



BK 0956 PG 698-707



MISC 1991 04974

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

98

EASEMENT

GEORGE J. BUDLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

THIS AGREEMENT, made this 8th day of March, 1991, by and between DEAN C. RAWSON, a single person; BRUCE E. HARVEY and CYNTHIA A. HARVEY, husband and wife; LLOYD H. BOONE and JUDY BOONE, husband and wife; KEN L. JOHNSON and ANN V. JOHNSON, husband and wife; DELBERT DALE and VIRGINIA M. DALE, husband and wife; GREGORY L. HORNISH and SHERL HORNISH, husband and wife; PATRICK I. STUDENT and _____, husband and wife; and GREGG NIELSEN and DIANA NIELSEN, husband and wife.

WHEREAS, all of the parties described on Exhibit "A" are the owners of the real estate described under their name on Exhibit "A", which is incorporated herein by this reference; and

WHEREAS, all of the real estate described on Exhibit "A" (except Lot 8 in Sky Ridge Estates) abuts Sky Ridge Road in Douglas County, Nebraska, which road has now been vacated by the County Board of Douglas County, Nebraska; and

WHEREAS, when said road was vacated, each of the parties owning real estate abutting said road became the owners of one-half of said road adjoining their real estate; and

WHEREAS, DEAN C. RAWSON, a single person, is the owner of the real estate described on Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, the owners on Exhibit "A" or their predecessors-in-title have agreed to an Easement over vacated Sky Ridge Road as it lies adjacent to the real estate described on Exhibit "A", which Easement is dated September 27, 1981 and recorded at Book 677, Page 586, and amended by an Easement dated October 19, 1983 and recorded at Book 698, Page 529, each in the office of the Register of Deeds of Douglas County, Nebraska; and

WHEREAS, all of the parties to this Agreement, now being the owners of vacated Sky Ridge Road, desire to grant to DEAN C. RAWSON, his heirs and assigns (hereinafter collectively referred to as "Rawson") the right to use the Easement for the purpose of ingress and egress to the real estate described on Exhibit "B", subject to the conditions stated below.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

The parties hereto who are the owners of vacated Sky Ridge Road do hereby grant, assign and convey over to Rawson and his guests and business invitees, the right to use any portion of their real estate, acquired by virtue of the vacation of Sky Ridge Road, for the purpose of ingress and egress to the real estate described on Exhibit "B" attached hereto and incorporated herein by this reference. This Easement shall run with the land.

4974 Rawson

BK 956 N 55.00
PG 698-707 86.483 vk we
OF Misc COMP W F/B OC-360105

Rawson shall have the right at any time to terminate the Easement running in favor of Parcel B by recording with the Register of Deeds of Douglas County an instrument relinquishing such easement, whereupon Rawson shall have no further rights in such Easement and Rawson and Parcel B shall be relieved of any obligations contained herein.

While the Easement is in force for the benefit of Parcel B, the owner of Parcel B shall contribute a 1/6th share to the Sky Ridge Homeowners Association for maintenance of vacated Sky Ridge Road.

While the Easement is in force for the benefit of Parcel B, the ingress and egress provided by means of this Easement shall be used only for access to one single family residence.

The parties hereto agree to hold each other harmless from any and all damages arising from their use of the right, easement and right-of-way herein granted.

TO HAVE AND TO HOLD the said easement, right, and right-of-way unto each other, their heirs, successors or assigns perpetually.

Richard L. Johnson Attorney in
Ret for Dean C. Rawson
Dean C. Rawson

Bruce E. Harvey
Bruce E. Harvey

Cynthia A. Harvey
Cynthia A. Harvey

Lloyd H. Boone
Lloyd H. Boone

Judy Boone
Judy Boone

Kerr L. Johnson
Kerr L. Johnson

Albert Dale
Albert Dale

Virginia M. Dale
Virginia M. Dale

Gregory L. Hornish
Gregory L. Hornish

Patrick I. Student
Patrick I. Student

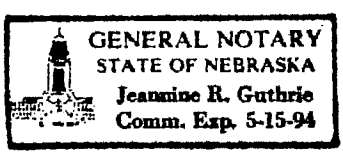
Ann V. Johnson
Ann V. Johnson

BOOK 956 PAGE 700
Gregg Nielsen
Gregg Nielsen

Diana Nielsen
Diana Nielsen

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

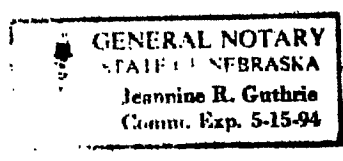
The foregoing instrument was acknowledged before me on 3-17, 1991 by Albert + Virginia Dale



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

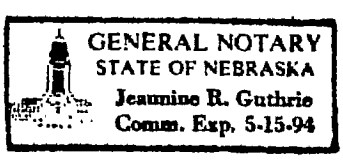
The foregoing instrument was acknowledged before me on 3-17, 1991 by Lloyd H + Judy Boone



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

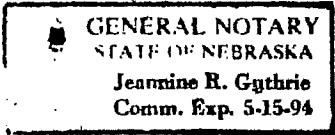
The foregoing instrument was acknowledged before me on 3-18, 1991 by Ken L + Ann V Johnson



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF Douglas) SS.

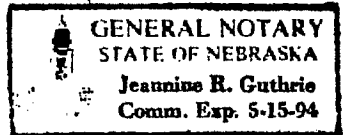
The foregoing instrument was acknowledged before me on 3-18, 1991 by Gregory + Cheryl Lornick



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF Douglas) SS.

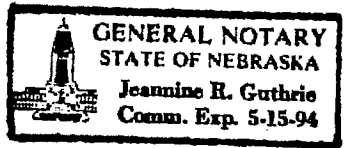
The foregoing instrument was acknowledged before me on 3-18, 1991 by Gregg + Diana Nielson



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF Douglas) SS.

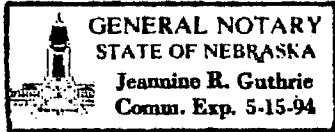
The foregoing instrument was acknowledged before me on 3-18, 1991 by Cynthia A. Harvey



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF *Douglas*) SS.

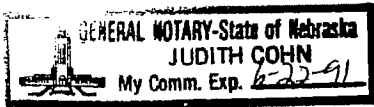
The foregoing instrument was acknowledged before me on 3-19, 1991 by Bruce Varney.



Jeannine R. Guthrie
Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
COUNTY OF *Douglas*) SS.

The foregoing instrument was acknowledged before me on March 21, 1991 by Richard J. Rawson, Attorney in fact for
Dean C. Rawson



Judith Cohn
Notary Public
My Commission Expires: _____

EXHIBIT "A"

Dean C. Rawson

Lots 2 and 5 in Sky Ridge Estates, a subdivision in Douglas County, Nebraska;

Bruce E. Harvey and Cynthia A. Harvey

Lots 3 and 4 in Sky Ridge Estates, a subdivision in Douglas County, Nebraska;

Lloyd H. Boone and Judy Boone

Lot 8 in Sky Ridge a subdivision in Douglas County, Nebraska;

Patrick J. Student

Lots 6 in Sky Ridge a subdivision in Douglas County, Nebraska;

Ken L. Johnson and Ann V. Johnson

Lot 7 in Sky Ridge Estates, a subdivision in Douglas County, Nebraska;

Delbert L. Dale and Virginia M. Dale

That part of the NE 1/4 of the SW 1/4 of Section 13-T15N-R10E of the 6th P.M., Douglas County, Nebraska lying West of Skyline Drive, described as follows: Commencing at a point where the Northerly line of said SW 1/4 intersects the Westerly R.O.W. line of Skyline Drive (said point being N39°18'51"W on a bearing, 195.10 feet from the N.E. corner of said SW 1/4); thence N89°22'15"W on the North line of said SW 1/4, 458.06 feet; thence S00°37'45"W, 176.32 feet; thence N52°26'05"W, 48.60 feet; thence S85°31'37"W, 248.41 feet; thence S74°55'04"W, 107.67 feet; thence S16°41'51"E, 64.58 feet to the point of beginning; thence S00°41'09"W, 422.53 feet; thence S63°39'13"E, 35.60 feet to a point of curve; thence Southeasterly on a curve to the left (Radius 206.72 feet, chord bearing S84°48'36"E, chord distance 149.27 feet), on an arc distance of 152.66 feet to a point of tangency; thence N74°02'01"E, 140.04 feet to a point of curve; thence Southeasterly on a curve to the right (Radius 122.40 feet, chord bearing S73°17'35"E, chord distance 132.15 feet); on an arc distance of 139.60 feet to a point on the Westerly R.O.W. line of said Skyline Drive; thence N49°21'48"E on the Westerly R.O.W. line of said Skyline Drive, 72.93 feet to a point where the Westerly R.O.W. line of said Skyline Drive intersects the South line of the NE 1/4 of the SW 1/4 of said SW 1/4; thence N38°18'07"W, 336.84 feet; thence N63°27'47"W, 297.85 feet to the point of beginning. (Containing 3.21 acres more or less)

PAGE 2 EXHIBIT "A"

Gregory L. Hornish and _____

The Triangular Southwest 31 feet x 25 feet of
 Lot 1 and all of Lot 2 in Whispering Oaks, an
 addition in Douglas County, Nebraska;

Gregg Nielsen and Diana Nielsen

the following described property situated in
 the County of Douglas and State of Nebraska, to-wit: Part of Lot 1, Whispering Oaks, more fully
 described as follows: That part of the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section
 13, Township 16 North, Range 10, East of the 6th P.M., Douglas County, Nebraska, lying West
 of Skyline Drive, described as follows: Commencing at a point where the North line of said
 South $\frac{1}{2}$ intersects the West right of way line of Skyline Drive; thence South $49^{\circ}38'08''$ West
 (assumed bearing) on said West right of way line of Skyline Drive, 123.03 feet to the point
 of beginning; thence continuing South $49^{\circ}38'08''$ West on said West right of way line of
 Skyline Drive, 344.20 feet; thence South $12^{\circ}13'58''$ West, on said West right of way line of
 Skyline Drive, 19.79 feet; thence North $89^{\circ}03'13''$ West, 80.51 feet; thence North $37^{\circ}56'17''$
 West, 39.82 feet; thence North $00^{\circ}56'47''$ East, 186.83 feet; thence South $70^{\circ}17'43''$ East,
 64.07 feet to a point of curve; thence Southeasterly on a curve to the left (radius 25.00 feet
 chord bearing South $88^{\circ}00'11''$ East, a chord distance of 15.21 feet) an arc distance of 15.45
 feet to a point of tangency; thence North $74^{\circ}17'21''$ East, 133.85 feet to a point of curve;
 thence Southeasterly on a curve to the right (radius 26.00 feet, chord bearing South $82^{\circ}20'13''$
 East, a chord distance of 19.03 feet) an arc distance of 20.39 feet to a point of tangency;
 thence South $98^{\circ}58'13''$ East, 47.15 feet to the point of beginning; together with easement
 rights for driveway purposes contained in easement agreement recorded August 17, 1978,
 recorded in Book 801, Page 606, of the Miscellaneous Records, Douglas County, Nebraska.

PARCEL B

EXHIBIT "B"

EXHIBIT "A"

That part of Lot A, Greenbrier, a Subdivision in Douglas County, Nebraska, and That part of the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 15 North, Range 10 East of the 6th P.M., lying south and East of Greenbrier being more particularly described as follows: Beginning at the most Southeast corner of Lot "B", said Greenbrier; thence $N0^{\circ} 32' 36''$ E (Assumed bearings) for 50 feet to the Southeast corner of Lot "A", said Greenbrier; thence along a non-tangent curve to the right (having a radius of 372.11 feet and a long chord bearing $N 77^{\circ} 03' 14''$ W for 159.84 feet) for an arc distance of 161.10 feet to the Southwest Corner of said Lot "A"; thence $N 25^{\circ} 20' 56''$ E for 175 feet along the Westerly line of said Lot "A"; thence $N 21^{\circ} 02' 56''$ E for 220.75 feet along the Westerly line of said Lot "A"; thence $N 13^{\circ} 31' 56''$ E for 140.00 feet to the Southeast corner of Lot 2, said Greenbrier; thence $S 67^{\circ} 25' 29''$ E for 56.69 feet along the extended Southerly line of said Lot 2 to the East line of Lot A, said Greenbrier; thence $N 9^{\circ} 26' 12''$ E for 169.21 feet along said East line of Lot "A" to the Southwest corner of Lot 1, said Greenbrier; thence $S 89^{\circ} 38' 13''$ E for 113.26 feet to the Southeast corner of said Lot 1; thence $N 0^{\circ} 21' 47''$ E for 60 feet to the Southwest corner of Lot 47, said Greenbrier; thence $S 89^{\circ} 24' 34''$ E for 63.64 feet along the South line of said Lot 47 to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence $S 0^{\circ} 00' 00''$ W for 792.62 feet to the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 13; thence $N 89^{\circ} 27' 24''$ W for 289.04 feet to the Point of beginning;

Together with all of vacated Lynnwood Road, adjacent thereto;

CONTINUED ON NEXT PAGE

(Page 3 of Schedule A)
Exhibit A

BOOK 956 PAGE 707

Commitment No. T91-420

That part of Lot 5, together with the East 1/2 of vacated Sky Ridge Road adjoining on the West, SKY RIDGE ESTATES, a subdivision in Douglas County, Nebraska, described as follows: Beginning at the Northwest corner of said Lot 5; thence S27°53'40"E (assumed bearing) for 190.0 feet along the Northerly line of said Lot 5; thence along a curve to the left (having a radius of 447.11 feet and a long chord bearing S32°31'17"E for 67.82 feet) for an arc distance of 67.88 feet; thence N57°13'08"W for 111.03 feet; thence N50°52'09"W for 127.40 feet; thence N62°08'40"W for 52.81 feet to the Westerly line of said Lot 5, thence continuing N62°08'40"W for 30.23 feet to the centerline of vacated Sky Ridge Road; thence N62°04'02"E for 145.37 feet along the centerline of vacated Sky Ridge Road to the Northerly line of Lot 5 extended; thence S27°53'40"E for 25.00 feet to the point of beginning, together with all of vacated Lynnwood Road adjacent thereto, lying between Lot 5, in Greenbrier and Lot 5 in Sky Ridge Estates.

TOGETHER WITH:

a permanent easement for ingress and egress over Lots 1 and 5, Sky Ridge Estates, a subdivision in Douglas County, Nebraska, said easement being 15 feet in width, lying 7 1/2 feet each side of the following described center line: Commencing at the Southwest corner of said Lot 5, Sky Ridge Estates; thence N40°38'23"W (assumed bearing) for 95.78 feet along the Westerly line of said Lot 5 to the true point of beginning; thence along a curve to the right (having a radius of 102.09 feet and a long chord bearing N5°13'40"E for 26.33 feet) for an arc distance of 26.40 feet; thence along a curve to the right (having a radius of 68.67 feet and a long chord bearing N60°32'38"E for 98.42 feet) for an arc distance of 109.73 feet; thence along a curve to the left (having a radius of 133.61 feet and a long chord bearing N172°59'44"E for 89.93 feet) for an arc distance of 91.72 feet; thence along a curve to the right (having a radius of 96.00 feet and a long chord bearing N73°11'12"E for 48.05 feet) for an arc distance of 48.57 feet; thence along a curve to the left (having a radius of 517.11 feet and a long chord bearing N84°37'17"E for 70.41 feet) for an arc distance of 70.46 feet; thence along a curve to the left (having a radius of 68.99 feet and a long chord bearing N66°47'52"E for 33.19 feet) for an arc distance of 33.52 feet; thence N52°52'39"E for 5.68 feet to the curved North line of Lot 1, Sky Ridge Estates and the point of terminus of this easement, said point of terminus being an arc distance of 31.08 feet easterly of the Northwest corner of said Lot 1.

TOGETHER WITH:

That part of the Southeast 1/4 of the Northwest 1/4 of Section 13, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the Southwest corner of the Southeast 1/4 of said Northwest 1/4; thence N0°00'00"E (assumed bearing) for 482.58 feet along the West line of the Southeast 1/4 of said Northwest 1/4; thence S89°27'24" E for 798.15 feet along a line that is parallel with the South line of said Northwest 1/4; thence S0°32'36"W for 482.56 feet to the South line of said Northwest 1/4; thence N89°27'24"W for 793.57 feet along said South line to the Point of beginning.