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MODEL CLEAR ZONE EASEMENT

WHEREAS, Robert C. Hastings and Ada Hastings, husband and wife, (hereinafter called the Grantors), are the owners in fee of that certain tract or parcel of land situated in the County of Sarpy, State of Nebraska, described in Exhibit "A" attached hereto and by this reference made a part hereof; and

WHEREAS, Airport Authority of the City of Millard, Nebraska, (hereinafter called the Grantee), is the owner of the Millard Municipal Airport, situated in the said County of Douglas, State of Nebraska, in close proximity to the said tract or parcel of land of the Grantors; and

WHEREAS, for the protection of aircraft landing and taking off at the Millard Municipal Airport, it is deemed necessary that the land in the immediate approaches (within approximately one-half mile) to the runways of the said airport be and remain, insofar as reasonably possible, cleared of any buildings, structures, objects, growths, or assemblies of persons, other than air navigation facilities;

NOW, THEREFORE:

1. In consideration of the sum of One (\$1.00) Dollar and other valuable consideration in hand paid the Grantors by the Grantee, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, successors and assigns, do hereby give and grant to the Grantee for the use and benefit of the public, a perpetual avigation easement and right-of-way for the unobstructed and unrestricted flight of aircraft in, through, and across the airspace over and above the land described on Exhibit "A", which Exhibit is attached hereto and by this reference made a part hereof, at any altitude or height above the surface of the land.

2. The Grantors for themselves, their heirs, successors and assigns, do hereby covenant and agree that they will not (except as herein provided) erect, maintain or allow any buildings, structures or objects to remain or be placed on the real estate described in paragraph 1 herein, or permit any growth thereon; provided, however, that the Grantors reserve unto themselves, their heirs, successors and assigns, the right of use of

RECORDED IN SARPY COUNTY NEBR. *Book 37* 29 1966 AT 1:15 O'CLOCK P.M. *7:55*  
BOOK *37* OF *126* PAGE *519* REGISTER OF DEEDS *1.00 = 4 copies*

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said land for crop-farming purposes and may bring farm machinery on the land temporarily as necessary to carry out farming tasks; and provided further that the Grantors do further reserve unto themselves, their heirs, successors and assigns the right of use of the said land as a parking lot, the right of use of said land for landscaping purposes and the right to place, erect or construct thereon a building or buildings which shall be occupied and used only for industrial purposes; provided, however, that when said land is used for a parking lot or for landscaping purposes or for industrial type buildings, as aforesaid, no building shall be constructed or allowed to exist, no vehicle shall be placed thereon and no plant, tree or shrub shall be allowed to grow at any time to a height of a maximum elevation more than 1,061 feet above sea level, as determined by United States Coast and Geodetic Survey data; and provided further that in any and all events, no building shall be constructed, placed or allowed to exist upon that part of the property described in said Exhibit "A" which is within forty feet of the South right-of-way line of Harrison Street.

3. The Grantors, for themselves, their heirs, successors and assigns, do hereby further covenant and agree that they will not use or suffer the said land to be used by any assembly of persons or in such a manner as might attract or bring together an assembly of persons thereon.

4. The Grantors, for themselves, their heirs, successors and assigns, do hereby further give and grant to the Grantee a continuing right of entry upon the aforesaid land for the purpose of removing and preventing the construction or erection of any buildings, structures, or facilities and the growth of any trees or other objects upon the land, other than those herein expressly excepted.

5. It is understood and agreed that these covenants and agreements shall be binding upon the heirs, administrators, executors and assigns of the parties; that these covenants and agreements shall run with the land, and that for the purposes of this instrument, the real estate described in Paragraph 1 and owned by the Grantors shall be the servient tenement, and the

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land described in Exhibit "B", which is attached hereto and by this reference made a part hereof owned by the Grantee, shall be the dominant tenement.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 22<sup>nd</sup> day of November, 1966.

Robert C. Hastings  
Robert C. Hastings

Ada Hastings  
Ada Hastings

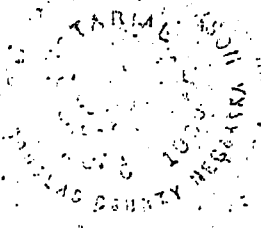
STATE OF NEBRASKA)  
                          ) ss.  
COUNTY OF DOUGLAS)

On this 22<sup>nd</sup> day of November, 1966, before me, the undersigned, a Notary Public, duly commissioned, qualified for and residing in said county, personally came Robert C. Hastings and Ada Hastings, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

Mary Estelle (Mick)  
Notary Public

My Commission expires: April 9, 1969



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CLEAR ZONE EASEMENT  
SOUTHEAST OF RUNWAY

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 14 NORTH,  
RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; THENCE SOUTH  
89° 24' 54" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID  
SECTION 18, A DISTANCE OF 788.07 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 38° 49' 10.4" WEST A DISTANCE OF 267.72 FEET; THENCE  
NORTH 65° 28' 18" WEST, A DISTANCE OF 291.98 FEET; THENCE NORTH  
89° 24' 54" EAST, A DISTANCE OF 375.99 FEET TO THE POINT OF BEGINNING.  
THE DESCRIBED TRACT CONTAINS 0.803 ACRES, OF WHICH 0.262 ACRES IS  
COUNTY ROAD RIGHT-OF-WAY.

*Exhibit "A"*

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CLEAR ZONE EASEMENT  
SOUTHEAST OF ROADWAY

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 17 NORTH,  
RANGE 12 EAST OF THE 6TH P.M., SARRV. COUNTY, NEBRASKA; THENCE SOUTH  
89° 21' 54" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID  
SECTION 18, A DISTANCE OF 768.07 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 38° 49' 04" WEST A DISTANCE OF 267.72 FEET; THENCE  
NORTH 69° 28' 18" WEST, A DISTANCE OF 231.98 FEET; THENCE NORTH  
89° 21' 54" EAST, A DISTANCE OF 175.94 FEET TO THE POINT OF BEGINNING.  
THE DESCRIBED TRACT CONTAINS 0.893 ACRES, OF WHICH 0.262 ACRES IS  
COUNTY ROAD RIGHT-OF-WAY.

*Explicit*

CLEAR ZONE EASEMENT  
SOUTHEAST OF RUNWAY

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 17 NORTH,  
RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; THENCE SOUTH  
89° 24' 54" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID  
SECTION 18, A DISTANCE OF 758.07 FEET TO THE POINT OF BEGINNING,  
THENCE SOUTH 38° 49' 04" WEST A DISTANCE OF 267.72 FEET; THENCE  
NORTH 65° 28' 18" WEST, A DISTANCE OF 231.98 FEET; THENCE NORTH  
39° 44' 54" EAST, A DISTANCE OF 375.99 FEET TO THE POINT OF BEGINNING.  
THE DESCRIBED TRACT CONTAINS 0.893 ACRES, OF WHICH 0.262 ACRES IS  
COUNTY ROAD RIGHT-OF-WAY.