ROAD MAINTENANCE AGREEMENT

WHEREAS, the undersigned, Clarence E. Wallace and Mary E. Wallace, husband and wife, have heretofore subdivided land in Cass County, Nebraska, described as Tax Lot16 and 48 in the West Half of the Southeast Quarter of Sec. 29, Twp. 12 N., Rge. 14 E of the 6th P.M. as "Walnut Ridge Subdivision", a copy of such platting being attached hereto and by this reference included herein, and

WHEREAS, such platting includes the dedication to the public for public use of a 66' wide roadway and turn around as designated on the platting herein referred to, and

WHEREAS, the governmental jurisdiction for the repair and maintenance of such road has not been assumed by Cass County, Nebraska, the governmental agency exercising jurisdiction thereover, and

WHEREAS, the undersigned have presently and will continue to assume financial and other responsibility for the repair and maintenance of such dedicated roadway prior to the assumption of jurisdiction thereof by the County of Cass;

NOW THEREFORE, it is agreed by and between the undersigned and all parties having any interest in and to the subdivision herein described:

- 1. That the dedication of the 66' wide roadway and turn around in Walnut Ridge Subdivision for public road purposes is hereby reaffirmed.
- 2. That the obligation of the undersigned for the repair and maintenance of such road prior to assumption of jurisdiction thereover by Cass County, Nebraska, shall continue and the undersigned shall accomplish all necessary repairs and maintenance to such road to properly maintain the road for the purpose of its dedication and use by the public.

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3. That this assumption of road maintenance responsibility shall bind the undersigned and their estates and shall run in favor of the public generally as well as all persons having any interest in the subdivision herein described.

IN WITHESS WHEREOF, the parties hereto have affixed their signatures hereon this Arian and October, 1988.

Clarence E. Wallace
Mary E Wallace

STATE OF UEBRASKA

Now on this $\sqrt{\chi}$ day of October, 1988, there appeared before me, the undersigned Notary Public, Clarence E. Wallace and Mary E. Wallace, husband and wife, known to me to be the identical persons who executed the foregoing instrument and whose execution thereof was an acknowledgment by them to be their voluntary act and deed.

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