

FILED FOR RECORD 7-16-73 AT 2:53<sup>A</sup> M. IN BOOK 46 OF Misc Recs. 9 25  
PAGE 393 Carl L. Hillel REGISTER OF DEEDS, SARPY COUNTY NEB.

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Richard M. Hare and Pamela J. Hare, Husband and Wife, hereinafter referred to as GRANTOR, (whether one or more), for and in consideration of the sum of One (\$1.00) Dollar and Other Valuable Consideration, does hereby grant and convey unto the CITY OF BELLEVUE, NEBRASKA, a Municipal Corporation, hereinafter referred to as "CITY", and its successors and assigns, an easement for the right to construct and maintain a storm sewer and appurtenances thereto, in, through, and under the Temporary Easement Area and Permanent Easement Area described as follows:

Temporary Easement Area: The East 15' of the West 25' of Lot Thirty Four (34), Hill Top Acres Subdivision to the City of Bellevue, Nebraska.

Permanent Easement Area: The West 10' of the above described Lot 34.

TO HAVE AND TO HOLD unto said CITY, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of constructing, inspecting, and maintaining a storm sewer at the will of the CITY; it being the intention of the parties hereto that GRANTOR may, following construction of said storm sewer, continue to use the surface of the easement strip conveyed herein, subject only to the right of the CITY to use the same for the purposes herein expressed.

It is further agreed as follows:

1. That no buildings, improvements or other structures shall be placed in, on or across said easement strip by undersigned, his or their successors and assigns without the express approval of the CITY.
2. That CITY will replace, rebuild or repair any damage which shall be occasioned by the construction or maintenance of said storm sewer under, around and through the above described premises.
3. That CITY shall cause any trench made on said easement strip to be properly refilled and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee or representative of the CITY and any of said construction and work.
4. That said GRANTOR for himself or themselves and his or their heirs, executors and administrators does or do confirm with said CITY and its assigns, that he or they, the GRANTOR, is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators, shall warrant and defend this easement to said CITY and its assigns against the lawful claims and demands of all persons. This easement runs with the land.
5. That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings between the GRANTOR and the CITY and its agents; and that the GRANTOR, in executing and delivering this instrument has not relied upon any promises, inducements, or representations of the CITY or its agents or employees, except as are set forth herein.

IN WITNESS WHEREOF, said GRANTOR has or have hereunto set his or their hand(s) this 26 day of June, 1973.

Richard M. Hare  
Richard M. Hare

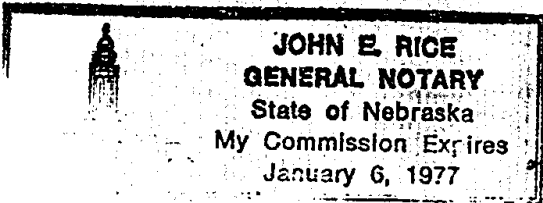
Pamela J. Hare  
Pamela J. Hare

Rec. # 028703

State of Nebraska    )  
                           ) ss.  
 County of Sarpy     )

Before me, a Notary Public qualified in said county, personally came Richard M. Hare and Pamela J. Hare, Husband and Wife, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on June 26, 1973.



John E Rice  
 Notary Public

Commission Expires: June 1 1977

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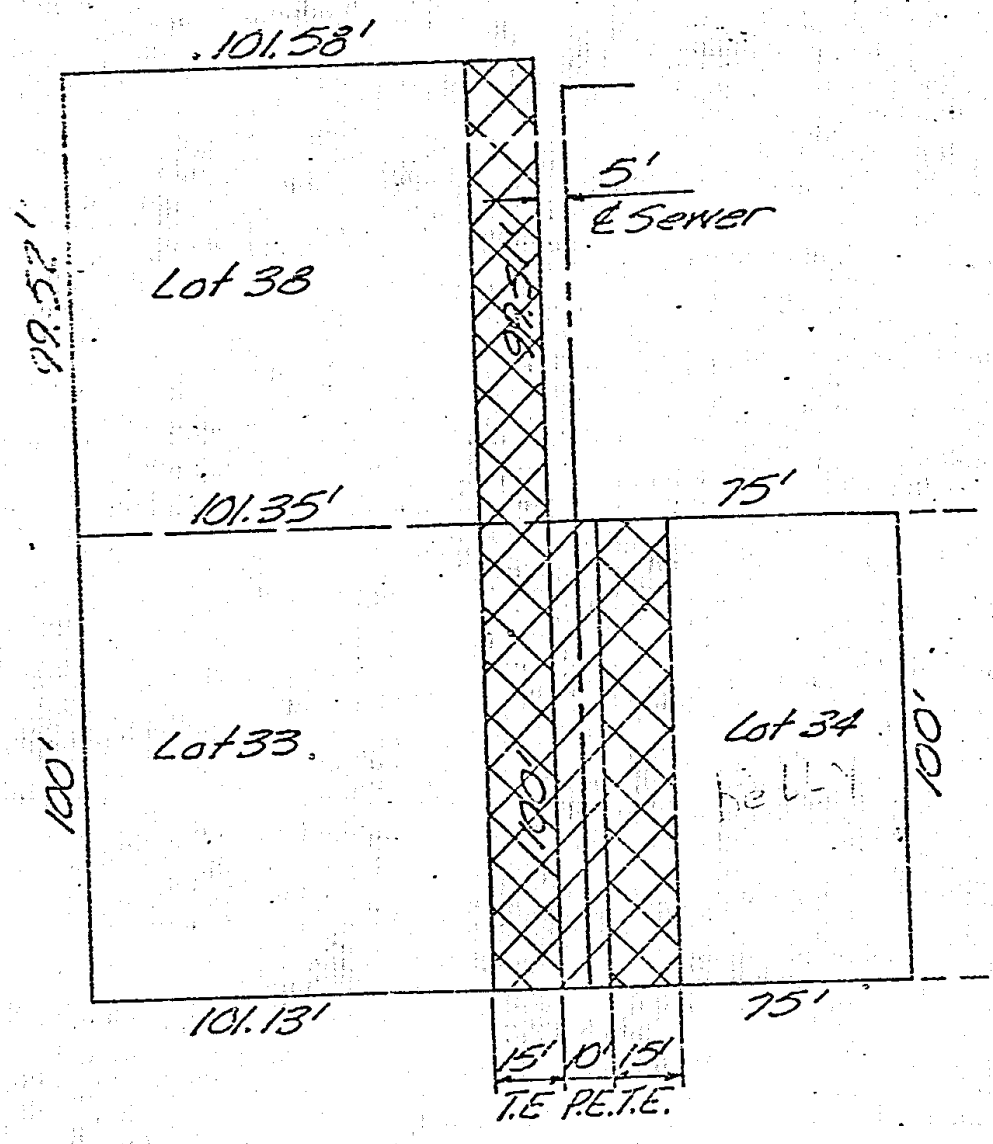
**TRACT DESCRIPTION:** Tract No. 1  
Project Storm Sewer Dist. #19  
Owner: M.R.D. Corporation

Lots 33, 34, & 38 Hill Top Acres Subdivision to the City of Bellevue, Nebraska. Located in the NE $\frac{1}{4}$ , Sec. 26, T-14-N, R-13-E.



**EASEMENT DESCRIPTION:**

**Permanent Easement:** The west 10' of the above described Lot 34. Containing 1000 sq.ft.

**Temporary Easement:** The east 15' of the above described Lots 33 & 38. And the east 15' of the west 25' of the above described Lot 34. Containing 4493 sq.ft.



**LEGEND**

-  PERMANENT EASEMENT
-  TEMPORARY EASEMENT

Scale: 1" = 50'