and acknowledged the execution of said instrument to be his (her) (their) voluntary act and deed.

WITNESS my hand and Notarial Seal the Date last aforesaid.

[Signature]
Notary Public



STATE OF NEBRASKA)
COUNTY OF _____)ss.

On this _____ day of _____, 20____, before me, a Notary Public in and for said _____ County, personally came the above named _____, who is (are) personally known to me to be the identical person(s) whose name(s) is (are) affixed to the above instrument as **GRANTOR**, and acknowledged the execution of said instrument to be his (her) (their) voluntary act and deed.

WITNESS my hand and Notarial Seal the Date last aforesaid.

Notary Public