

2016 DEC -9 A 11:43

BOOK 403 PAGE 1290
OF 654 LIST# 126

(96, 8)

After recording return to:

Bromm, Lindahl
Freeman-Caddy & Lausterer
351 North Linden
P.O. Box 277
Wahoo, NE 68066

EASEMENT AGREEMENT
(INGRESS/EGRESS ROADWAY)
(111 acres)

This Easement Agreement (Ingress/Egress Roadway) hereinafter called "Easement Agreement", is made this 30th day of November, 2016, by and between Wolf Lakes Estates Homeowners Association, a Nebraska Non-Profit Corporation, hereinafter referred to as "HOA" and JTOW, LLC, a Nebraska Limited Liability Company, hereinafter referred to as "JTOW".

WHEREAS, HOA is the owner of all common areas, including roadways and lakes located within Wolf Lakes Estates, located in Sections 16, 21, and 22, Township 17, Range 6, Saunders County, Nebraska, and, hereinafter referred to as "HOA Real Estate",

WHEREAS, JTOW is the owner of the following described real estate, to wit:

See Exhibit A, 2 of 2, attached hereto,

hereinafter referred to as the "JTOW Real Estate", and,

WHEREAS, JTOW Real Estate is not adjacent to any public road,

WHEREAS, HOA is willing to grant and create a roadway easement in favor of JTOW over and across a specific portion of the HOA Real Estate for JTOW to have access to the JTOW Real Estate, and

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, the JTOW and HOA agree as follows:

1. That the findings here and above made should be and are hereby incorporated herein by reference as if fully set forth at length herein.
2. That HOA does hereby grant, sell, convey and confirm unto JTOW an exclusive roadway easement over and across a specific portion of the HOA Real Estate for ingress and egress to the JTOW Real Estate. The easement granted hereby shall consist of that area described as follows, to wit:
 - a. JTOW shall be permitted to enter Wolf Lakes Estates via the gate located on Wolf's Way; JTOW shall immediately turn right, to the east, onto Crooked Creek Road and proceed to a locked gate of JTOW to enter onto the JTOW Real Estate; and/or,
 - b. JTOW shall be permitted to enter Wolf Lakes Estates via the gate located on Wolf's Way and proceed to Turkey Road; after passing Lot 14 of Wolf Lakes Estates, JTOW shall take an immediate right to a locked gate of JTOW to enter onto the JTOW Real Estate;

hereinafter referred to as "Easement Area".

3. That JTOW shall indemnify and hold HOA harmless against any claim for injury to any person or property which occurs, or is alleged to have occurred, during the course of JTOW's use of said aforementioned Easement Area. This shall include any settlement, judgment, cost of defense, including legal fees and disbursements.

4. That this Easement Agreement shall be recorded in the office of the Register of Deeds of Saunders County, Nebraska, at JTOW's expense. The Register of Deeds shall index this Easement Agreement against the parties as both Grantor and Grantee.

5. That this Easement Agreement shall be binding upon the parties hereto, their respective successors and assigns and shall not terminate except by mutual written agreement of the parties hereto.

6. That this Easement Agreement is subject to and shall be construed and enforced in accordance with the laws of the State of Nebraska. Time is of the essence of this Easement Agreement. No amendment of this Easement Agreement shall be effective unless reduced to writing and executed by the parties hereto. This Easement Agreement contains all of the understandings of the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement as of the day and year first above written.

JTOW, LLC, a Nebraska Limited Liability Company,
Association, a
Corporation,

By:

Janis E. O'Neill
Janis E. O'Neill, its Manager

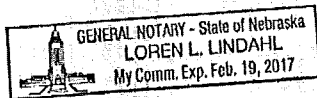
By:

Wolf Lakes Estates Homeowners
Nebraska Non-Profit

Samuel Callabro
Samuel Callabro, its President

STATE OF NEBRASKA)
COUNTY OF SAUNDERS) ss.

The foregoing Easement Agreement was acknowledged before me on this 30th day of November, 2016, by Janis E. O'Neill, Manager of JTOW, LLC, a Nebraska Limited Liability Company.



[Signature]
Notary Public

STATE OF NEBRASKA)
COUNTY OF SAUNDERS) ss.

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2 The foregoing Easement Agreement was acknowledged before me on this 4th day of December, 2016, by Samuel Callabro, President of Wolf Lakes Homeowners Association, a Nebraska Non-Profit Corporation.

Tim C. Chapman
Notary Public

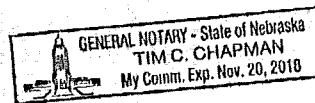


EXHIBIT A

LEGAL DESCRIPTION:

A tract of land containing 111 acres, more or less, previously described by a warranty deed filed in Record Book 91, page 503 of the Saunders County Register of Deeds Records, as follows:

The Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4), and Government Lots Three (3) and Four (4) all in Section Twenty-two (22), Township Seventeen (17) North, Range Six (6), East of the 6th P.M., together with all accretions to said Government Lots 3 and 4 above described, in accordance with the "Definition of Boundary", as stipulated between the parties, which is recorded in Book "P" on Page 592 of Miscellaneous Records in the Register of Deeds Office in Saunders County, Nebraska;

Except Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, of Wolf Lakes Estates, a subdivision platted in said Section 22;

Except Wolf's Way and Crooked Creek, private streets platted within said Wolf Lakes Estates;

Except a parcel of land referred to as Parcel No. 9 by a warranty deed filed in Record Book 341, page 316 of the Saunders County Register of Deeds Records;

Except the following described parcel;

A parcel of land being part of Wolf Lakes Estates, a subdivision platted in Sections 16, 21 and 22, of Township 17 North, Range 6 East of the Sixth P.M., Saunders County, Nebraska, said parcel being part of the Northwest Quarter of the Southwest Quarter and part of Government Lot 4, of said Section 22, being described as follows:

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Commencing at the Southwest Corner of said Northwest Quarter Southwest Quarter; thence N00°00'19"W (assumed bearing) on the West Line of said Northwest Quarter Southwest Quarter, a distance of 717.58 feet; thence N89°59'41"E perpendicular to said West Line, a distance of 33.00 feet to the Southeast Corner of Wolf's Way, a private street platted within said Wolf Lakes Estates; thence N09°30'21"E on the East Line of said Wolf's Way, a distance of 25.88 feet to the true point of beginning; thence S78°02'34"E, a distance of 799.70 feet; thence S82°08'05"E, a distance of 323.62 feet; thence N63°04'27"E, a distance of 239.08 feet; thence N02°00'41"E, a distance of 234.04 feet; thence N11°40'57"E, a distance of 212.49 feet to a point on the South Line of Crooked Creek, a private street platted within said Wolf Lakes Estates; thence on said South Line as follows; N77°17'50"W a distance of 118.87 feet, N83°37'27"W a distance of 244.73 feet, S88°54'16"W a distance of 223.49 feet, N82°24'42"W a distance of 215.57 feet, N88°45'48"W a distance of 308.64 feet, N78°19'18"W a distance of 227.96 feet to a point of intersection with the East Line of said Wolf's Way; thence southerly on said East Line on a 735.00 foot radius curve to the left an arc distance of 241.01 feet, the chord of said curve bears S00°08'20"W 239.93 feet; thence continuing on said East Line S09°30'21"W, a distance of 233.87 feet to the true point of beginning.

Except the following described parcel;

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A parcel of land being part of Wolf Lakes Estates, a subdivision platted in Sections 16, 21 and 22, of Township 17 North, Range 6 East of the Sixth P.M., Saunders County, Nebraska, said parcel being part of the Northwest Quarter of the Southwest Quarter and part of Government Lot 4, of said Section 22, being described as follows:

Beginning at the Southwest Corner of said Northwest Quarter Southwest Quarter, thence N00°00'19"W (assumed bearing) on the West Line of said Northwest Quarter Southwest Quarter, a distance of 717.58 feet; thence N89°59'41"E perpendicular to said West Line, a distance of 33.00 feet to the Southeast Corner of Wolf's Way, a private street platted within said Wolf Lakes Estates; thence N09°30'21"E on the East Line of said Wolf's Way, a distance of 25.88 feet; thence S78°02'34"E, a distance of 799.70 feet; thence S82°08'05"E, a distance of 323.62 feet; thence N63°04'27"E, a distance of 239.08 feet; thence N02°00'41"E, a distance of 234.04 feet; thence S86°51'19"E, a distance of 1300.26 feet to a point on the East Line of said Government Lot 4; thence S00°02'37"E on said East Line, a distance of 799.06 feet to the Southeast Corner of said Government Lot 4; thence S89°53'40"W on the South Line of said Government Lot 4 and the South Line of said Northwest Quarter Southwest Quarter, a distance of 2660.42 feet to the point of beginning.

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