

After recording return to:

Edstrom, Bromm, Lindahl, Sohl & Stokan  
551 North Linden  
P.O. Box 277  
Wahoo, Nebraska 68066  
(402) 443-3225

1165  
PUBLIC CLERK  
RECORDS DEPARTMENT  
SAUNDERS COUNTY, NEBRASKA

99 JUL 22 AM 3 59

2381033

BOOK 233 PAGE 1033

OF 60 PAGES 313

*Wahl*

### RIGHT OF WAY EASEMENT

Gaylen R. Maly and Roxanne Maly, husband and wife, 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:

313  
/

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, WITH APPURTENANCES AND ACCESSORIES THERETO, 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; THENCE S60°55'59"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 90.00 FEET; THENCE S29°04'01"E PARALLEL WITH SAID EAST LINE, A DISTANCE OF 871.56 FEET; THENCE S05°07'18"W, A DISTANCE OF 17.80 FEET TO A POINT ON THE WEST LINE OF SAID PREVIOUSLY DESCRIBED PARCEL; THENCE N29°04'01" W ON SAID WEST LINE, A DISTANCE OF 22.80 FEET; THENCE S89°02'16"W, A DISTANCE OF 11.34 FEET; THENCE N29°04'01"W ON SAID WEST LINE, A DISTANCE OF 22.80 FEET; THENCE S89°02'16"E, A DISTANCE OF 22.67 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.40 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.

2381033

