

Affects lot 45 Colonies Rep IVth
But check your lot on other platting

2-14-11

BOOK 526 PAGE 397

EASEMENT

THIS EASEMENT AGREEMENT made on the 20 day of August, 1973 between THE UNITED STATES NATIONAL BANK OF OMAHA Trustee under the Testamentary Trust of Katherine C. Allison, deceased, owner of the hereinafter described property, and JOSEPH R. MCDERMOTT, and ADA MCDERMOTT, husband and wife, as tenants in possession of the hereinafter described property, herein called "Grantor" whether one or more, and SANITARY AND IMPROVEMENT DISTRICT NO. 244 OF DOUGLAS COUNTY, NEBRASKA, Grantee.

WITNESSETH:

1. The Grantor in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor being collectively the owner and tenant in possession of the land hereinafter described as being a part of:

The Northeast Quarter (NE 1/4), Section Two (2), Township Fourteen (14) North, Range Eleven (11) East, Douglas County, Nebraska,

does hereby give, grant, sell and convey unto Grantee, its successors and assigns a temporary construction easement over, on and under a strip of land located in the above described land in Douglas County, Nebraska, said strip of land being more particularly described as follows, to-wit:

1) A 100' wide easement 50' on both sides of and parallel to the following described centerline: Beginning at a point on the west property line 1031.47 feet South of the N 1/4 corner of said Sec. 2; thence S89°58'35"E a distance of 169.03' to a point.

2) A 100' wide easement lying 15 feet east of and 85 feet west of the following described line: beginning at a point 160.61 feet east and 33.00 feet south of the N 1/4 corner of said Sec. 2; thence S1°39'22"W a distance of 998' to a point.

2. The above described temporary construction easement embraces a permanent easement previously granted which permanent easement is described as:

A 30' wide easement, 15' on both sides of and parallel to the following described centerline: Beginning at a point on the west property line 1031.47' south of the N 1/4 corner of said Section 2; thence S89°58'35"E a distance of 154.03' to a point; thence continuing from the last described point N1°39'22"E a distance of 998' to a point, said point being 160.61' east and 33.00' south of said N 1/4 corner.

which permanent easement is recorded at Book 524, Pages 253-257 of the Miscellaneous Records in Douglas County, Nebraska.

3. The scope and purpose of said temporary construction easement is solely for the operation of drag lines, machinery, movement of equipment and all other things necessary and required for the construction of a sanitary outfall sewer, and other work in connection therewith required for the construction of a sanitary sewer pipeline on the above described permanent easement. That said temporary construction easement is to be effective from the date hereof and shall continue until all construction has been completed in the permanent easement above described.

4. By accepting the foregoing temporary construction easement, Grantee agrees to pay for crop damage and to repair all fences, if any, which may be damaged in connection with said construction work and to restore the land to its present condition as nearly as may be reasonably possible.

5. It is agreed between the Grantor and the Grantee that once the grade level of the manholes has been established by the engineers of the Grantee that any change thereafter made will be at the sole expense of the Grantor.

6. That the Grantors for themselves and their heirs, executors, administrators and assigns, do covenant with Grantee and its successors and assigns that they are well seized in fee of the premises above described and that they have the right to grant and convey this temporary easement in the manner and form aforesaid, and that they will and their heirs, executors and administrators shall warrant and defend this easement to the said Grantee and its assigns against the lawful claims and demands of all persons.

Executed the day and year first above written.

THE UNITED STATES NATIONAL BANK OF OMAHA
Trustee under the Testamentary Trust of
Katherine C. Allison, Deceased.

H. Daniel
Senior Vice President

James L. H. H. H.
Trust Officer

Joseph R. McDermott
Joseph R. McDermott

Ada McDermott
Ada McDermott

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 20 day of August, 1973, before me the undersigned, a Notary Public in and for said County, personall came ^{11.01.73 A. W. Knapp} ~~A. W. Knapp~~, Senior Vice President, of the United States National Bank of Omaha, a corporation, and ^{Paul D. Kadacz} ~~Paul D. Kadacz~~ Trust Officer of said Corporation, to me personally known to be the Senior Vice President and Trust Officer respectively of said Corporation and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said Corporation, and the Corporate Seal of said Corporation to be thereto affixed by its authority.

WITNESS my hand and Notarial Seal in said County the day and year last above written.

GARY R. OLOFF
GENERAL NOTARY - State of Neb.
My Commission Expires
April 22, 1976

Notary Public

My Commission expires:

April 27 1976

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 17 day of August, 1973, before me, the undersigned, a Notary Public duly commissioned, qualified and residing in said County, personally came Joseph R. McDermott and Ada McDermott, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing easement, and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public

My Commission expires:

5/15/77



TRACT NO. 3 SH11 OF 2

PROJECT SID # 244 (PSO 3750)

LEGAL OWNER Katherine C. Allison Est.

TRACT DESCRIPTION:

Except the North 33', the NE $\frac{1}{4}$ of Sec. 2, T14N, R11E of Douglas County, Nebraska. Containing 155.51 Acres.

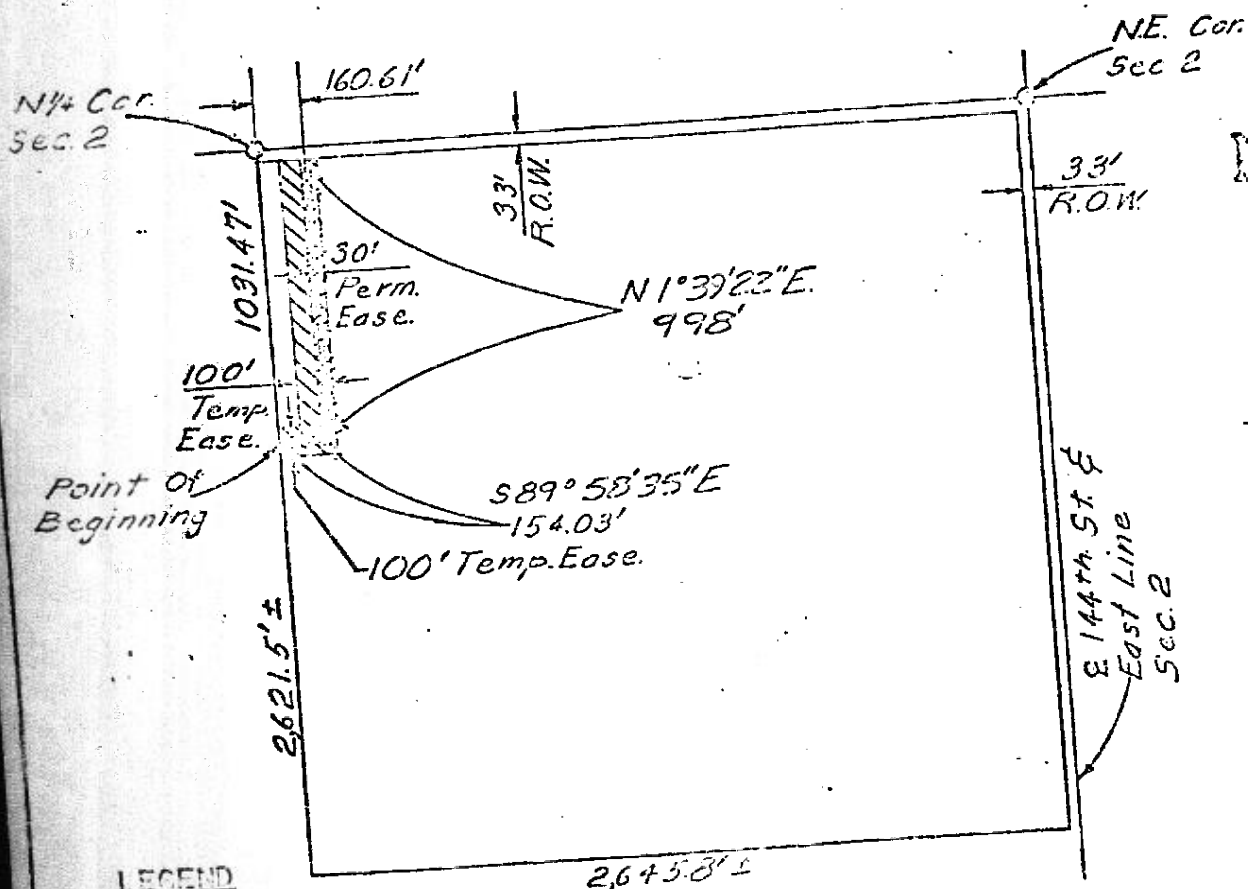
EASEMENT DESCRIPTIONS:

PERMANENT EASEMENT:

(See Attachment)

TEMPORARY EASEMENT:

(See Attachment)



LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT

SCALE: 1" = 600'

Revised 6-5-73

TRACT NO. 38004 ^{MT. LOF.} 528 ^{MCN.} 401

PROJECT SID # 244 (PSO 3750)

LEGAL OWNER Katherine C.
Allison Est.

TRACT DESCRIPTION:

Except the North 33', the NE $\frac{1}{4}$ of Sec. 2, T14N, R11E of Douglas County, Nebraska. Containing 155.51 Acres.

PERMANENT EASEMENT:

A 30' wide easement, 15' on both sides of and parallel to the following described centerline: Beginning at a point on the west property line 1031.47' south of the N $\frac{1}{2}$ corner of said Sec. 2; thence S89°58'35" E a distance of 154.03' to a point; Thence continuing from the last described point N1°39'22" E a distance of 990' to a point, said point being 160.61' east and 33.00' south of said N $\frac{1}{2}$ corner.

TEMPORARY EASEMENTS

- 1) A 100' wide easement 50' on both sides of and parallel to the following described centerline; Beginning at a point on the west property line 1031.47' south of the N $\frac{1}{2}$ corner of said Sec. 2; thence S89°58'35" E a distance of 154.03' to a point.
- 2) A 100' wide easement lying 15 feet east of and 85 feet west of the following described line; Beginning at a point 160.61' east and 33.00' south of the N $\frac{1}{2}$ corner of said Sec. 2; thence S1°39'22" W a distance of 990' to a point.

19
ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEB. 1923 AT 2:12 P.M. 15.25
10 DAY OF Sept. C. HAROLD OSTLER, REGISTER OF DEEDS