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Carol Hanna
DODGE COUNTY
REGISTER OF DEEDS
COMPUTER INDEX FEE \$ 10.⁵⁰

AGREEMENT AND EASEMENT

This AGREEMENT AND EASEMENT made this 22nd day of November 2000, by and between William R. Oliver and Lois J. Oliver, Husband and Wife, hereinafter referred to as "Grantors", and Marvin L. Cappen and Edith F. Cappen, hereinafter referred to as "Grantees", Witnesseth:

WHEREAS, Grantors are the owners of real estate described as Green Acres, Lots 1-105, as surveyed, platted and recorded in Dodge County, Nebraska, and

WHEREAS, Grantees are owners of real estate, described as Lot 92 in Green Acres, Dodge County, Nebraska, and

WHEREAS, a water line has been constructed which runs from the location of said wells to the real estate owned by the Grantees described hereinabove, and

WHEREAS, the parties hereto wish to provide for the future use of said well, equipment, and water lines for the benefit of the Grantees.

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties, it is agreed by and between the parties hereto as follows:

1. That the Grantors shall own and operate the wells identified herein at their expense which shall include the maintenance of the well, equipment, and water lines owned by the Grantors.
2. That the Grantees shall be responsible for the maintenance of the water lines located on the real estate owned by them and described hereinabove.
3. That the Grantees shall pay to the Grantors the sum of \$35.00 per month for the delivery of the water services referenced herein.
4. The parties herewith grant to each other, their successors and assigns, a perpetual easement over and across their respective parcels of real estate, as described hereinabove, for the use of the well, subject to all payments being made as provided in Paragraph 3, hereinabove.

The terms and conditions of this Agreement and Easement shall be binding upon the heirs, personal representatives, assigns, and successors in interest of the parties hereto and the rights granted hereby shall run with the land.

William R. Oliver
William R. Oliver, Grantor

Lois J. Oliver
Lois J. Oliver, Grantor

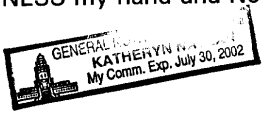
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Marvin L. Cappan Grantee
Edith F. Cappan Grantee

State of Nebraska)
) :ss:
County of)

On this 22nd day of November 2000, before me, the undersigned, a Notary Public duly commissioned and qualified for in said County, personally came William R. Oliver and Lois J. Oliver, Husband and Wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

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



Kathryn Nathan
Notary Public

STATE OF NEBRASKA)
) :ss:
COUNTY OF DODGE)

On this 22ND day of November, 2000, before me, the undersigned, a Notary Public duly commissioned and qualified for in said County, personally came Marvin L. Cappan and Edith F. Cappan, husband and wife to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

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



Kathryn Nathan
Notary Public

CO WITNESSES
Notary Public
My Comm. Exp. July 30, 2002