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 REGISTER OF DEEDS, CASS CO., NE *Patricia Messing*  
*Doc # 30 A 2/100*

# EASEMENT AGREEMENT

This agreement, is made this 13 day of April, 1996, between Warren D. Froscheiser and Theresa A. Froscheiser, husband and wife, herein called the Grantor, whether one or more, and Howard Owen Walton and Lorraine Marie Walton, husband and wife, herein called the Grantee.

Whereas, the Grantor is seized of an estate in fee simple, a parcel of land described as:

LOT 70, LAKE WACONDA, A  
 SUBDIVISION IN CASS COUNTY,  
 NEBRASKA;

And whereas, the Grantee is seized of an estate in fee simple, another parcel of land near the Grantor's land, described as:

LOT 71, LAKE WACONDA, A  
 SUBDIVISION IN CASS COUNTY,  
 NEBRASKA;

And whereas, the Grantor, in exchange for valuable consideration, has agreed to grant, bargain, sell, convey and confirm forever, a right of way or easement over the Grantor's above described real property:

WITNESSETH, that in pursuance of the said agreement and in exchange for one dollar and other valuable consideration, receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee, his/her heirs and assigns:

Limited right and liberty for Grantee, Grantee's tenants, servants, visitors, and licensees, in common with all others having the like right, at all times, to maintain, pass and repass along a sidewalk located directly north and northwest of the Grantee's dwelling, and running along the north and west side of said dwelling, and partially encroaching onto the Grantor's property.

To have and to hold the easement or right of way hereby granted unto the Grantee, his/her heirs and assigns, as appurtenant to the said land of the Grantee.

This grant of easement shall be in fee and run with the land in perpetuity and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, successors, or assigns.

It is further understood and agreed that neither the Grantor nor the Grantee hereby covenant or warrant to maintain the easement property or assume the cost of maintaining the property in a condition necessary to serve the purposes of the easement, or any condition whatsoever.

Dated this 13 day of April, 1996.

8-108

Howard Owen Walton  
Howard Owen Walton, Grantee

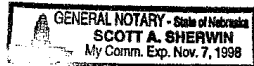
Warren D. Froscheiser  
Warren D. Froscheiser, Grantor

Lorraine Marie Walton  
Lorraine Marie Walton, Grantee

Theresa A. Froscheiser  
Theresa A. Froscheiser, Grantor

STATE OF NEBRASKA )  
COUNTY OF CASS ) SS.

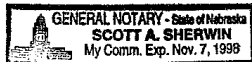
The foregoing instrument was acknowledged before me this  
13 day of April, 1996, by Warren D.  
Froscheiser and Theresa A. Froscheiser, husband and wife.



Scott A. Sherwin  
Notary Public

STATE OF NEBRASKA )  
COUNTY OF CASS ) SS.

The foregoing instrument was acknowledged before me this  
21 day of April, 1996, by Howard Owen Walton  
and Lorraine Marie Walton, husband and wife.



Scott A. Sherwin  
Notary Public