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E A S E M E N T

This Agreement made this 14<sup>th</sup> day of April, 1978, 1977, by and between Dana College, hereinafter referred to as DANA, and the City of Blair, hereinafter referred to as BLAIR, and,

WHEREAS, BLAIR is desirous of constructing a water system improvement and waterline, and

WHEREAS, the undersigned owns real estate through which said waterline will be constructed described as Tax Lots Seventy-seven (77), Eighty-five (85) and One Hundred One (101) in Section Ten (10), Township Eighteen (18), North, Range Eleven (11) East and Lots Five Hundred Forty-two (542), Four Hundred Twenty-three (423), and Three Hundred Sixty-four (364) in Section Eleven (11), Township Eighteen (18) North, Range Eleven (11) East of the Sixth Principal Meridian, Washington County, Nebraska and all lots being a portion of Dana College, Blair, Nebraska, and whereas BLAIR is desirous of obtaining a permanent easement through said land for the placement, operation and maintenance of said waterline and also a temporary easement to construct said waterline through the land hereinbefore described.

NOW THEREFORE, for valuable consideration, receipt thereof being hereby acknowledged, the undersigned being the owner of the above described tract of real estate does hereby give, grant, sell and convey unto BLAIR, its successors and assigns, a permanent easement through said real estate hereinbefore described to construct, operate and maintain a waterline, including the ingress and egress on, over, across and through the real estate described in said easement for all purposes necessary or incident to the exercise of the rights granted herein granted to BLAIR and provided that said owner shall not without prior written consent of BLAIR, construct or permit to be constructed any house, structure, reservoir, pipe line or other

STATE OF NEBRASKA, COUNTY OF WASHINGTON) SS 846  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 14<sup>th</sup> DAY OF April A.D. 1978  
AT 9:28 O'CLOCK A M. AND RECORDED IN  
BOOK 114 AT PAGE 755-758  
COUNTY CLERK Marjorie J. Peterson  
DEPUTY Barbara Madson

OFFICES OF  
O'HANLON & O'HANLON  
LAWYERS  
BLAIR, NEBRASKA

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obstruction or excavation on, over or within said permanent easement, the description of said permanent easement being as follows:

7.5 feet on either side of and parallel to the below described centerline:

Beginning at a point 743 feet West and 526 feet North of the Southeast Quarter (SE $\frac{1}{4}$ ) corner of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section Ten (10), Township Eighteen (18) North, Range Eleven (11) East and assuming the South line of the aforesaid Quarter Quarter ( $\frac{1}{4}$ ) to bear South 89°09'50" East thence on a curve to the right with a radius of 223 feet (with a long chord of 255.8 feet bearing South 38°18' East) a distance of 272.4 feet thence at a bearing of South 03°18' East a distance of 220 feet thence at a deflection angle of 31° left a distance of 70 feet, thence at a deflection angle of 49° left a distance of 30 feet to a point, thence at a bearing of South 82°18' East a distance of 95 feet thence at a deflection angle to the left of 9°00' a distance of 45 feet, thence on a curve to the right with a radius of 845 feet a distance of 217 feet thence at a bearing of South 76°33' East a distance of 55 feet, thence on a curve to the left with a radius of 161 feet a distance of 135.6 feet thence on a curve to the right with a radius of 350 feet a distance of 626 feet thence at a bearing of South 18°30' East a distance of 185 feet to a point on the East line of Tax Lot Three Hundred Sixty-three (363), forty feet from the southern most corner. The above easement crosses the following properties: Tax Lot Seventy-seven (77), Tax Lot Eighty-five (85), Tax Lot One Hundred One (101), Tax Lot Five Hundred Forty-two (542), Tax Lot Four Hundred Twenty-three (423), Tax Lot Three Hundred Sixty-four (364) and Tax Lot Three Hundred Sixty-three (363), all lots being a portion of Dana College. The above permanent easement contains 30,235 square feet, 0.69 acres.

The undersigned further agree to give, grant and convey unto BLAIR, its successors and assigns, a temporary easement through and real estate hereinbefore described for the purpose of constructing said waterline, the description of said temporary easement being as follows:

17.5 feet on either side of and parallel to the above described permanent easement containing 59,807 square feet, 1.38 acres.

Said temporary easement to be in force and effect only until the completion of the construction of said waterline.

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LAWYERS  
BLAIR, NEBRASKA

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BLAIR agrees to pay for all damages to growing crops, fences and buildings on said land which may be caused by the exercise of the rights granted herein.

IN WITNESS WHEREOF, grantors have signed this easement this 14<sup>th</sup> day of April, 1977.

DANA COLLEGE

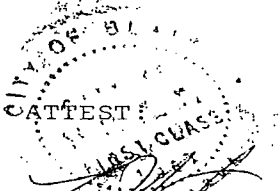
ATTEST:

By Donald Swanson  
Chairman of the Board of Regents

Ben E. Krantz  
Secretary

CITY OF BLAIR, NEBRASKA

By Alfred O. Sick  
Mayor



Keith W. Hansen  
City Clerk.

(SEAL)

STATE OF NEBRASKA )  
WASHINGTON COUNTY ) ss:

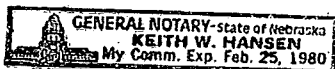
On this 14<sup>th</sup> day of April, 1978, 1977, before me, the undersigned, a

Notary Public in and for said county, personally came Donald Swanson, Chairman of the Board of Regents of Dana College, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

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

Keith W. Hansen  
Notary Public

My Commission expires:



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LAWYERS  
BLAIR, NEBRASKA

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STATE OF NEBRASKA )  
WASHINGTON COUNTY )

:ss:

On this 14 day of April,  
1977, before me, the undersigned a

Notary Public, duly commissioned and qualified for in said County,  
personally came Alfred O. Sick, Mayor of the City of Blair, Nebraska,  
to me known to be the identical person whose name is affixed to the  
foregoing instrument and acknowledged the execution thereof to be  
his voluntary act and deed.

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



*Bernard J. Kros*  
Notary Public

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O'HANLON & O'HANLON  
LAWYERS  
BLAIR, NEBRASKA

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