

11-17-5  
12-17-5  
13-17-5  
14-17-5

THIS IS A LEGAL BINDING CONTRACT,  
IF NOT UNDERSTOOD, SEEK LEGAL ADVICE

CONSTRUCTION AND OPERATION AND MAINTENANCE EASEMENT

Be it understood that Daniel M. Shanahan and Leslie Shanahan, husband and wife; Vivian Lorenz, a widow; Marjorie Moraczewski and Leo Moraczewski, wife and husband; Juanita McGonigal, a widow, and Howard D. Shanahan and Mignon L. Shanahan, husband and wife, herein called the grantors, do hereby grant, convey and release unto the

CITY OF NORTH BEND, NEBRASKA

FEE BOOK  
INDEXED  
COMPARSED  
GRANTOR  
GRANTEE  
FEE \$ 37.00

a political subdivision of the State of Nebraska, herein called the grantee, its successors and assigns, over and upon the following described land situated in Dodge County, Nebraska, to-wit:

STATE OF NEBRASKA, DODGE COUNTY: ss

Filed for record this 10 day of Feb.  
1988 at 2:15 o'clock P.M.

recorded in Bk # 195, # 629  
Fee \$ 37.00

Vaughan Hagan  
By Jean Beck

A temporary easement, expiring July 1, 1988, over a tract of land in part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 13, Township 17 North, Range 5 East of the 6th P.M., and a tract of land in part of the North Half of the North Half of the Northeast Quarter of Section 14, Township 17 North, Range 5 East of the 6th P.M., for the repair and reconstruction of the structure known as the North Bend Dike, as illustrated in Attachment A attached and made part hereof,

and:

A perpetual easement over and upon a tract of land consisting of part of the East Half of the East Half of Section 11; the West Half of the West Half of the West Half of Section 12; the North Half of the Northwest Quarter of the Northwest Quarter of Section 13, and the North Half of the North Half of the Northeast Quarter of Section 14, all in Township 17 North, Range 5 East of the 6th P.M., for access to and operation and maintenance of the structure known as the North Bend Dike,

provided that access for repair, operation or maintenance of the structure known as the North Bend Dike shall always be from the public highway on the North to the dike by way of existing lanes as designated by the owner or owners of the lands from time to time for the primary convenience of farming operations.

The rights and privileges herein granted shall be subject to the following terms and conditions:

1. The grantee is responsible for operating and maintaining the facilities.
2. This easement shall not convey nor shall the same be construed to convey to the grantee any fee simple interest or title to the above described lands.
3. This easement includes the right of ingress and egress over and upon the above described lands of grantors for the purpose of operation and maintenance activities. The grantee is fully liable for any damages caused to the grantors by such activity.

Because of the different places of residence of the members of the grantor group, this document is being executed in counterpart and shall be deemed to be fully executed when the names of the grantors are each signed and signatures acknowledged to copies of this easement, so that one group of copies of this instrument including the signature of each of the parties shall be deemed to be a fully executed original of this easement agreement.

IN WITNESS WHEREOF, the grantors have executed this agreement on the \_\_\_\_\_ day of December, 1987.

Daniel M. Shanahan

Leslie Shanahan

Vivian Lorenz

Juanita McGonigal

Marjorie Moraczewski

Leo Moraczewski

Howard D. Shanahan

Mignon L. Shanahan

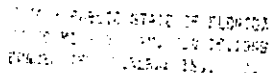
Acknowledged before me \_\_\_\_\_, by  
Marjorie Moraczewski and Leo Moraczewski, wife and husband.

Notary Public

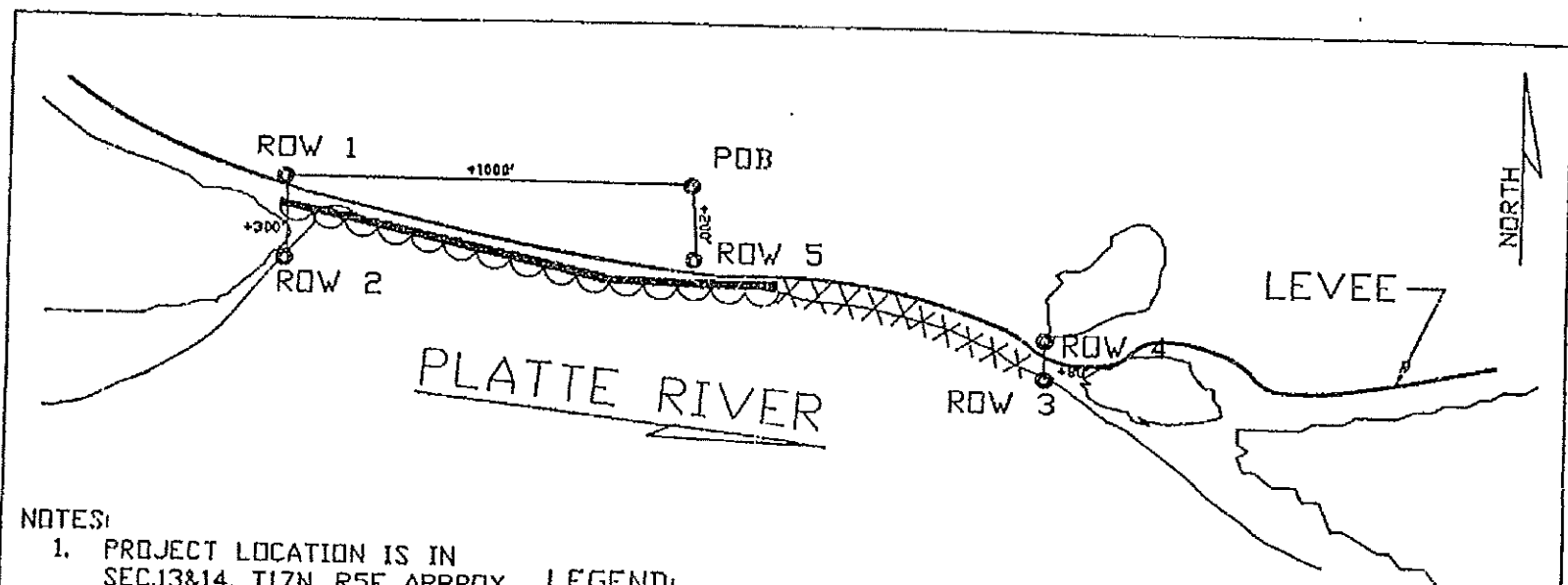
STATE OF FLORIDA       )  
                                ) ss  
COUNTY OF COLLIER )

Acknowledged before me HOWARD D. SHANAHAN, by  
Howard D. Shanahan and Mignon L. Shanahan, husband and wife.

Notary Public



ATTACHMENT "A"



NOTES:

1. PROJECT LOCATION IS IN SEC.13&14, T17N, R5E APPROX. 1 ml. SW OF NORTH BEND, NE.
2. POB IS AT CORNER OF SECS. 11, 12, 13, AND 14.
3. FIRST SURVEYORS IN THE FIELD SHALL SET PINS AT ALL ROW'S AND AT THE POB.
4. THE TEMPORARY EASEMENT SHALL BE OF SUFFICIENT SIZE TO STORE ALL EQUIPMENT AND MATERIALS.
5. AREA SHOWN IS MINIMUM NECESSARY FOR CONSTRUCTION.

LEGEND:

- TREES
- TYPE A REVETMENT
- TYPE B REVETMENT
- RIGHT-OF-WAY PIN
- RIGHT-OF-WAY
- TEMPORARY EASEMENT

0 250' 500'  
APPROXIMATE SCALE  
RIGHT-OF-WAY MAP  
PLATTE RIVER AT  
NORTH BEND, NEBRASKA

TEMPORARY RIGHT-OF-WAY		
STATION	APPROXIMATE DIST.	BEARING
POB-ROW1	1000'	N90 0'W
ROW1-ROW5	1020'	LEVEE TOE
ROW5-POB	200'	N0 0'W

PERMANENT RIGHT-OF-WAY		
STATION	APPROXIMATE DIST.	BEARING
ROW1-ROW2	1000'	S0 0'W
ROW2-ROW3	1900'	WATER EDGE
ROW3-ROW4	80'	N0 0'W
ROW4-ROW5	900'	LEVEE TOE
ROW5-ROW1	1020'	LEVEE TOE