

After recording return to:

Edstrom, Brumm, Lindahl, Sahl & Skokan  
551 North Linden  
P.O. Box 277  
Wahoo, Nebraska 68066  
(402) 443-3225

116  
DON CLARK  
REGISTER OF DEEDS  
SAUNDERS CO. NEBR.

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BOOK 228 PAGE 1023

OF 6th INST# 308

*John*

### RIGHT OF WAY EASEMENT

James J. Vanek, Trustee of the James J. Vanek Trust, Grantor, whether one or more, in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, and in consideration of the conditions hereinafter stated, does hereby grant and convey unto the City of Wahoo, Saunders County, Nebraska, a political subdivision of the State of Nebraska, whether one or more, its successors, assigns and franchisees, the following:

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A 20.00 FOOT WIDE PERMANENT EASEMENT FOR THE PURPOSES OF SURVEYING, CONSTRUCTING, RECONSTRUCTING, RELOCATING, ALTERING, INSPECTING, REPAIRING, REPLACING, ADDING TO, MAINTAINING AND OPERATING, AT ANY TIME, OVER, ACROSS, AND UNDER THE FOLLOWING-DESCRIBED REAL ESTATE, UTILITIES OF GRANTOR, ITS SUCCESSORS, ASSIGNS AND FRANCHISEES, LOCATED IN SECTION 10, TOWNSHIP 14 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE S89°55'19"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 180.68 FEET TO A POINT OF INTERSECTION WITH SAID SOUTH LINE AND THE EAST LINE OF A PARCEL OF LAND PREVIOUSLY DESCRIBED AND RECORDED IN DEED BOOK 224, PAGE 653; THENCE N29°04'01"W ON SAID EAST LINE, A DISTANCE OF 3513.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N29°04'01"W ON SAID EAST LINE, A DISTANCE OF 20.00 FEET; THENCE N60°55'59"E PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 291.73 FEET; THENCE N05°27'02"E, A DISTANCE OF 52.48 FEET TO THE CENTERLINE OF WAHOO CREEK; THENCE S82°32'32"E ON SAID CENTERLINE, A DISTANCE OF 20.01 FEET; THENCE S05°26'56"W, A DISTANCE OF 62.30 FEET; THENCE S60°55'59"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 302.25 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.16 ACRES MORE OR LESS.

Conditions:

- 1) Grantor shall have the right of ingress and egress across the above-described real estate for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- 2) Grantor, Grantor's heirs, personal representatives, successors and assigns covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways, be erected, constructed, used or placed on or below the surface of said above-described real estate.
- 3) Grantee shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be possible, and repair and replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be possible.
- 4) Grantee shall at all times exercise all due care and diligence to avoid any

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