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STATE OF WASHINGTON, COUNTY OF WASHINGTON) SS 497
ENL. INDEX AND FILED FOR RECORD
THIS 6 DAY OF April A.D. 1973
AT 9:15 O'CLOCK A.M. THE RECORD IN BOOK
W AT PAGE 608
COUNTY CLERK *Charlotte L. Petersen*
DEPUTY

EASEMENT

1973 APR-6 AM 9:15

The undersigned, John R. Foley and Joan M. Foley, husband and wife, owners of the following real estate, for value received, do hereby grant unto Lakeland Development Co., a Corporation, and Omaha Public Power District, a public utility, their successors and assigns, an easement described as a tract of land lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section Thirteen (13) and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section Twelve (12) all in Township Seventeen (17) North, Range Eleven (11) East of the Sixth P.M., Washington County, Nebraska, beginning at the $\frac{1}{4}$ Corner east of the North $\frac{1}{4}$ Corner of Section Thirteen (13) T17N, R11E, and assuming the $\frac{1}{4}$ line East of the North-South $\frac{1}{4}$ line of Section Thirteen (13) to bear due North and South; thence South a distance of 531.31 feet to the centerline of a county road; thence East along the centerline of the county road a distance of 20.0 feet; thence North a distance of 1032.55 feet; thence West a distance of 20.0 feet; thence South a distance of 501.24 feet to the point of beginning. Said easement to be and remain in full force and effect so long as said Corporation and public utility, their successors or assigns, use, operate, construct and maintain a water line and electric utility line thereon, but in the event said waterline and electric utility line should be discontinued and shall not be and remain in use, then this easement shall terminate and cease and shall no longer be in effect.

It is further understood and agreed that the electric utility line will be underground.

It is further understood and agreed that the undersigned will not be held responsible for any septic tanks being placed in the vicinity of the water well, located in said description.

In the event that the Lakeland Development Co. sells its interest in the water system to be constructed on the foregoing easement to a third party other than Lake Arrowhead, Inc. or a corporation owned by the stockholders of Lakeland Development Co. or Lake Arrowhead, Inc., then and in that event the grantors

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herein would be entitled to make an annual charge for the use of said property as a water system easement, the amount of said charge to be determined by three licensed real estate men residing in Washington County, Nebraska, one to be selected by these grantors, one by the grantees of Lakeland Development Co., Lake Arrowhead, Inc., or a corporation owned by the stockholders of said Lakeland Development Co., and one to be selected by the two thus chosen. The restrictions in this paragraph to not apply to the easement granted to the Omaha Public Power District and its assigns for electric utility easements on said property.

Done at Blair, Nebraska this 29th day of March, 1973.

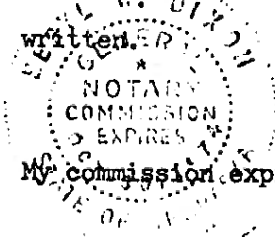
John R. Foley
John R. Foley

Joan M. Foley
Joan M. Foley

STATE OF NEBRASKA }
WASHINGTON COUNTY } :ss:

On this 29th day of March, 1973, before me, the undersigned a Notary Public, duly commissioned and qualified for in said County, personally came John R. Foley and Joan M. Foley, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing Easement and acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above



Daryl W. Dixon
Notary Public

Recorded.....
General
Numerical
Photostat.....

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