

5.7.5.63

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Project No. C55-P-413(1)
Tract No. 1

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Delphenus Kenneth O'Brien, Cyril Clement O'Brien, Leo Kevin O'Brien, Darlyne Ann O'Brien and Madelyn Patricia McGreevy, 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 the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 34, Township 9 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Referring to the northeast corner of the said E $\frac{1}{2}$ SE $\frac{1}{4}$; thence westerly with the north line of the said E $\frac{1}{2}$ SE $\frac{1}{4}$, a distance of 55.0 feet to the point of beginning; thence southeasterly to a point located 50.0 feet distant from the east line of the said E $\frac{1}{2}$ SE $\frac{1}{4}$ and 144.12 feet south of the said northeast corner; thence southerly parallel with the said east line, a distance of 200.0 feet; thence northwesterly to a point located 244.12 feet southerly from the said northeast corner and 60.0 feet westerly from the said east line; thence northerly parallel with the said east line, a distance of 100.0 feet; thence northeasterly to the point of beginning.

Distances from the northeast corner of the SE $\frac{1}{4}$ are measured with the east line of the SE $\frac{1}{4}$ and distances from the east line are measured perpendicular to the east line.

Containing 0.04 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, 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.

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.

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In witness whereof, Grantor has signed and dated below:

BY: Del O'Brien DATED 11-16-92

BY: _____ DATED _____

BY: _____ DATED _____

BY: _____ DATED _____

BY: _____ DATED _____

STATE OF NEBRASKA, County of LANCASTER :

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

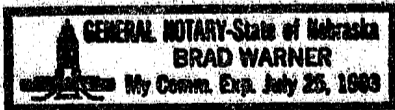
DELPHALUS KENNETH O'BRIEN, A.K.A. DEL O'BRIEN

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 November 16, 1992

My commission expires July 25, 1993

NOTARY PUBLIC: Brad Warner



BLOCK
CODE
CHECKED
ENTERED
EDITED

O'Brien1.Eas

LANCASTER COUNTY, NEB
Dan Heltz
REGISTER OF DEEDS

no
fee

DEC 22 8 33 AM '92

INST. NO. 92 57563

Ken Sherwood - Co. Eng.