

Entered as Document No.

94-108981

STATE OF NEBRASKA)  
COUNTY OF HALL )

94 NOV 4 PM 3 43

*Jan. 10, 1964*  
REG. OF DEEDS

CASH 21.50

CHECK

REFUNDED

CASH

CHECK

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

*Robert A. Smith  
City of Grand Island  
Grand Island 68902*

*2050*

### UTILITY EASEMENT

BEREAN FUNDAMENTAL CHURCH OF GRAND ISLAND, herein called Grantor, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, hereby grants and conveys unto the

**CITY OF GRAND ISLAND, NEBRASKA,**

a municipal corporation in Hall County, Nebraska, herein called Grantee, a permanent and perpetual sixteen (16.0) foot wide easement and right-of-way to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances connected therewith, in, upon, above, along, over, across, underneath, and through a part of Lot One (1), Berean Bible Church Subdivision in the City of Grand Island, Hall County, Nebraska; the centerline of the easement and right-of-way being more particularly described as follows:

**Beginning at a point on the Easterly line of Lot One (1), Berean Bible Church Subdivision, said point being eight (8.0) feet South of the Northeast corner of said Lot One (1); thence Westerly parallel to the Northerly line of said Lot One (1), a distance of two hundred twenty nine (229.0) feet; thence Southerly perpendicular to the Northerly line of said Lot One (1), a distance of fifty six (56.0) feet.**

The above-described easement and right-of-way containing a total of 0.10 acres, more or less, as shown on the plat dated 10/13/94, marked Exhibit "A", attached hereto and incorporated herein by reference,

together with the following rights:

Grantee shall have unrestricted ingress and egress to the above-described easement and right-of-way for any purpose necessary for the surveying, construction, inspection, maintenance, repair, replacement, relocation, extension, removal, and operation of such public utilities and appurtenances. Such rights of ingress and egress shall be exercised in a reasonable manner.

Grantee shall have the right to excavate and refill ditches and trenches necessary for such public utilities and appurtenances; to remove, clear, and keep clear, trees, bushes, hedges, undergrowth, and/or any other obstructions interfering with the surveying, construction, inspection, maintenance, repair, replacement, relocation, extension, removal, and operation of such public utilities and appurtenances.

Grantor shall have the right to use the easement and right-of-way for purposes not inconsistent with Grantee's full enjoyment of the rights herein granted, provided that Grantor shall not allow any structures, buildings, combustible materials, or other property of any kind whatsoever, to be erected, constructed, placed, stored, or accumulated in, upon, above, along, over, across, underneath, or through the easement and right-of-way herein granted.

Grantee shall have the right at any time, to relocate, add, or upgrade such public utilities and appurtenances connected therewith, in, upon, above, along, over, across, underneath, or through the easement and right-of-way herein granted. Any such public utilities and appurtenances placed in, upon, above, along, over, across, underneath, or through such tract of land shall remain the property of Grantee, and may be removed or replaced at any time.

94- 108961

It is further agreed that Grantor has lawful possession of said real estate,  
good right and lawful authority to make such conveyance; and that Grantor on  
behalf of itself, all heirs, executors, administrators, successors, and assigns,  
hereby covenants that the rights and privileges herein granted shall run with the  
title to such tract of land, and be binding upon Grantor, all heirs, executors,  
administrators, successors, and assigns.

Dated 10-31-94.

BEREAN FUNDAMENTAL CHURCH  
OF GRAND ISLAND,

Grantor

By: [Signature]

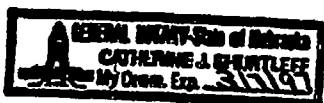
Title: President

STATE OF NEBRASKA )  
  ) ss  
COUNTY OF HALL        )

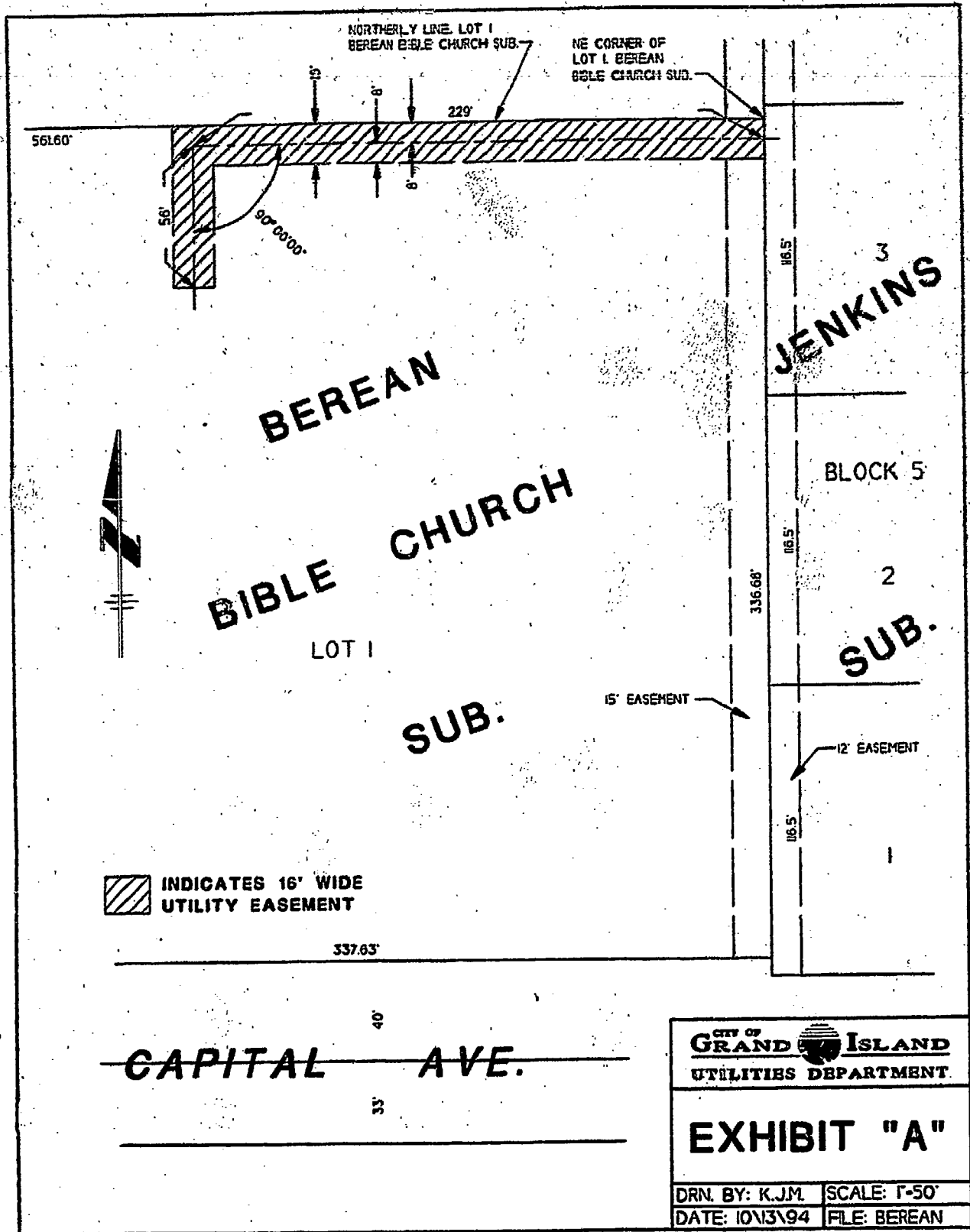
On this 31st day of October, 1994, before me, the under-  
signed, a Notary Public in and for said County and State, personally appeared:  
Max L. Conroy, President, of  
BEREAN FUNDAMENTAL CHURCH OF GRAND ISLAND, to me known personally  
to be the identical officer and person who signed the foregoing Utility Easement,  
and acknowledged the execution thereof to be their voluntary act and deed as  
such officer on behalf of said organization for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

[Signature]  
Notary Public



94-108981



INDICATES 16' WIDE UTILITY EASEMENT

CAPITAL AVE.

CITY OF GRAND ISLAND UTILITIES DEPARTMENT

EXHIBIT "A"

DRN. BY: K.J.M.	SCALE: 1"=50'
DATE: 10/31/94	FILE: BEREAN