

DEED RECORD #140

This Easement Agreement, dated this 19 day of December 1982 by and between Gladys B. Monroe dba Monroe Farms of 9918 Broadmoor Road, Omaha, Nebraska (hereinafter called "Monroe") and Platte Valley Drainage District, RFD 1, Yutan, Nebraska (hereinafter called the "District").

WITNESSETH:

That Monroe is the owner of a farm property in Saunders County, Nebraska which borders highway 92 on the south and adjoins the Platte River on the west and which is legally described as:

The Northeast One Quarter of Section Thirty Five (35) and that part of the Northwest Quarter of Section Thirty Six (36) lying West of the Platte River, Township Fifteen (15) North, range Nine (9) East of the 6th P.M.

The District in order to control bank erosion of the Monroe property adjoining the Platte River on the west has undertaken a project to place fill material in the Platte River at mile 41.50R in conjunction with the construction of at least five jetties (sometimes referred to as "Hard Points") which will be constructed approximately 150 feet apart and average 50 feet in length. The jetties will be approximately 5 feet high with an 8 foot wide top width and a 1 foot horizontal to a 1 foot vertical slope and approximately 120 cubic yards of rip rap will be required for each structure. Attached hereto and marked Exhibit "A" is a drawing showing the approximate location of the construction of these jetties (proposed and future) along the Platte River's west bank.

District requires for the initial construction and continued maintenance of these jetties an easement over and across a portion of the Monroe property that adjoins the west bank of the Platte River and Monroe has consented to give such an easement for these purposes all upon the terms and conditions hereinafter set forth.

NOW THEREFORE, it is hereby agreed as follows:

1. Monroe does hereby grant to District, its successors and assigns a non-exclusive easement for the right to enter upon and use for working space for the construction of jetties in the Platte River as shown on the attached Exhibit "A". The area encompassed by this construction easement shall run along the entire boundary line of the Monroe property that abuts the west bank of the Platte River and shall extend from the west bank of the Platte River westerly 300 feet into the Monroe property. In order for District to gain access to this easement area they shall not in any manner cross the Monroe property but shall use the old abandoned highway road which lies between the Monroe property on the north and highway 92. Monroe will open its fence in this area in order that the District may gain access to the easement area described herein. Upon completion of construction District will clean up the easement area and remove all debris and construction materials from the easement area. District will repair, replace or restore any property of Monroe or improvements of Monroe thereon to its original condition if damaged by District's use of said easement area or compensate Monroe therefor.

2. Monroe hereby grants to District its successors and assigns a non-exclusive easement in the easement area described in paragraph 1 for the purpose of perpetually maintaining, repairing, replacing and renewing the jetties that are constructed by the District in the Platte River.

3. The use of the easement area by the District and the ingress and egress therefrom shall be accomplished in a reasonable manner so as not to unnecessarily or unreasonably

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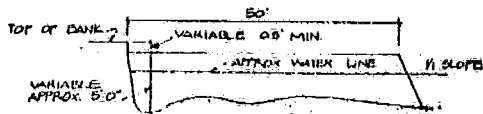
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SAUNDERS CO. NE. Entered for NUM INDEX. APRIL 26 1982  
In BK 140 Pg 130 of DEEDS REGISTER OF DEEDS

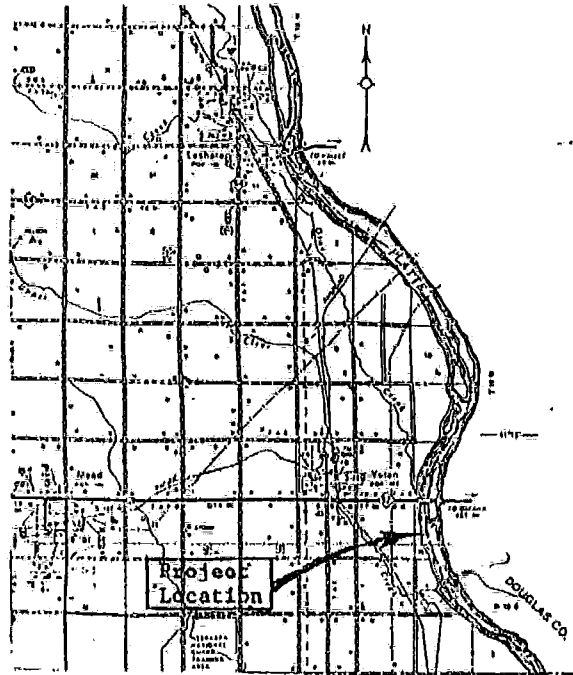




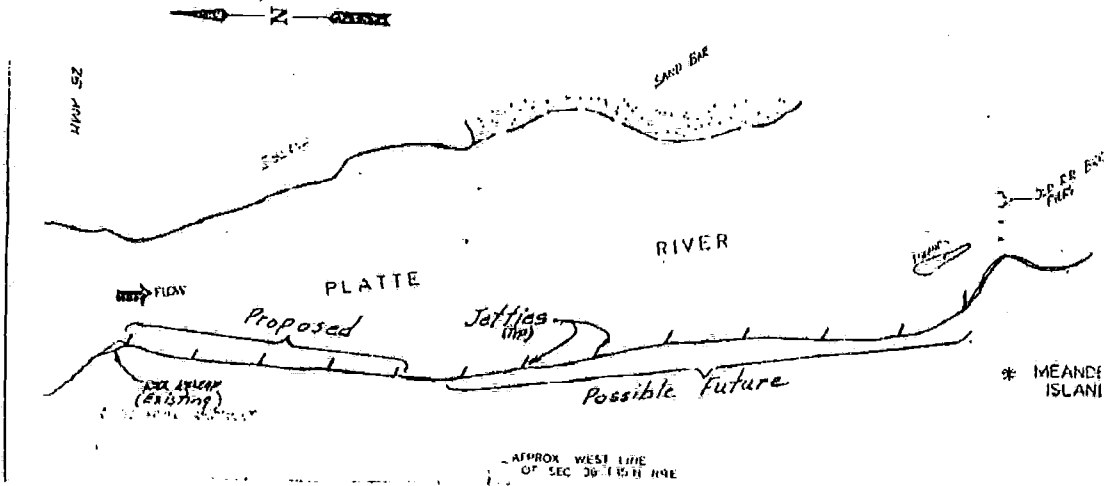
TYP SECTION  
HARD POINTS  
NO SCALE



TYP PROFILE  
HARDPOINTS  
NO SCALE



17-3



PURPOSE: JETTIES  
 DATUM: NAD 83  
 ADJACENT PROPERTY OWNERS:  
 1. HARVEY LARSON  
 2. THE SECURITY FARM

T15N, R9E, Sec 36  
 IN PLATTE RIVER  
 AT Mile 41.50R  
 COUNTY OF DOUGLASS STATE NE  
 APPLICATION BY PLATTE VALLEY IRRIGATION DIST.  
 SHEET OF 1 DATE 11-16-67

MRO FORM 1643 15 MAY 76

Exhibit "A"