

EASEMENT

WHEREAS, ROY A. SMITH and KAY WATSON SMITH are the owners and STANLEY C. SEARLES and CHICK 'N BURGER, INC., are the present lessees of the following-described real estate (these parties hereafter referred to as Parties of the First Part):

A tract of land in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6 Twp. 14 North, Range 13 East of the 6th P.M., more particularly described as follows: Beginning at a point on the East line of the West three acres of the East five acres of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6; said point being 40-feet South of the North line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 6; thence South 30° 30' West (assumed bearing) along the East line of the West three acres of the East five acres of said Sec. 6 a distance of 150-feet; thence North 90° West and parallel to the North line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 6 a distance of 150-feet; thence North 30° 30' East and parallel to the East line of said tract a distance of 150-feet; thence North 90° East parallel to and 40-feet South of the North line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 6 a distance of 150-feet to the point of beginning containing 0.515 acres more or less,

and

WHEREAS, TRANSAMERICAN INVESTMENT PROPERTIES, INC., hereafter referred to as Party of the Second Part, is the owner of the following real estate (which lies immediately east of the above-described property):

A tract of land lying in the North One-Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 6, Township 14 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 6-14-13; thence S 86°24' W on an assumed bearing along the center section line of said Section 6 for a distance of 66.15 feet; thence S 00°00' W along the westerly line of the East 2 acres in the Northwest Quarter of the Southeast Quarter of Section 6 for a distance of 50.0 feet to the South R.O.W. line of "L" Street, which is the point of beginning; thence N 86°24' E along said South R.O.W. line of "L" Street for a distance of 80.67 feet; thence S 00°00' W for a distance of 212.06; thence N 89°57'41" W for a distance of 80.51 feet; thence N 00°00' E for a distance of 206.94 feet to the point of beginning containing 0.39 acres more or less,

and

WHEREAS, the parties hereto desire to provide for proper drainage on the easterly portion of the property described first above,

NOW, THEREFORE, in consideration of the mutual benefits to each other and of the promises contained herein, the Parties of the First Part hereby grant to the Party of the Second Part a perpetual easement over the easterly five (5) feet of the property described first above.

The Party of the Second Part will construct on and over said five- (5) foot strip an all weather surface material trough, in order to provide a receptacle to receive the surface water which flows over and across the property described first above and eventually to its easterly boundary. Said trough will abut the West wall of a building to be constructed by the Party of the Second Part. Maintenance of said trough shall be the responsibility of the Party of the Second Part.

This easement and agreement shall run with the land and be binding on the heirs, executors, administrators, successors, and assigns of the parties hereto.

DATED this 14th day of August, 1969.

CHICK 'N BURGER, INC.

By: Stanley C. Searles

President

Attest: Ruth Cantrell

Secretary

Roy A. Smith
Roy A. Smith

Kay Watson Smith
Kay Watson Smith

Stanley C. Searles
Stanley C. Searles

TRANSAMERICAN INVESTMENT
PROPERTIES, INC.

By: Richard J. Hull

President

Attest: James W. Lawrence

Secretary

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

On this 14th day of August, 1969, before me, the undersigned a Notary Public duly commissioned and qualified for in said County, personally came ROY A. SMITH and KAY WATSON SMITH, husband and wife, to me personally known to be the identical persons whose names are affixed to the foregoing Easement and acknowledged the execution thereof to be their voluntary act and deed.

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

Clayton R. Ryan

Notary Public

My Commission expires 11-3-71.

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

On this 12th day of August, 1969, before me, the under-
 signed a Notary Public duly commissioned and qualified for in
 said County, personally came STANLEY C. SEARLES to me personally
 known to be the identical person whose name is affixed to the
 foregoing Easement 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.



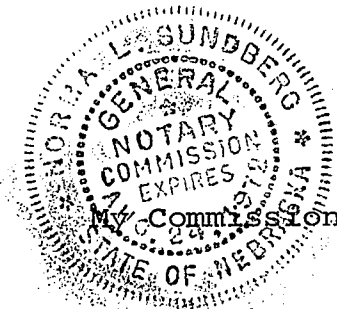
Norma L. Sundberg
 Notary Public

My Commission expires August 24, 1972.

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

On this 12th day of August, 1969, before me, the under-
 signed a Notary Public duly commissioned and qualified for in
 said County, personally came Stanley C. Searles,
 President, and Ruth Cantrell, Secretary,
 of CHICK 'N BURGER, INC. to me personally known to be the President and
 the Secretary of said corporation and the identical persons whose
 names are affixed to the foregoing Easement and acknowledged the
 execution thereof to be their voluntary act and deed as such
 officers and the voluntary act and deed of the said corporation,
 and that the Corporate Seal of the said corporation was thereto
 affixed by its authority.

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



Norma L. Sundberg
 Notary Public

My Commission expires August 24, 1972.

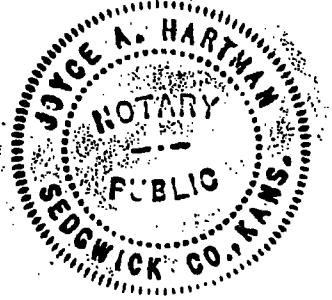
STATE OF Kansas)
) ss.
COUNTY OF Sedgwick)

October
On this 6th day of ~~August~~ 1969, before me, the under-
signed a Notary Public duly commissioned and qualified for in
said County, personally came David H. Aull
President, and Ward Lawrence Asst., Secretary
of TRANSAMERICAN INVESTMENT PROPERTIES, INC., to me personally
known to be the President and the Secretary and the identical
persons whose names are affixed to the foregoing Easement, and
acknowledged the execution thereof to be their voluntary act
and deed as such officers and the voluntary act and deed of the
said corporation, and that the Corporate Seal of the said corpo-
ration was thereto affixed by its authority.

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

Joyce A. Hartman
Notary Public

My Commission expires 30 September 1972.



6-14-13

By Robert J. Huchel
Deputy
N 2400 1st Ave
W 6-14-13 (G.P.)
750

THE STATE OF NEBRASKA } ss.
Entered in Numerical Index and filed
in the office of the Register of
Deeds of said County and recorded in
Book 481 of Price
Page 619
C. Harold Oster
Register of Deeds
68124

RECEIVED
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1969 OCT 13 AM 10 52

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RECEIVED
Harold Oster