

PERPETUAL EASEMENT

1. HAL GROVE, INC., a Nebraska corporation (Grantor), being the owner of the following-described real estate, hereby gives and grants unto WILLIAM R. and DOROTHY N. ALFORD, husband and wife, as joint tenants with right of survivorship (Grantees) a perpetual and non-exclusive vehicular and pedestrian easement over the following-described real estate:

Those parts of Lot 42 in Quail Ridge on Skyline Drive, a subdivision in Douglas County, Nebraska described on the plat as 221st and 222nd Plazas and as Marcy Plaza; and that part of Lot 16 described on the plat as Quail Ridge Drive.

2. The terms and conditions of said easement are that said easement may be used and enjoyed to provide vehicular and pedestrian access to single-family dwellings hereafter constructed upon the lands of the Grantees in Douglas County, Nebraska adjoining said easement roads on the North and legally described as:

Part of S $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 23-15-10 described on Exhibit "A" attached

Part of SE $\frac{1}{4}$ of Sec. 23-15-10 described on Exhibit "B" attached

3. Said easementways over Lot 42 are also utilized for vehicular and pedestrian access by the owners of Lots 17 through 41 and said easementway over Lot 16 is also utilized for vehicular and pedestrian access by owners of Lots 1 through 15, all in Quail Ridge on Skyline Drive, a subdivision; and the maintenance, repair and replacement of the easementways is under the jurisdiction of Quail Ridge Association, Inc., which has the jurisdiction and power to levy assessments for such roadway maintenance, repair and replacement. The Grantees by accepting this easement agree that they and their successors, assigns and subsequent purchasers shall be obligated to pay to Quail Ridge Association, Inc. and its successors their pro-rata share of the cost of maintenance, repair and replacement of said roadways on the easementway calculated as follows: The Grantees' fractional share of such expenses shall be determined by establishing an enumerator which will be the total number of single-family lots or single-family homesites in the above-described lands of the Grantees and the denominator shall be the sum of the enumerator plus 39. In no case shall the enumerator be less than 5, regardless of the number of homesites or single-family platted lots in the lands of the Grantees. Quail Ridge Association, Inc. may collect the assessments and expenses from the record owner of each such single-family lot or homesite. The obligation to commence paying such assessments or expenses shall begin as of January 1st of the year in which the first use of any such easementway is made by or on behalf of any owner of any part of said lands of the Grantees. All assessments by said association shall become delinquent ten days after mailing of invoice and shall bear interest at eleven percent (11%) per annum from and after delinquency. If any assessment remains unpaid for thirty days after mailing of invoice, then such defaulting owner may be deprived of the use of said easementway until full payment of all assessments and interest.

A tract of land in the Southeast Quarter of Section 23, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter; thence North 00°22'42" West along the West line of the Southeast Quarter of said Section 23, a distance of 923.61 feet to the point of beginning; thence continuing North 00°22'42" West a distance of 332.35 feet to the centerline of the Elkhorn River; thence continuing along said centerline North 33°27'37" East a distance of 1199.06 feet; thence South 32°02'32" East a distance of 252.20 feet; thence South 04°52'26" East a distance of 711.48 feet along Cutter's line fence; thence South 01°41'54" East a distance of 293.23 feet along said fence line; thence South 19°36'15" West a distance of 77.49 feet; thence South 01°36'15" West a distance of 33.91 feet; thence North 90°00'00" West a distance of 835.00 feet to the point of beginning.

Containing: 17.26 Acres, more or less.

Exhibit B

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That part of the South Half of the Southeast Quarter of Section 23, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska described as follows: Beginning at a point on the North line of the South Half of the said Southeast Quarter of Section 23 and the West Right-of-Way line of County Road 148-B (Skyline Drive) said point being 1325.05 feet North and 701.20 feet West of the Southeast corner of said Section 23, thence South 01°14'00" West (assumed bearing) along the West Right-of-Way line of County Road 148-B a distance of 161.79 feet, thence Southwesterly on a 442.18 foot radius curve to the right a distance of 253.48 feet to a point 400 feet South of, measured at right angles from the North line of the South Half of the Southeast Quarter of said Section 23, thence West along a line 400 feet South of and parallel to the North line of said South Half of Southeast Quarter a distance of 933.38 feet; thence North 01°34'54" East along the West fence of said tract a distance of 33.91 feet thence North 19°36'15" East along the West fence of said tract a distance of 77.49 feet; thence North 01°41'54" West along the West fence of said tract a distance of 293.23 feet; thence East along the North line of said South Half of the Southeast Quarter of Section 23 a distance of 994.46 feet to the point of beginning.

Exhibit "A"

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