

10/74

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

In the Matter of Attaching Land to Rural Water District No. 1 : RESOLUTION NO. 2881

WHEREAS, Bernard L. Sullivan, Lillian M. Sullivan, Helen E. Morrow, John P. Morrow, Sarah L. Meginnis, Harry W. Meginnis, Edward M. O'Shea and Janet L. O'Shea have petitioned for the attachment of certain lands described as:

The East 1/2 of Section 19, Township 9 North, Range 7 East except the East 660 feet of the Southeast 1/4 of said Section 19, all in Lancaster County, Nebraska

to Rural Water District No. 1, Lancaster County, Nebraska, and;

WHEREAS, the City - County Planning Department has recommended that if said petition is approved certain stipulations and agreements should be made between the County and petitioners, and;

WHEREAS, said agreement and stipulations have been entered into between the owners and all persons having a interest in said lands and the County and a copy of said agreement and stipulations are attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lancaster County, Nebraska:

That said petition be granted and that

The East 1/2 of Section 19, Township 9 North, Range 7 East except the East 660 feet of the Southeast 1/4 of said Section 19, all in Lancaster County, Nebraska

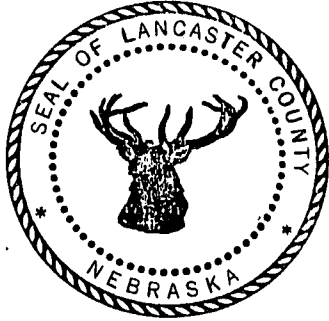
be and the same hereby is attached to Rural Water District No. 1, subject to the agreement and stipulations attached hereto and made a part hereof.

STATE OF NEBRASKA } ss Microfilmed for record in the }
Lancaster County, } Clerk's Office at Lincoln
In said County, the 21 day of June 19 74
at 10 o'clock A.M., Film No. 74-2371
For said S.
Carl S. Hartman
County Clerk Deputy

16174

2372

By the Board of County Commissioners of Lancaster County, Nebraska; in regular session assembled on this 18<sup>th</sup> day of June, 1974, in the County - City Building in Lincoln, Lancaster County, Nebraska.



BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

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6/18/74  
PLD/PTO/jew

APPROVED AS TO FORM  
THIS 18 DAY OF June 1974

*[Handwritten signature]*  
LANCASTER COUNTY ATTORNEY

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AGREEMENT

2373

IT IS HEREBY AGREED by and between Bernard L. Sullivan, Lillian M. Sullivan, Helen E. Morrow, John P. Morrow, Sarah L. McGinnis, Harry W. McGinnis, Edward M. O'Shea and Janet L. O'Shea, their heirs, executors, administrators and assigns, hereinafter referred to as owners and the County of Lancaster by and through the County Board of Lancaster County, hereinafter referred to as County.

The Petition requesting attachment of the below described lands to the Rural Water District No. 1, Lancaster County, Nebraska presented by the owners to the Board of County Commissioners of Lancaster County will be granted subject to the following restrictions, covenants and conditions. The land is described as:

The East  $\frac{1}{2}$  of Section 19, Township 9 North, Range 7 East except the East 660 feet of the Southeast  $\frac{1}{4}$  of said Section 19, all in Lancaster County, Nebraska.

1. For and in consideration of the granting of the above described petition the owners, their heirs, executors, administrators and assigns covenant, promise and agree that should any parties or entity having an interest in the above described land purpose or apply for subdivision of the above described land or:

2. If the above described land ever be annexed by the City of Lincoln, then and in that event, the owners, their heirs, executors, administrators and assigns hereby agree to abandon any facility of Rural Water District No. 1 which is then being used to supply water to any structure or water tap upon the above described land.

Such abandonment shall be at the cost of the owners, their heirs, executors, administrators or assigns and shall be binding upon all parties having or acquiring any interest in the above described land. The abandonment shall be accomplished within a reasonable time after the occurrence of either contingency

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as set forth above and in all events shall be accomplished at or prior to the time in which either of the above contingencies become effective.

The above covenants in each and every particular are to run with the land, and shall be construed as real covenants running with the land.

The covenants and agreements contained herein shall inure to the benefit of the County. Performance may be enforced by the County and any costs of suit or expense incurred in enforcing these covenants shall be a liability of the owners, their heirs, executors, administrators or assigns and payable to the County.

IN WITNESS WHEREOF, the parties hereto have respectively affixed their signatures hereto this 15 day of June 1974.

Bernard L. Sullivan  
BERNARD L. SULLIVAN

Lillian M. Sullivan  
LILLIAN M. SULLIVAN

Helen E. Morrow  
HELEN E. MORROW

John P. Morrow  
JOHN P. MORROW

Sara L. McGinnis  
SARA L. MCGINNIS

Harry W. McGinnis  
HARRY W. MCGINNIS

Edward M. O'Shea  
EDWARD M. O'SHEA

Janet L. O'Shea  
JANET L. O'SHEA

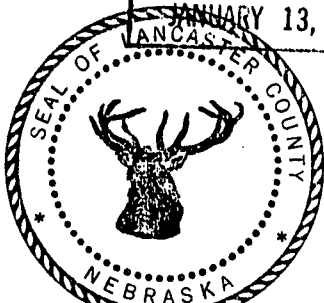
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STATE OF NEBRASKA )  
County of Lancaster ) ss.

On this 15 day of June, 1974, before me the undersigned, a Notary Public duly qualified in and for said County, personally came BERNARD L. SULLIVAN, LILLIAN M. SULLIVAN, HELEN P. MORROW, JOHN P. MORROW, SARAH L. Mc GINNIS, HARRY W. Mc GINNIS, EDWARD M. O'SHEA and JANET L. O'SHEA, to me personally known to be the identical persons whose names are affixed to the above and foregoing AGREEMENT, and they acknowledge the execution thereof to be their voluntary act and deed.

WITNESS my hand and notarial seal in Lincoln, Nebraska, on the day and year last above written.

REX A. MARQUART  
GENERAL NOTARIAL  
SEAL  
STATE OF NEBRASKA  
COMMISSION EXPIRES  
JANUARY 13, 1976



Carl S. Hartman  
County Clerk

Rex A. Marquart  
Notary Public

BY THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

[Signature]  
[Signature]  
[Signature]

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LANCASTER COUNTY NEBR  
Kenneth L. Zanghson  
REGISTER OF DEEDS  
1974 JUN 25 PM 3:07

ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD AS:

INST. NO. 74. **10174**

NO FEE

[Handwritten signature]