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PERMANENT EASEMENT

THIS INDENTURE, made this 10th day of OCTOBER, 2001

between DIANE B. NEIBEL & OLIVER J. NEIBEL, JR., wife & husband; PETER C. BACKHUUS, JR. & ADELYNE K. BACKHUUS, husband & wife; EVELYN SUVERKRUBBE, an individual; MARK C. BACKHUUS, an individual; and JAN R. BACKHUUS, an individual

hereinafter referred to as "Grantor(s)," and the County of Douglas, State of Nebraska, hereinafter called "County."

WITNESSETH:

THAT, said Grantor(s) in consideration of the sum of SEVEN HUNDRED EIGHTY AND NO/100s Dollars \$ 780.00 and other valuable consideration, to Grantor(s) in hand paid by said County, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said County and its assigns forever, an easement for the right to use, construct, build, maintain and repair a roadway for the passage of traffic, together with all appurtenances, wires, lines, poles, structures and other applicable equipment pertaining to any paving in, through, over and under the parcel of land described as follows, to wit:

(SEE ATTACHED)

No buildings, improvements or structures shall be placed in, on, over or across said easements by undersigned, his or their successors and assigns without express approval of Douglas County. Any trees, grass and shrubbery placed on said easement shall be maintained by Grantor(s), his or their heirs, successors and assigns.

Said County shall cause any excavation made on aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said excavation, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the County and any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said County and its assigns, that he or they, the Grantor(s), is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators shall warrant and defend this easement to said County and its assigns against the lawful claims and demands of all persons.

This easement runs with the land.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and seal(s) the day and year first above written.

Diane B. Neibel
DIANE B. NEIBEL

Oliver J. Neibel, Jr.
OLIVER J. NEIBEL, JR.

Peter C. Backhuus
PETER C. BACKHUUS

Adelyne K. Backhuus
ADELYNE K. BACKHUUS

Evelyn Suverkrubbe
EVELYN SUVERKRUBBE

Mark C. Backhuus
MARK C. BACKHUUS

Jan R. Backhuus
JAN R. BACKHUUS

TOM DOYLE
DOUGLAS COUNTY ENGINEER
15505 WEST MAPLE ROAD
OMAHA, NEBRASKA 68116-5173

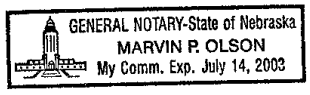
STATE OF NEBRASKA, COUNTY OF DOUGLAS
The foregoing instrument was acknowledged before me on OCTOBER 10TH, 2001.

by: DIANE B. NEIBEL & OLIVER J. NEIBEL, JR., WIFE & HUSBAND

T.I.N. 500-20-9434

Marvin P. Olson
Signature of Person Taking Acknowledgement

Title: _____



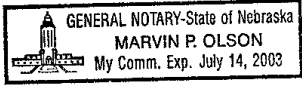
STATE OF NEBRASKA, COUNTY OF DOUGLAS
The foregoing instrument was acknowledged before me on OCTOBER 10TH, 2001.

by: PETER C. BACKHUUS & ADELYNE K. BACKHUUS, HUSBAND & WIFE

T.I.N. 507-32-1932

Marvin P. Olson
Signature of Person Taking Acknowledgement

Title: _____



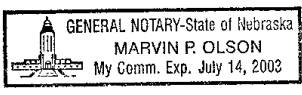
STATE OF NEBRASKA, COUNTY OF DOUGLAS
The foregoing instrument was acknowledged before me on OCTOBER 10TH, 2001.

by: EVELYN SUVERKRUBBE, AN INDIVIDUAL

T.I.N. 505-22-2044

Marvin P. Olson
Signature of Person Taking Acknowledgement

Title: _____



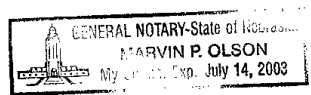
STATE OF NEBRASKA, COUNTY OF DOUGLAS
The foregoing instrument was acknowledged before me on OCTOBER 10TH, 2001.

by: MARK C. BACKHUUS, AN INDIVIDUAL

T.I.N. 505-70-1998

Marvin P. Olson
Signature of Person Taking Acknowledgement

Title: OCTOBER 10TH



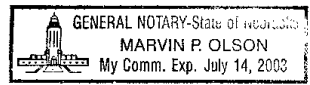
STATE OF NEBRASKA, COUNTY OF DOUGLAS
The foregoing instrument was acknowledged before me on OCTOBER 10TH, 2001.

by: JAN R. BACKHUUS, AN INDIVIDUAL

T.I.N. 505-76-6328

Marvin P. Olson
Signature of Person Taking Acknowledgement

Title: _____



**TRACT 1
PARCEL 1A
PERMANENT EASEMENT**

A PARCEL OF LAND LYING IN THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE NORTH 129.00 FEET OF THE SOUTH 426.00 FEET OF THE EAST 44.00 FEET OF THE WEST 77.00 FEET.

SAID PARCEL CONTAINS 5676 SQUARE FEET (0.13 ACRES) MORE OR LESS.