

## PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Theodore V. Malone, 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:

Referring to the southwest corner of the NW $\frac{1}{4}$  of Section 3, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska; thence with an assumed bearing of N00°03'00"E, and with the west line of the said NW $\frac{1}{4}$ , a distance of 543.54 feet; thence S89°57'00"E, perpendicular to the said west line, a distance of 50.00 feet to the point of beginning; thence N00°03'00"E, parallel with the said west line, a distance of 100.00 feet to a point of curvature; thence with a curve to the right whose long chord bears N00°33'00"E, having a radius of 2,814.79 feet and subtending a central angle of 01°00'00", an arc distance of 49.13 feet; thence S12°45'10"E, a distance of 88.32 feet to a point 70.00 feet easterly from and perpendicular to the said west line; thence S17°39'45"W, a distance of 66.10 feet to the point of beginning.

- AND -

Referring to the northwest corner of said NW $\frac{1}{4}$  of Section 3; thence S90°00'00"E, with the north line of the said NW $\frac{1}{4}$ , a distance of 401.70 feet; thence S00°00'00"W, perpendicular to the said north line, a distance of 65.00 feet to the point of beginning; thence continuing S00°00'00"W, a distance of 25.00 feet; thence S90°00'00"E, parallel with the said north line, a distance of 145.00 feet to a point of intersection with an existing permanent easement; thence N78°24'28"W, with the southwest line of the said permanent easement, a distance of 124.41 feet to a point 65.00 feet southerly from and perpendicular to the said north line; thence N90°00'00"W, parallel with the said north line, a distance of 23.13 feet to the point of beginning.

Containing 0.08 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.

Project No. C55-S-401(4)  
Tract No. 4

In witness whereof, Grantor has signed and dated below:

BY: Theodore V. Malone DATED JUNE 22, 1993

BY: \_\_\_\_\_ DATED \_\_\_\_\_

STATE OF NEBRASKA, County of LANCASTER :

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

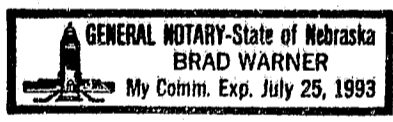
THEODORE V. MALONE

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 JUNE 16, 1993

My commission expires JULY 25, 1993

NOTARY PUBLIC: Brad Warner



BLOCK  
CODE  
CHECKED  
ENTERED  
CASH  
CHECK

Malone.Eas

LANCASTER COUNTY, NEB  
Don J. [Signature]  
NOTARY PUBLIC

JUL 6 10 55 AM '93

No Fee

INST. NO 93 28859

Ken Shaverred - Co. Eng.