

60-3304

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, AVERY, INC. is the contract purchaser of the property described herein, and,

WHEREAS, Frank J. Wear desires to obtain a private water line easement for the right to construct and maintain a private water line under the real estate described herein, and

WHEREAS, Grantee has caused Design Engineering & Associates, Inc. to draft Exhibit "A", attached hereto and by reference to made a part of this agreement.

NOW, therefore, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, Grantor hereby grants and conveys unto Frank J. Wear, his assigns and successors, an easement for the right to construct and maintain a private water line under the following described real estate:

P23⁰⁰ Lots 76 through 82, inclusive, and Lots 83-91, inclusive, Avery North, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

FILED SARPY CO. BOOK 60 OF Map. Recs.

PAGE 3304 It is further agreed as follows:

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Shirley D. ...
REGISTER OF DEEDS

That no buildings, improvements or other structures shall be placed in, on, over or across said easement strip by Grantor, it's successors or assigns, without the express approval of the Grantee.

2. The Grantee will replace, rebuild, or repair any damage which shall be occasioned by the construction or maintenance of said private water line under or through the above-described premises.
3. The Grantee shall cause any trench made on said easement strip to be properly refilled and shall cause the premises to be left in a neat and orderly condition, and will replace any sod, fences, bushes, vegetation and trees on the easement area that is disturbed by the Grantee's construction and/or maintenance of said private water line. This easement is also for the benefit of any contractor, agent, employee or representative of the Grantee and any other.

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- 4. Grantee agrees that if, at any time, Grantee or his assigns, abandon said waterline, abandonment being defined as non-use for a period of ninety (90) days after the waterline is originally used, that this Easement shall lapse and become null and void.
- 5. That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings between the Grantor and Grantee and his agents, and that the Grantor, in executing and delivering this instrument, has relied upon Exhibit "A" as prepared by Design Engineering & Associates, Inc.

IN WITNESS WHEREOF, said Grantor has executed this Easement this 9 day of Sept, 1987.

AVERY, INC.

By: Donald M. Vervaecke
Donald M. Vervaecke, President

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

Before me, a Notary Public, personally appeared Donald M. Vervaecke, known to me to be the President of Avery, Inc., and acknowledged the execution of the foregoing to be his voluntary act and deed and the voluntary act and deed of said corporation.



James M. Deupree
Notary Public

EXHIBIT "A"

60-3304B

13	14	15	16	17	18	19	20	21	22	23
65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.30
130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00

10th STREET

33	32	31	30	29	28	27	26
65.00	65.00	65.00	65.00	65.00	65.00	65.00	75.00
120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00

25	24
75.00	65.00
125.00	125.00

9th AVENUE

108	107	106	105	104	103	102	101	100	99	98	97	96	95	94	93	92
65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00	65.00
130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00	130.00

76	77	78	79	80	81	82	83
139.71	139.57	139.43	139.29	139.15	139.01	138.87	138.70
139.71	139.57	139.43	139.29	139.15	139.01	138.87	138.70

ANNEX ROAD
NORTH STREET

91	90	89	88	87	86	85	84	83
100.05	67.75	67.75	48.39	58.86	58.86	145.38	88.70	88.70
120.00	120.00	120.00	15.86	58.86	58.86	145.38	183.05	100.00

9th STREET

8-1B 8-1A3
 8-1A1B 8-1A2 8-2

SCALE: 1"=100'
 JUNE 17, 1987

Proposed Water Line Easement POOR COPY FILED

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