

Don J. Allen

REGISTER OF DEEDS

1998 SEP -8 P 3: 32

NO FEE

INST. NO 98

046755

Page 1 of 2
Project No. C55-O-405(1)
Tract No. 7

BLOCK

CODE

CHECKED

ENTERED

EDITED

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That C. Marvin Roberts, 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 7, I.T., in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17, Township 9 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska; more particularly described as follows:

Referring to the northwest corner of the said W $\frac{1}{2}$ SE $\frac{1}{4}$; thence southerly with the west line of the said W $\frac{1}{2}$ SE $\frac{1}{4}$, a distance of 50.0 feet; thence easterly parallel with and 50.0 feet distant from the north line of the said W $\frac{1}{2}$ SE $\frac{1}{4}$ to a point located 33.0 feet distant from and measured perpendicular to the said west line, last said point being the point of beginning; thence continuing easterly with the last described course, a distance of 17.0 feet; thence southerly parallel with and 50.0 feet distant from the said west line to a point of intersection with the south line of the said W $\frac{1}{2}$ SE $\frac{1}{4}$; thence westerly with the said south line, a distance of 17.0 to a point located 33.0 feet easterly from the southwest corner of the said W $\frac{1}{2}$ SE $\frac{1}{4}$; thence northerly parallel with and 33.0 feet distant from the said west line of the W $\frac{1}{2}$ SE $\frac{1}{4}$, a distance of 2,631.48 feet, more or less, to the point of beginning.

Containing 1.03 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.

In witness whereof, Grantor has signed this 17 day of September, 1998.

BY: *C. Marvin Roberts*

BY: _____

Ken Sherwood - Co. Eng.

BY: _____

BY: _____

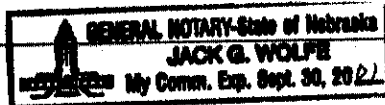
STATE OF Nebraska, County of Lancaster:

Before me, a Notary Public qualified for said County, personally came C. Marvin Roberts

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 1, 1958

NOTARY PUBLIC: _____



My commission expires _____