

23

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Woodrow E. Brinkman and Elizabeth J. Brinkman, husband and wife, record owners of the real property hereinafter described, for and in consideration of the sum of One and no/100 Dollars, (\$1.00), duly paid the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by the grantee as hereinafter set out and expressed, do hereby GRANT, REMISE and RELINQUISH unto the CITY OF LINCOLN, NEBRASKA, a municipal corporation, its successors and assigns, the RIGHT PRIVILEGE and EASEMENT to use and occupy temporarily during the initial construction of a 10' x 8' box storm sewer and appurtenances thereto belonging, for the accommodation of construction equipment and materials and excavated earth over and through the south 60.00 feet of the north 115.60 feet of Lot 3, of the Union Land Company Subdivision in the Northeast Quarter of Section 27, Township 10 North, Range 6 East of the Sixth Principal Meridian, in the City of Lincoln, Lancaster County, Nebraska.

Also, the south 65.60 feet of the north 115.60 feet of Lot 9 of the said Union Land Company Subdivision.

As a further consideration of this grant, the grantees herein agree as follows:

- 1. That it will, immediately following the construction of the storm sewer hereinabove referred to and completion of the necessary backfill, remove from the lands hereinabove described, all debris, all surplus material and all construction equipment and leave the premises in a neat and presentable condition. Surplus excavated earth will be mounded neatly over the trench to a depth not exceeding twelve inches, or used for filling and leveling on the premises, or hauled away at the option of the grantor.
- 2. That in the event that fences, driveways or permanent buildings of the grantor are removed or damaged by the grantee's agents during the construction of the said storm sewer, the grantees will cause the said improvements on the lands hereinabove described to be repaired and restored to a condition fully equal to that existing before construction operations were commenced.
- 3. That the right, privilege and easement herein granted for temporary construction use of those portions of the said property as may lie outside the boundaries of the aforesaid permanent easement shall cease and terminate immediately following completion of construction, final inspection and acceptance of the storm sewer hereinabove mentioned and the performance by the grantees of the conditions and covenants herein set out.

THIS INSTRUMENT, and the covenants and agreements herein contained, shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set out hands this Sept 25, 1965 day of \_\_\_\_\_, 196\_\_.

Woodrow E. Brinkman

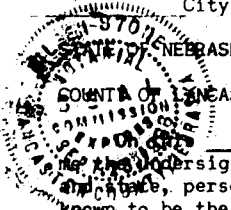
Elizabeth J. Brinkman

ATTEST:

CITY OF LINCOLN, NEBRASKA

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
day of September, 1965, before me the undersigned duly commissioned and qualified authority in and for said county and State, personally came Woodrow E. Brinkman and Elizabeth J. Brinkman, to me known to be the identical persons whose names is subscribed to the foregoing instrument and acknowledged and execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

Edward J. [Signature]  
Notary Public

My Commission Expires:

September 29, 1965

Easement executed by Woodrow E. & Elisabeth J. Brinkman - construction of storm sewer in "N" St. - South 60 ft. of the Nol .5.60 Ft. of Lot 3 of Union Land Co. Subdivision in the NE1/4 of Sec. 27-T10N, R6 E of the 6th P.M. also, the south 65.60 ft. of the north 115.60 ft. of Lot 9 of Union Land Co. Sub.

23

INDEXED 20-277 TO - City of Lincoln  
GENERAL mac  
COMPARED  
INDEXED

Executive Order No. 2871  
Sept. 29, 1965  
Book 1 - Page 234

STATE OF NEBRASKA } ss.  
Lancaster County }

Entered on numerical index and filed for record in the register of Deeds Office of said County the 5 day of OCTOBER 19 65 at 7 o'clock and 40 minutes A M, and recorded in Book of Miscel. at page

Kenneth L. Ferguson  
REG. OF DEEDS

By Deputy

325

City Clerk