

## EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

That **DONLEY F. AND JULIA V. GERBIG**, husband and wife, herein called "*Grantor*", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of **FIFTEEN THOUSAND FOUR HUNDRED THIRTY-FIVE AND NO/100 DOLLARS, (\$15,435.00)**, 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 the **CITY OF LINCOLN, NEBRASKA**, a municipal corporation, its successors and assigns, herein called "*Grantee*", the **RIGHT, PRIVILEGE and EASEMENT** to construct, reconstruct, maintain, operate, and replace *sanitary sewer*, and appurtenances thereto belonging, over and through the following described real property, to-wit:

Permanent Easement to a tract of land through a portion of Lot 9, Irregular Tracts located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said Northwest Quarter of the Northeast Quarter; thence westerly along the south line of the said Northwest Quarter of the Northeast Quarter, a distance of 530.24 feet, to the Point of Beginning; thence continuing westerly deflecting 00° 00' 00", along the south line of said Lot 9, a distance of 46.61 feet, to the Chicago, Burlington and Quincy easterly R.O.W. line; thence northwesterly deflecting 61° 16' 45" right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 213.90 feet, thence northerly deflecting 42° 38' 20" right, a distance of 489.02 feet; thence northerly deflecting 15° 33' 41" left, a distance of 211.69 feet, thence westerly deflecting 59° 18' 46" left, a distance of 795.33 feet, to the Chicago, Burlington and Quincy easterly R.O.W. line; thence northerly deflecting 33° 16' 14" right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 39.18 feet, to the Pine Lake Road southerly R.O.W. line; thence easterly deflecting 117° 38' 12" right, along the Pine Lake Road southerly R.O.W. line, a distance of 38.06 feet; thence southeasterly deflecting 29° 05' 34" right, a distance of 817.60 feet; thence southerly deflecting 59° 18' 46" right, a distance of 239.93 feet, thence southwesterly deflecting 15° 33' 41" right, a distance of 489.02 feet; thence southerly deflecting 42° 38' 20" left, a distance of 220.21 feet, to the south line of said Lot 9, and the Point of Beginning, containing an area of 1.61 acres, more or less.

Permanent Easement to a tract of land through a portion of Lot 25, Irregular Tracts located in the South Half of the Northeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said South Half of the Northeast Quarter; thence westerly along the south line of said South Half of the Northeast Quarter, a distance of 172.32 feet, to the Point of Beginning; thence continuing westerly deflecting 00° 00' 00", along the south line of said Lot 25, a distance of 41.41 feet; thence northwesterly deflecting 28° 51' 39" right, a distance of 165.74 feet, to the north line of the L.E.S. transmission line easement; thence westerly deflecting 28° 51' 39" left, along the north line of the L.E.S. transmission line easement, a distance of 671.56 feet; thence northwesterly deflecting 41° 53' 09" right, a distance of 417.14 feet, to the Chicago, Burlington and Quincy easterly R.O.W. Line; thence northwesterly deflecting 19° 20' 41" right, along the Chicago, Burlington and Quincy easterly R.O.W. line, a distance of 1,106.31 feet, to the north line of said Lot 25; thence easterly deflecting 118° 43' 15" right, along the north line of said

Lot 25, a distance of 45.61 feet; thence southeasterly deflecting 61° 16' 45" right, a distance of 1,077.58 feet; thence southeasterly deflecting 19° 20' 41" left, a distance of 424.97 feet; thence easterly deflecting 41° 53' 09" left, a distance of 664.68 feet; thence southeasterly deflecting 28° 51' 39" right, a distance of 207.17 feet, to the south line of said Lot 25 and the Point of Beginning, containing an area of 1.79 acres, more or less.

Permanent Easement to a tract of land through a portion of Lot 23, Irregular Tracts located in the Northeast Quarter of the Southeast Quarter of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Referring to the northeast corner of said Northeast Quarter of the Southeast Quarter; thence westerly along the north line of the said Northeast Quarter of the Southeast Quarter, a distance of 172.32 feet, to the Point of Beginning; thence continuing westerly deflecting 00° 00' 00", along the north line of said Lot 23, a distance of 41.44 feet; thence southeasterly deflecting 151° 08' 38" left, a distance of 173.39 feet; thence easterly deflecting 16° 44' 05" left, a distance of 30.09 feet, to the westerly R.O.W. line of 14th Street; thence northerly deflecting 102° 27' 16" left, along the westerly R.O.W. line of 14th Street, a distance of 20.48 feet; thence westerly deflecting 77° 32' 44" left, a distance of 22.74 feet; thence northwesterly deflecting 16° 44' 05" right, a distance of 134.16 feet; to the north line of said Lot 23 and the Point of Beginning, containing an area of 0.08 acres, more or less.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such **sanitary sewer** shall be maintained, together with the right of ingress and egress to said property from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said **sanitary sewer** and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

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 our hands this 23<sup>rd</sup> day of March, 1995.

Donley F. Gerbig  
Donley F. Gerbig  
Julia V. Gerbig  
Julia V. Gerbig

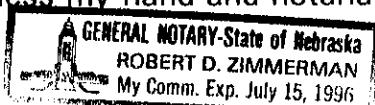
STATE OF NEBRASKA

) ss:

COUNTY OF LANCASTER

On March 23, 1995, before me, the undersigned, a Notary Public duly commissioned for and qualified in said County, personally came **Donley F. and Julia V. Gerbig**, to me known to be the identical person(s), whose name(s) is (are) affixed to the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.



Robert D. Zimmerman  
Notary Public

My Commission Expires \_\_\_\_\_

BLOCK

CODE

CHECKED

ENTERED

EDITED

LAVERGNE COUNTY, NEB

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APR 14 11 18 AM '95

INST. NO 95

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