

No.	Gen.	Num.	Paged	
#4	✓	✓	✓	
Register of Deeds				

From, Chg. and Return to:
 Lower Big Blue NRD
 805 Dorsey Street
 Beatrice, NE 68310
 Fee: \$ 45.50 Chg.

STATE OF NEBRASKA } ss
 SALINE COUNTY

Entered in numerical index and filed on
 record, the 17 day of December
 2008 at 4:30 o'clock PM. and recorded
 in Book 366 of Records Page 43-51

Jinda Kastaneh
 County Clerk

Attachment to Storage, Flowage and Temporary Storage Easement between Geneva State Bank,
 Trustee of the Frank V. Hamouz Trust, to Lower Big Blue Natural Resources District.

STORAGE, FLOWAGE, and TEMPORARY STORAGE EASEMENT

For and in consideration of One Hundred and 00/100 (\$100.00) Dollar(s) and other good and valuable considerations, the receipt whereof is hereby acknowledged.

Geneva State Bank, Trustee of the Frank V. Hamouz Trust,

of Geneva, Nebraska, herein called the Grantor, whether one or more, does hereby grant and release unto the

LOWER BIG BLUE NATURAL RESOURCES DISTRICT

of Beatrice, Nebraska, herein called the Grantee, its successors and assigns, a perpetual easement in over and upon the following described land situated in the County of Saline, State of Nebraska, to wit:

Temporary Flood Pool Description (Elevation on or below 1538.80)

Approximately .11 acres on or below elevation 1538.80 ft for temporary flood storage, located in a portion of the Northwest Quarter of Section Six (6), Township Six (6) North, Range One (1) East of the 6th Principal Meridian, in Saline County, Nebraska.

for the purpose of temporary detention and flowage, either or all, of any waters and sediment that are impounded, stored or detained, for maintenance and inspection of areas to be flooded by the watershed structure, designated as follows:

Watershed Structure Site 8 NE ¼ Section 30, T7N-R1E, Saline County, Nebraska, of the Lower Turkey Creek Watershed Project

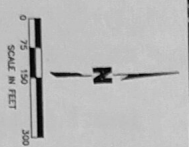
Attached are Maps labeled Exhibits "A", "B", and "C" that designate the Permanent and Temporary storage areas.

The rights and privileges herein granted shall be subject to the following terms and conditions:

1. The consideration recited herein shall constitute payment in full for all damages sustained by the Grantor by reason of the exercise of any of the rights or activities granted or described by the above.
2. In the event construction on the above described works of improvement is not commenced within 15 years from the date hereon, the rights and privileges herein granted shall at once revert to and become the property of the Grantor, his heirs and assigns.
3. The Grantor shall provide the grantee with ingress and egress as required to carry out the provisions of this easement including but not limited to construction, maintenance, and operation of the flood control structure.
4. The Grantee is responsible for re-establishing any fence that is harmed due to construction.
5. The Grantee shall work with Grantors taking the necessary steps to keep livestock away from the construction area by means of a temporary fence if needed.
6. The Grantee is responsible for operating and maintaining the above described works of improvements.
7. No construction or development of any kind by the Grantor, his heirs and assigns, is permitted in the Temporary and Permanent Detention Areas.
8. There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above-described land of the Grantor at any time, in any manner and for the purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the right and privilege herein granted.
9. This easement shall not pass nor shall the same be construed to pass, to the Grantee any fee simple interest or title to the above-described lands.

OTHER SPECIAL AGREEMENTS between the Grantors and Grantee:

1. None



LEGEND

- 100-YEAR FLOOD POOL
- BUFFER ZONE
- PERMANENT POOL
- Q OF DAM
- PROPERTY LINE
- EXISTING GROUND MINOR CONTOURS
- 1300 ——— EXISTING GROUND MAJOR CONTOURS
- BORROW AREA
- X ——— FENCE CONSTRUCTION

OWNER OF RECORD (7/06)	EASEMENT ACRES			
	DAM / SPILLWAY	PERM. POOL	BUFFER ZONE	FLOOD POOL
OWNER: GENEVA STATE LAND TRUST INC., ANCILLARY TRUSTEE OF THE FRANK V. HAMOUIZ TRUST LEGAL: NW1/4 SEC. 6-6-1E	-	-	-	0.11
				0.11

OWNER: GENEVA STATE LAND TRUST INC., ANCILLARY TRUSTEE OF THE FRANK V. HAMOUIZ TRUST
LEGAL: NW1/4, SEC. 6-6-1E

100-YEAR FLOOD POOL
ELEV. = 1538.8

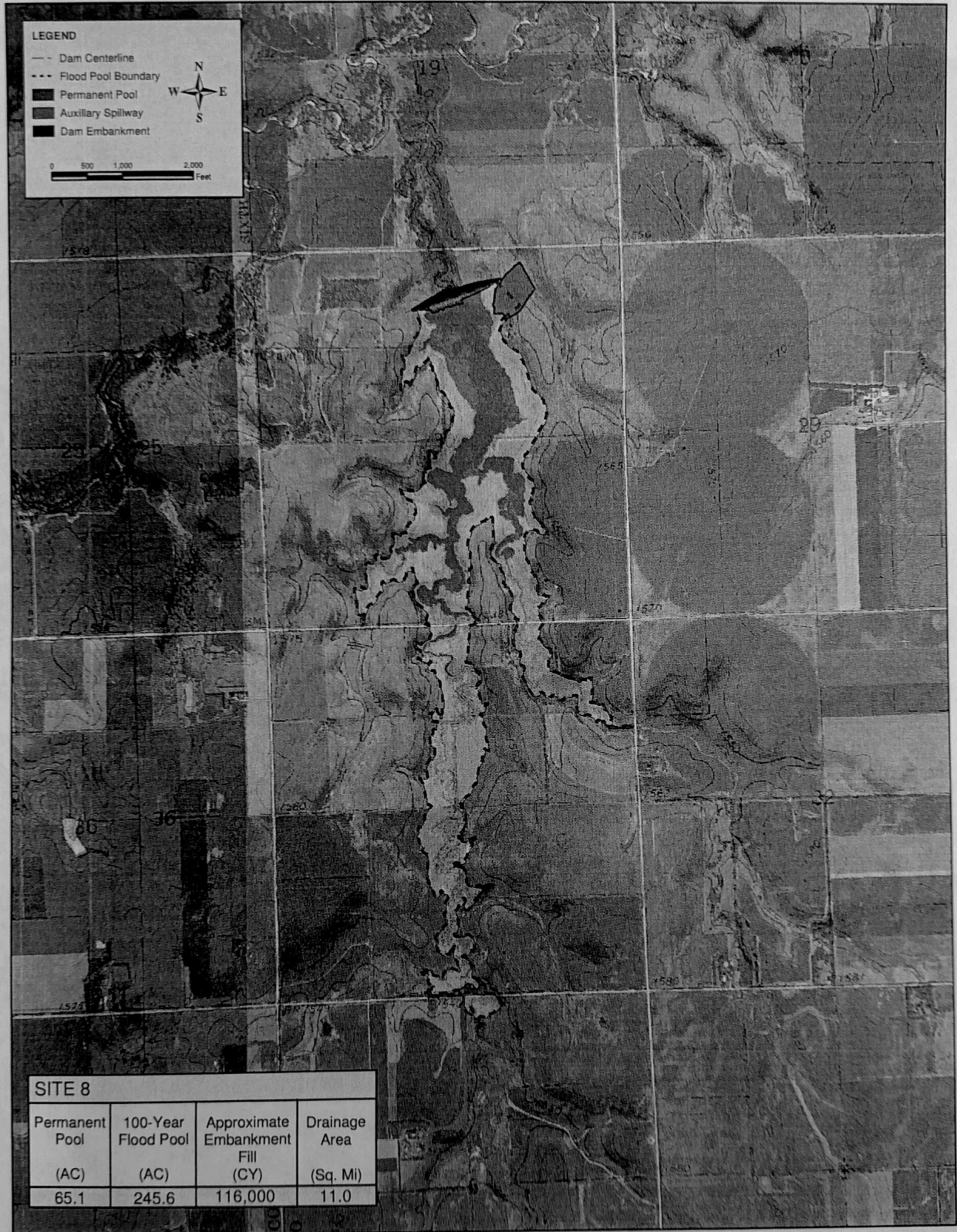
PROJECT: 2005-1543
DRAWN BY: ZDS | APPROVED:
DATE: 4/4/08

GENEVA STATE LAND TRUST INC. PROPERTY
TURKEY CREEK DAM SITE 8
LOWER BIG BLUE NRD

MOLSSON
ASSOCIATES

FIGURE
15

EXHIBIT A



PROJECT: 2005-1543
 DRAWN BY: ZDS
 DATE: FEBRUARY 2007

DAM SITE 8 LAYOUT



FIGURE
 C-8

EXHIBIT B

LEGEND

- 100-YEAR FLOOD POOL
- BUFFER ZONE
- PERMANENT POOL
- PROPERTY LINE
- EXISTING CREEK FLOW LINE
- EXISTING GROUND MINOR CONTOURS
- EXISTING GROUND MAJOR CONTOURS



COUNTY ROAD L

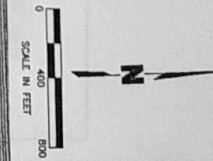
OWNER: SCONE COUNTY
LEGAL: PT OF THE NW 1/4 NE 1/4
& PT OF THE SW 1/4 NE 1/4
SEC. 31-7-1E

OWNER: RONALD KRUPICKA
LEGAL: PT OF THE E 1/2 NW 1/4
SEC. 31-7-1E

OWNER: RONALD KRUPICKA
(LIFE ESTATE) JEREMY KRUPICKA
LEGAL: PT OF THE NW 1/4 NE 1/4
SEC. 31-7-1E

OWNER: CENTRAL PLAINS BANK &
CITILE, INC.
LEGAL: NW 1/4 NE 1/4, SEC. 31-7-1E

COUNTY ROAD 200



OWNER: SHARON L. TEE
LEGAL: NW 1/4 NE 1/4
SEC. 31-7-1E

100-YEAR FLOOD POOL
ELEV. = 1538.8

OWNER: GALEN G. KUSKA &
LINDA M. KUSKA
LEGAL: E 1/2 E 1/2 SW 1/4
SEC. 31-7-1E

OWNER: DELBERT J. KUSKA &
LINDA M. KUSKA
LEGAL: W 1/2 E 1/2 SW 1/4
SEC. 31-7-1E

OWNER: GREGG A. ESELEY AND
LINDA M. ESELEY
LEGAL: SW 1/4 NE 1/4
SEC. 31-7-1E

OWNER: GREGG A. ESELEY &
LINDA M. ESELEY
LEGAL: NW 1/2 SE 1/4
SEC. 31-7-1E

OWNER: ERNEST J. HANDEL
(LIFE ESTATE) CYNTHIA ANN HANDEL
LEGAL: SW 1/4 NE 1/4
SEC. 31-7-1E

OWNER: ENOLA M. BUZICK &
JACK R. BUZICK
LEGAL: SE 1/4
SEC. 31-7-1E

OWNER: ENOLA M. BUZICK &
LINDA M. BUZICK
LEGAL: N 1/2 NE 1/4
SEC. 6-6-1E

OWNER: GENEVA STATE LAND
TRUST
TRUSTEES: MICHAEL W. JAWORSKI TRUST
LEGAL: NW 1/4, SEC. 6-6-1E

COUNTY ROAD M

SHEET 2 OF 2	LAND RIGHTS MAP TURKEY CREEK WATERSHED PROJECT DAM SITE B LOWER BIG BLUE NRD SALINE COUNTY, NEBRASKA	EXHIBIT C	MOLSSON ASSOCIATE 1111 Lincoln Mall, Suite 1111 P.O. Box 84628 Lincoln, NE 68601-4808 TEL. 402.474.6311 FAX 402.474.6100 www.molsson.com
	drawn by: ZSB checked by: ABB project no.: 2005-1843 drawing no.: date: FEBRUARY 2007	2007	

LAST WILL AND TESTAMENT OF FRANK V. HAMOUZ

I, Frank V. Hamouz, of Milligan, Nebraska, being of sound mind and memory, do hereby make, declare and publish this instrument to be my Last Will and Testament in the manner following:

1. I direct my executor hereinafter named to pay out of the assets of my estate my funeral expenses, the expenses of my last illness, if any, the expenses of the administration of my estate, and all of my just and legal debts, if any.

2. I give and bequeath all of my personal property to my wife, Agnes M. Hamouz. In the event she shall not survive me then in that event I give and bequeath all of said personal property to the Geneva State Bank, Geneva, Nebraska, in trust as hereinafter provided.

3. I give and devise all of my real property to my wife, Agnes M. Hamouz, for life for and during her natural lifetime, with remainder over to the Geneva State Bank, Geneva, Nebraska, in trust as hereinafter provided.

4. All of the property herein given to said trustee, Geneva State Bank, Geneva, Nebraska, shall be held in trust for the following purposes and upon the following terms and conditions:

(a) All personal property shall be converted to cash and invested for the purpose of producing income in such investments as will produce the greatest income and yet be in safe investments as provided by the laws of the State of Nebraska.

(b) All real property shall be rented upon such terms as will produce the greatest income as determined by said trustee.

(c) The income from both said personal property and said real property, or so much thereof as shall be necessary in the sound discretion of said trustee, shall be used for the care, maintenance, support, education and medical care of my son, James Immanuel Hamouz.

- 2 -

(d) Any income that is not needed or used for such care and maintenance shall be invested as the other personal property.

(e) In the event it shall become necessary for the proper care and maintenance of said son, James Immanuel Hamouz, and for his best interests the trustee shall in its discretion have the right to invade the principal of all personal property and use the same for such care and maintenance, and in the event that said personal property shall be insufficient to provide the proper care and maintenance of said son said trustee shall have the power and authority to sell a part or all of said real estate for the purpose of providing such care and maintenance.

(f) That said trust shall continue during the lifetime of said son and until his death at which time the trust shall terminate and any and all remaining property both real and personal shall pass to Rita Louise Lichti, William J. Hamouz, Bonnie Kness and Rosalie Kleinschmidt, share and share alike, and in the event that any of said four persons shall die prior to the termination of said trust the share herein provided for such person and such person shall leave children, including adopted children, surviving the termination of said trust then the share herein given to such person dying before the termination of said trust shall pass to such surviving children of such person, and in the event any of said four named persons shall die prior to the termination of said trust leaving no children living at the time of the termination of said trust then the share herein given to such person shall lapse and pass share and share like to the surviving of said above named four persons.

5. I hereby name, constitute and appoint my wife, Arnes M. Hamouz, to be executrix of my estate. In the event she shall not survive me or shall otherwise fail to qualify therefore I name, constitute and appoint Rita Louise Lichti to be executor of said estate, the term executrix or executor to include the term personal representative.

6. I hereby revoke all previous wills by me made and do hereby make, declare and publish this instrument to be my Last Will and Testament in the manner herein set forth.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 6th day of February, A.D. 1978.

Frank V. Hamouz

State of Nebraska)
) ss
County of Fillmore)

We, whose names are hereunto subscribed, do hereby certify that on this 6th day of February, A.D. 1978, the above named Frank V. Hamouz in our presence subscribed the foregoing instrument and declared the same to be his Last Will and Testament and we thereupon at his request and in his presence and in the presence of each of us have hereunto subscribed our names as attesting witnesses.

Theresa C. Becker
John C. DeWacke