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RICHARD N. TAKEON REGISTER OF DEEDS DOUGLAS COUNTY, HE 98 JUL - 9 PM 1:01 RECEIVED 1

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TOM DOYLE
DOUGLAS COUNTY ENGINEER
15505 WEST MAPLE ROAD
OMAHA, NEBRASKA 68116-5173

PROJECT NO. <u>C-28(333)</u> TRACT NO. <u>2</u>

PERMANENT EASEMENT

THIS INDENTURE, made this 15th day of Juve , 1998
between S.S. BLYNCO; U.S. FARMS, INC.; JSLYN CORP.; FRANCES LYNNE UDES
SCOTT & BENNINGTON COMPANY hereinafter referred to as "Grantor(s)", and the County of Douglas, State of Nebraska, hereinafter called "County".

WITNESSETH:

That said Grantor(s) in consideration of the sum of <u>FOUR HUNDRED NINETY - FIVE</u> Dollars \$_495.00 and other valuable consideration, to Grantor(s) in hand paid by said County, the receipt whereof is hereby acknowledged, does or do hereby grant, sell, convey and confirm unto said County and its assigns forever, and easement for the right to use, construct, build, maintain and repair a roadway for passage of traffic, together with all appurtenances, wires, lines, poles, structures, drainage provisions, and other applicable equipment pertaining to any paving in, through, over and under the parcel of land described as follows, to wit:

(SEE ATTACHED)

No buildings, improvements or structures shall be placed in, on, over or across said easements by the undersigned, his or their successors and assigns without express approval of Douglas County. Any trees, grass and shrubbery placed on said easements shall be maintained by Grantor(s), his or their heirs, successors and assigns.

Said County shall cause any excavation made on aforesaid realty to be properly refilled, and shall cause grass seed to be sown over said excavation, and shall cause the premises to be left in a neat and orderly condition. This easement is also for the benefit of any contractor, agent, employee and representative of the County and any of said construction and work.

Said Grantor(s) for himself or themselves and his or their heirs, executors and administrators does or do confirm with the said County and its assigns, that he or they, the Grantor(s), is or are well seized in fee of the above described property and that he or they has or have the right to grant and convey this easement in the manner and form aforesaid, and that he or they will, and his or their heirs, executors and administrators shall warrant and defend this easement to said County and its assigns against the lawful claims and demands of all persons.

This easement runs with the land.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said Grantor(s) has or have hereunto set his or their hand(s) and seal(s) the day and year first above written.

| Maurice M. Udes, President, U.S. Farms | M. M. Elles |
|---|---------------------------------------|
| Maurice M. Udes, President Bennington Corp. | M. M. Holes |
| F. Lynne Udes Scott, President Jslyn Corp. | · · · · · · · · · · · · · · · · · · · |
| F. Lynne Udes Scott, President S.S. Blynco | U |
| Frances Lynne Udes Scott | Tances Lynnelldes Scott |
| | <i>V</i> |

| , | ÷ |
|---|---|
| STATE OF Newska COUNTY OF | Douglas. |
| The foregoing instrument was acknowledged before me on June 15 1998 | |
| by Maurice M. Udes. | |
| GENERAL NOTARY State of Rebresha MARY F. GOSTOMSKI GENERAL NOTARY State of Rebresha My Comm. Esp. March 31, 2001 | Signature of Person Taking Acknowledgment |
| STATE OF WOYARD COUNTY OF | \J |
| The foregoing instrument was acknowledged | before me on June 15, 1998. |
| by Maurice M. Udes | : |
| GENERAL NOTARY-State of Nebraska MARY F. GOSTOMSKI My Comia. Exp. March 31, 2001 | L DURCO DATING AREA |
| STATE OF Nebrasha COUNTY OF | V |
| The foregoing instrument was acknowledged by | pefore me on <u>Pube 15</u> , 1998. |
| by F. Lynne Illes Scott | |
| A GENERAL HOTARY-State of Nebraska MARY F. GOSTOMSKI museum My Comm. Exp. March 31, 2001 | Signature of Person Taking Acknowledgment |
| STATE OF Nobrash, COUNTY OF DO | ighis . |
| The foregoing instrument was acknowledged by | pefore me on June 5 1998. |
| by F. Lypne Wes Sentt | |
| GENERAL NOTARY State of Nebras MARY F. GOSTOMSKI My Domm. Exp. March 31, 200 | the Living Colombia le Colombia Signature of Person Taking Acknowledgment |
| STATE OF Nobraska, COUNTY OF I | bugher. |
| The foregoing instrument was acknowledged b | pefore me on Jury 5 , 1998. |
| by Frances Lynne Udex Scott | *************************************** |
| GENERAL NOTARY State of Hebresha | Ung Cartonili |
| MARY F. GOSTOMSKI My Comm. Exp. March 31, 2001 | Signature of Person Taking Acknowledgment |

T.I.N. 47-0752839

PROJECT NO. <u>C-28(333)</u>
TRACT NO. <u>2</u>

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3|

TRACT 2 PARCEL A PERMANENT EASEMENT

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A PARCEL OF LAND LYING IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN DOUGLAS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 26; THENCE S. 02° 45′ 18" E.(ASSUMED BEARING) ALONG THE WEST LINE OF SAID NORTHWEST ¼, 346.17 FEET; THENCE N. 87° 14′ 42" E. PERPENDICULAR TO SAID WEST LINE, 40.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 156TH STREET, BEING THE POINT OF BEGINNING; THENCE S. 07° 19′ 43" E., 111.46 FEET; THENCE S. 19° 07′ 25" E., 92.66 FEET; THENCE S. 02° 45′ 18" E. ALONG A LINE 75.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST ¼, 78.61 FEET; THENCE N. 62° 47′ 02" W., 40.40 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 156TH STREET; THENCE N. 02° 45′ 18" W. ALONG SAID EAST RIGHT-OF-WAY LINE, 258.43 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4843 SQUARE FEET (6.11 ACRES) MORE OR LESS.