

40-648

CONSTRUCTION EASEMENT

For and in consideration of Three Hundred and Sixty-Two Dollars and no cents (\$362.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, John M. Haug of Rural Route # 1 - Papillion, Nebraska 68046, Grantor does hereby grant, convey, and release unto the Board of County Commissioners of Sarpy County, Nebraska, Grantee, its successors and assigns, a perpetual easement in, over, and upon the following described land situated in the County of Sarpy, State of Nebraska, to wit: Approximately eighteen and five-tenth (18.5) acres located in the W 1/2 of NW 1/4 of Section 29 T 14 N - R 12 E of the 6th P.M. for the purpose of or in connection with construction, operation, maintenance, and inspection of a Grade Stabilization Structure, designated as Site S-22 in the plans for Papillion Creek Watershed, for the flowage of any waters in, over, upon, or through such structures; and for the permanent storage and temporary detention, either or both, of any waters and sediment that are impounded, stored, or detained by such structure and to include a site where suitable borrow materials may be obtained for construction.

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 or to be sustained by the Grantor by reason of the construction, operation, maintenance, and inspection of the works of improvement described above.
2. In the event construction on the above described works of improvement is not commenced within eight years from the date hereof, 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.
4. 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 any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the right and privilege herein granted.
5. The Grantee is responsible for operating and maintaining the above described works of improvement.
6. 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.

TO HAVE AND TO HOLD the aforesaid easement in, over, and upon the above described land of the Grantor, with all the rights, privileges, and appurtenances thereto belonging or in anywise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has executed this instrument on the 20th day of November, 1968.

John M. Haug
Signature of Grantor
State of Nebraska
Sarpy County
RECORDED IN SARPY COUNTY REG. 202-7468 on 4-10-68
40-648
RECEIVED
NOV 20 1968
SARPY COUNTY NEBRASKA

On this, the 20th day of November, A.D. 1968, before me the undersigned Steven A. Ottman, a Notary Public, duly commissioned and qualified for and residing in said county, personally came John M. Haug to me known to the identical person whose name affixed to the foregoing instrument and acknowledge the same to be a voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

Steven A. Ottman
Notary Public

My commission expires the 7th day of March, 1973.

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