

RECORDED 4-16-93 AT 9:06 AM  
BOOK 43 OF 1100 PAGE 357  
REGISTER OF DEEDS, CASS CO., NE  
Doc # 326 & 2550

EASEMENT FOR SEWER LINE

THIS INDENTURE is made this 5th day of April, 1993, by and among JOHN W. WULBERN and MILA J. WULBERN, husband and wife ("WILBERN"), and BUEL TRUCKING, INC., a Nebraska Corporation, ("BUEL") and the VILLAGE OF EAGLE, CASS COUNTY, NEBRASKA ("EAGLE").

RECITALS:

Wulbern is the owner in fee simple of the following described real estate situated in Eagle, Cass County, Nebraska, and delineated on the plan attached hereto as Exhibit No. "1" ("PARCEL A"):

Beginning at a point on the west right of way line of First Street, said point being 230.00' North and 33.00' West of the Southeast corner of the Southeast Quarter of said Section 20; THENCE West and parallel to the South line of said Section 20 150.00'; THENCE North and parallel to the East line of said Section 20 55.50'; THENCE West and parallel to the South line of said Section 20 82.94'; THENCE North and parallel to the East line of said Section 20 93.38'; THENCE East and parallel to the south line of said Section 20 232.94' to a point on the West right of way line of First Street; THENCE South along the said right of way line 148.88' to the point of beginning containing an area of 0.69 acres, more or less (a/k/a Sublot 14).

Buel is the owner in fee simple of the following described real estate situated in Eagle, Cass County, Nebraska, and delineated on Exhibit No. "1" attached hereto ("PARCEL B"):

Beginning at a point on the North right of way line of U.S. Highway 34, said point being 493.00' West and 65.00' North of the Southeast corner of the Southeast Quarter of said Section 20; THENCE North and parallel to the East line of said Section 20 408.00'; THENCE East and parallel to the South line of said Section 20 6.00'; THENCE North and parallel to the East line of said Section 20 22.00'; THENCE East and parallel to the South line of said Section 20 200.00'; THENCE south and parallel to the East line of said Section 20 68.00'; THENCE East and parallel to the South line of said Section 20 100.00'; THENCE North and parallel to the East line of said Section 20 51.12'; THENCE East and parallel to the

South line of said Section 20 154.00' to a point on the West right of way line of First Street; THENCE South along the said right of way line 100.00'; THENCE West and parallel to the south line of said Section 20 232.94'; THENCE South and parallel to the East line of said Section 20 303.38' to a point on the North right of way line of U.S. Highway 34; THENCE West along the said right of way line 82.98'; THENCE continuing along the said right of way line 147.80' to the Point of Beginning containing an area of 2.61 acres more or less (a/k/a subplot 15).

Parcel A is adjacent to and bounded on the North and West by Parcel B.

Eagle desires to install a six inch (6") PVC Sanitary Sewer Line, extending from the Southwest corner of Parcel A to a point on Parcel B where Manhole Number 69 is located, and Buel and Wulbern recognize the benefit to their property for such easement and are willing to grant an easement across their respective properties for such purposes.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and in pursuance of the agreement of the parties it is agreed as follows:

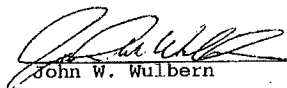
1. Grant of Easement by Wulbern. Wulbern hereby grants to Eagle an easement and right of way for the purpose of installing, maintaining, and repairing a six inch (6") PVC Sanitary Sewer Line with full and free right and liberty for Eagle, its employees, subcontractors, agents, representatives, successors-in-interest, and assigns, at all times hereafter, with or without vehicles and equipment for all purposes connected the installation of the sewer line and the repair and maintenance thereof from time to time. This easement shall consist of a fifteen foot (15') easement, being 7 1/2 feet on either side of a line commencing at the center line of Manhole Number 70 (identified in Exhibit No. 1) located in the Southwest corner of Parcel A (the point of beginning), thence in a North-Northeasterly direction along the West boundary line of Parcel A to a point on the Northern boundary of Parcel A which is 48.88' South and 140' West of the Northeast corner of said Parcel A, thence in a North Northeasterly direction a distance of 81 feet to a point on the Northern boundary of Parcel A which is in direct line with Manhole No. 69 situated on Parcel B (as identified in Exhibit No. 1).

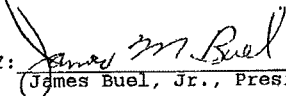
2. Grant of Easement by Buel. Buel hereby grants to Eagle an easement and right of way for the purpose of installing, maintaining, and repairing a six inch (6") PVC Sanitary Sewer Line with full and free right and liberty for Eagle, its employees, subcontractors, agents, representatives, successors-in-interest, and assigns, at all times hereafter, with or without vehicles and equipment for all purposes connected with the installation of the sewer line and the repair and maintenance thereof from time to time. This easement shall consist of a fifteen foot (15') easement, being 7 1/2 feet on either side of a line commencing at the point along the Northern boundary of Parcel A identified in paragraph 1 above where the easement granted by Wulbern ends and this easement begins (point of beginning) and from there, thence in a North-Northeasterly direction approximately 10' to the center line of Manhole No. 69 situated on Parcel B, as reflected in Exhibit No. 1.

3. Appurtenant to Land. To have and to hold said easements and right of ways hereby granted unto Eagle its successors and assigns as appurtenant to said properties of Wulbern (Parcel A) and Buel (Parcel B) and every part thereof, as stated above.

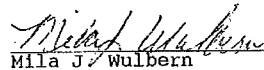
IN WITNESS WHEREOF the above Easements are granted the day and year first-above written.


BUEL TRUCKING, INC.

  
John W. Wulbern

BY:   
James Buel, Jr., President

VILLAGE OF EAGLE

  
Mila J. Wulbern

BY: 

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF LANCASTER )

SUBSCRIBED AND SWORN TO before me this 2<sup>nd</sup> day of April, 1992, by John W. Wulbern and Mila J. Wulbern, husband and wife.



Linda E. Carlson Schmidt  
Notary Public

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF LANCASTER )

SUBSCRIBED AND SWORN TO before me this 5<sup>th</sup> day of April, 1992, by James Buel, Jr., president of Buel Trucking, Inc.



Marilyn L. Carlson  
Notary Public

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF LANCASTER )

SUBSCRIBED AND SWORN TO before me this 5<sup>th</sup> day of April, 1992, by Patrick E. Danley, for the Village of Eagle.



Linda E. Carlson Schmidt  
Notary Public

