

OCT 22 3 11 PM '96

INSTRUMENTS

042822

Concrete Box N-64  
Tract No. 2**PERMANENT EASEMENT****KNOW ALL MEN BY THESE PRESENTS:**

That Troy Piening, herein called the "GRANTOR", record owner of the real property hereinafter described, for and in consideration of the sum of One and 00/100 Dollars (\$1.00), duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by GRANTEE as hereinafter set out and expressed does hereby GRANT, REMISE and RELINQUISH unto Lancaster County, Nebraska, herein called "GRANTEE" permanent easement on the following described real estate situated in Lancaster County, Nebraska, to wit:

A part of Lot 2, irregular tract in the NW $\frac{1}{4}$  of Section 18, Township 9 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska more particularly described as follows:

Referring to the northwest corner of the said NW $\frac{1}{4}$ ; thence southerly with the west line of the said NW $\frac{1}{4}$ , a distance of 1,157.23 feet to the southwest corner of Lot 1, irregular tract; thence easterly with the south line of said Lot 1, irregular tract, to a point located 33.00 feet distant from and measured perpendicular to the said west line, last said point being the point of beginning; thence continuing with the last described course a distance of 45.00 feet; thence southerly parallel with the said west line a distance of 46.57 feet; thence westerly perpendicular to the said west line to a point located 33.00 feet easterly from the said west line; thence northerly parallel with the said west line to the point of beginning.

Containing 0.05 acre, more or less.

TO HAVE AND TO HOLD UNTO LANCASTER COUNTY, NEBRASKA, its successors and assigns, the right to construct, use and maintain on the land herein described utilities, such slopes as are necessary to retain and support the County road, the construction and/or extension of drainage structures and/or the construction of a drainage channel or drainage ditch and so long as such utilities, slopes, drainage structure, drainage channel or drainage ditch is used and maintained, the right of ingress and egress to said property herein described from the County road for the purpose of inspecting, repairing, and maintaining the said utilities, slopes, drainage structure, drainage channel and/or drainage ditch located thereon at the will of the GRANTEE, it being the intention of the parties hereto that the GRANTEE shall have the right to assign utility easements and that GRANTOR is hereby granting the uses herein specified without divesting GRANTOR of title and ownership of the rights to use the above described property for any purpose that does not interfere with the uses herein granted.

The GRANTOR, in consideration of the payments herein stated, agrees not to construct buildings, ornamental fences or other improvements which may be damaged by the GRANTEE'S uses herein specified. If the GRANTOR chooses to make such improvements, GRANTOR hereby waives all claims for damages which may occur from the GRANTEE'S use as herein specified with the exception of necessary fence removal and replacement costs, or damages caused by negligence of the GRANTEE.

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.

County Engineer  
M

In witness whereof, Grantor has signed and dated below:

BY: *Troy Piening* DATED Sept. 30, 1996  
BY: \_\_\_\_\_ DATED \_\_\_\_\_

STATE OF Nebraska, County of Lancaster:

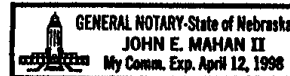
Before me, a Notary Public qualified for said County, personally came \_\_\_\_\_

Troy Piening

known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on September 30, 1996

My commission expires April 12, 1998



NOTARY PUBLIC: *John E. Mahan II*

Piening.Eas

*Ken Sherwood - Ch. Eng.*