



STATE OF NEBRASKA, DODGE COUNTY: 88
Find for record that 23 day of August 188 at 10 4 octoor A th.
econded in Six # 18pg # 777
Feb S. 1700

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

Judy A. Rother betterster of Doods By Livery & Collis Doputy

CONSTRUCTION AND OPERATION AND MAINTENANCE EASEMENT

Be it understood that Rolyn, Inc., berein called the grantors, do hereby grant, convey and release unto the

CITY OF NORTH BEND, NEBRASKA

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:

A temporary easement, expiring December 31, 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 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 land 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:

- 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.
- 4. This easement shall be binding upon the parties hereto, their heirs, successors, and assigns. Upon failure of the Dike System, the grantee will make necessary repairs within one year. Failure to make said repairs will release the grantor from this easement.

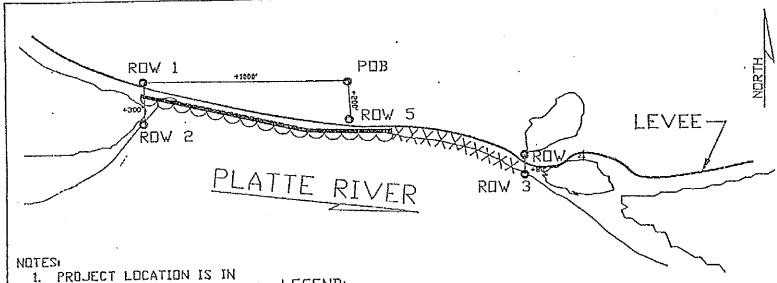
Rolyn, Inc. Easement

Page 2

8/88

IN WITNESS WHEREOF, agreement on the	the grantors have executed this _ day of August, 1988.
Rolyn, Inc.	By: Sand Myllouday
State of Nebraska) ss County of)	A EERFAL KOTARY-State of Febraska F HARY C. SCRIERKEYER SA COSIN. Etg. Boy. 26, 1990
Acknowledged before me on _	August 22, 1988 (date)
Danue M. Shenchen (name of officer) President	representing Rolyn, Inc.
	May C. Schermigs

ATTACHMENT A Daniel Shanahan, North Bend Dike



- PROJECT LOCATION IS IN SEC.13&14, T17N, R5E APPROX. L ml. SW DF 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

XX TYPE B REVETMENT

RIGHT-DF-WAY PIN

RIGHT-DF-WAY

TEMPORARY EASEMENT

0	250'	500′
APPROX:	IMATE	SCALE

RIGHT-OF-WAY MAP PLATTE RIVER AT NORTH BEND, NEBRASKA

TEMPORARY RIGHT-OF-VAY				
NOITATZ	APPROXIMATE	BEARING		
PDB-ROVI	1000'	N90 D'V		
ROWI-ROWS ROWS-POB	500, 1050,	LEVEE TOE		

PERMANENT RIGHT-DF-WAY			
NOITATZ	APPROXIMATE DIST.	BEARING	
RUVI-RUVS	1000′	W'U 02	
RDW2-RDW3	1900'	WATER EDGE	
RDW3-RDW4	80'	NO O'W	
RDW4-RDV5	900′	LEVEE TOE	
RDW5-RDW1	1050,	LEVEE TOE	