

PERMANENT RIGHT-OF WAY AGREEMENT

This agreement made this 17th day of July, 1985, by and between HUGO H. OLTMANNS and MARGARET J. OLTMANNS, General Partners of OLTMANNS ENTERPRISES LIMITED PARTNERSHIP ("Oltmanns Enterprises") and HUGO H. OLTMANNS and MARGARET J. OLTMANNS ("Oltmanns"),

## W I T N E S S E T H:

WHEREAS, Oltmanns Enterprises is the owner of a certain parcel of land in Douglas County, Nebraska more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof ("Parcel A"); and

WHEREAS, Oltmanns are the owners of certain land adjoining that land hereinbefore described on the south, said parcel being more particularly described in Exhibit "B" attached hereto and by this reference made a part hereof; and

WHEREAS, the parties, in order to facilitate the flow of vehicular traffic over and between their respective properties, desire to establish mutual and reciprocal rights-of-way over Parcel A and Parcel B.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. Oltmanns Enterprises grants a nonexclusive permanent motor vehicular right-of-way easement over that part of Parcel A delineated in red on Exhibit "C" for the use of Oltmanns, its customers, agents, employees, invitees and licensees.
2. Oltmanns grants a nonexclusive permanent motor vehicular right-of-way easement over those parts of Parcel B delineated in blue on Exhibit "C" for the use of Oltmanns Enterprises, their customers, agents, employees, invitees and licensees.
3. Each party agrees to maintain the easement areas on their respective properties in such condition and in such a manner as to afford to each other and their customers, agents, employees, invitees and licensees a paved, free, unrestricted and unobstructed access to and from each party's property to the existing public rights-of-way and the travelled non-parking areas on the respective parcels of each other.
4. This agreement shall run with the land and shall be binding upon the parties hereto and their respective heirs, representatives, successors and assigns.

WITNESS our hands and seals the day and year first above written.

OLTMANN'S ENTERPRISES LIMITED  
PARTNERSHIP

BY Hugo H. Oltmanns  
Hugo H. Oltmanns, General Partner

BY Margaret J. Oltmanns  
Margaret J. Oltmanns, General Partner

OLTMANN'S

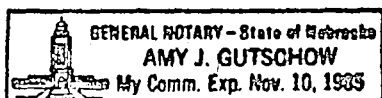
BY Hugo H. Oltmanns  
Hugo H. Oltmanns, Individually

BY Margaret J. Oltmanns  
Margaret J. Oltmanns, Individually

STATE OF NEBRASKA) ss.  
COUNTY OF DOUGLAS)

Before me, a Notary Public qualified for said County, personally came HUGO H. OLTMANNS and MARGARET J. OLTMANNS, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on this 17<sup>th</sup> day of July, 1985.

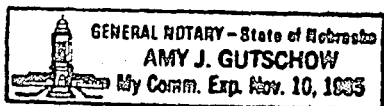


Cheryl K. School  
Notary Public

STATE OF NEBRASKA) ) ss.  
COUNTY OF DOUGLAS)

Before me, a Notary Public qualified for said County, personally came HUGO H. OLTMANNS and MARGARET J. OLTMANNS, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on this 17<sup>th</sup> day of July, 1985.



Angela L. Hobbs  
Notary Public

To The Office of  
**GEORGE E. EHRLHART**  
County Surveyor and Engineer  
Douglas County

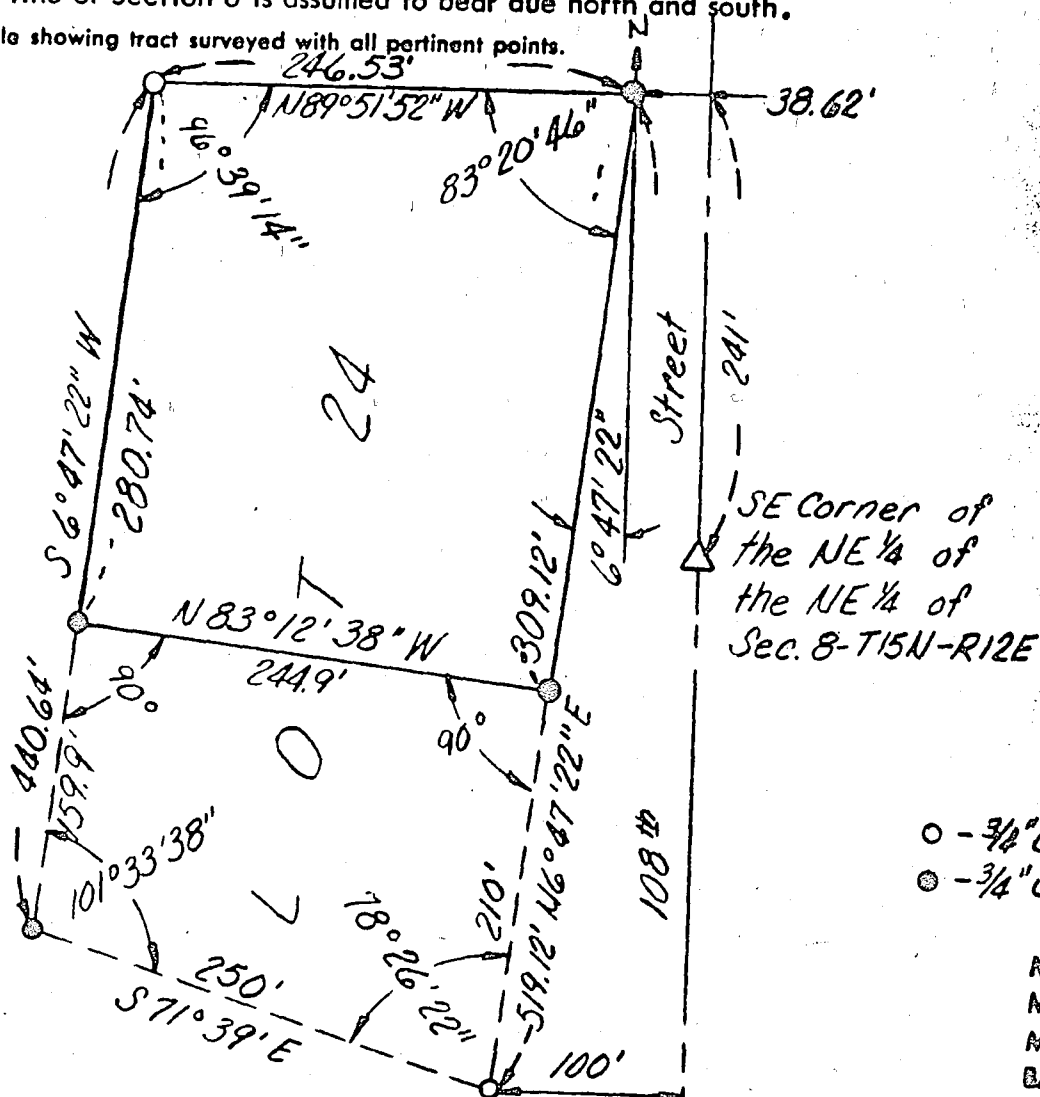
Field Notes:

BOOK **745** PAGE **231**

**LAND SURVEYOR'S CERTIFICATE**

I hereby certify that this plat, map, survey or report was made by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska. That part of Lot 24 Maple Heights Addition in the Northeast quarter (NE 1/4) Sec. 8, T15N, R12E, Range 12 East of the 6th P.M. Douglas County, Nebraska, is hereby surveyed and its legal description as follows: Beginning at the Northeast corner said Lot 24, thence on a bearing of South 6° 47' 22" West a distance of 246.53; thence on a bearing of South 83° 12' 38" East a distance of 244.9 feet. Thence on a bearing of North 6° 47' 22" East a distance of 309.12 feet to the point of beginning. Containing 1.66 acres more or less. The East line of Section 8 is assumed to bear due north and south.

Plat to scale showing tract surveyed with all pertinent points.



Scale 1"=100'

- - 3/4" Gas Pipe Found
- - 3/4" Gas Pipe Set

McCAUGHY,  
MARSHALL,  
McWILLAN &  
BACKLUND  
Formerly  
E. H. Backlund & Associates

Signature of Land Surveyor  
*Gordon S. Nagel*

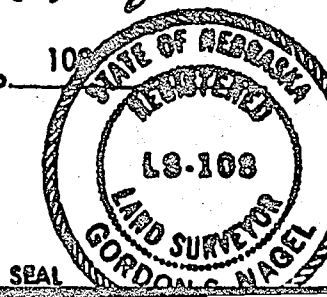
DATE RECEIVED: \_\_\_\_\_

Date: Nov. 12, 1971 Reg. No. 102

OFFICIAL ADDRESS: \_\_\_\_\_

EXHIBIT A

BLDG. PERMIT NO.: \_\_\_\_\_



County Surveyor and Engineer  
Douglas County

Field Notes:

BOOK 745 PAGE 252

So. PART OF LOT 24

LAND SURVEYOR'S CERTIFICATE

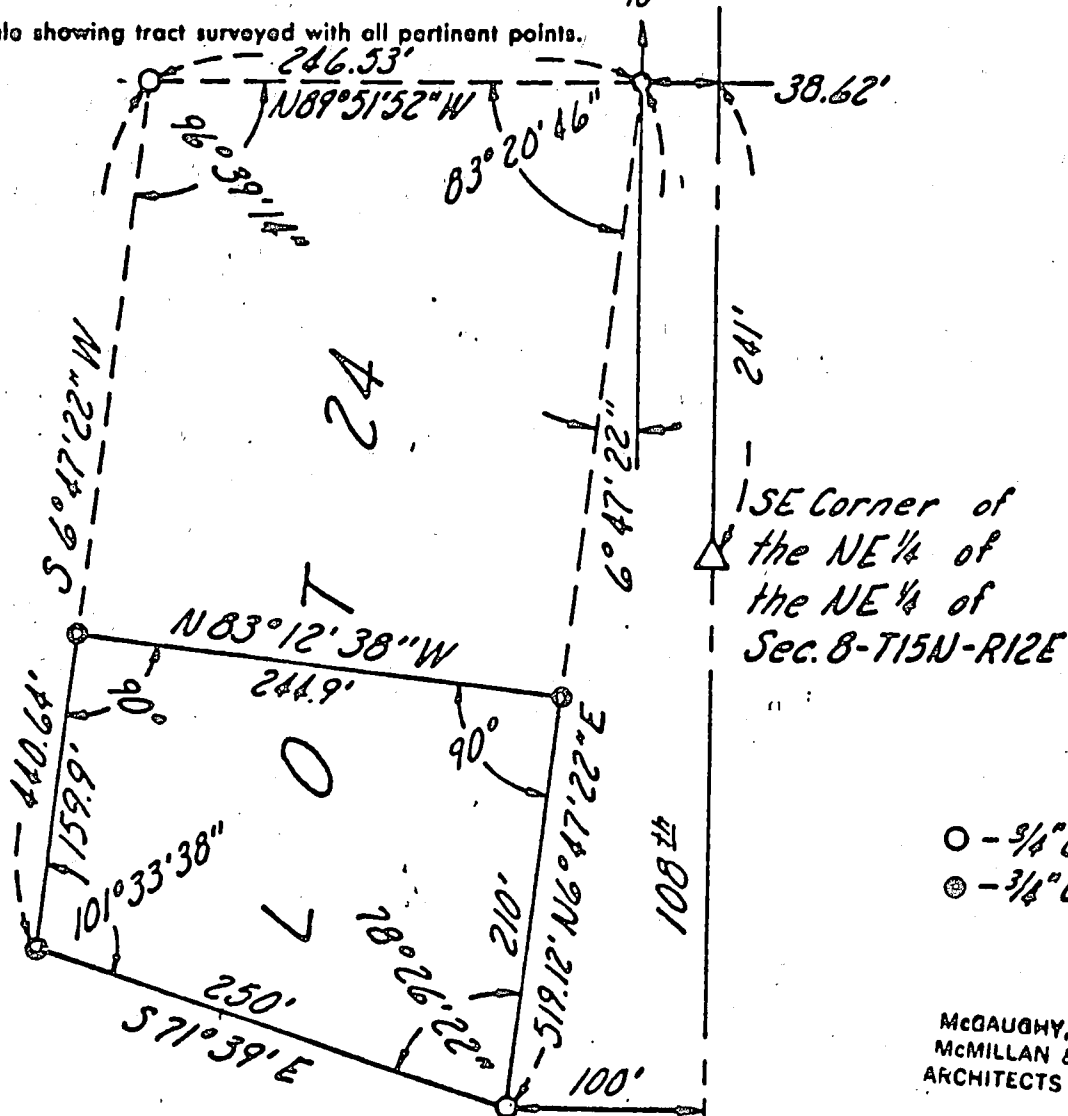
I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am

a duly Registered Land Surveyor under the laws of the State of Nebraska.

That part of Lot 24 Maple Heights Addition in the NE 1/4 Section 8, Township 15N, Range 12E of the 6th P.M., Douglas County, Nebraska as surveyed, platted and recorded, more particular described as follows: Beginning at the southeast corner of said Lot 24; thence on a bearing of N 60° 47' 22" E, a distance of 210.0 feet; thence on a bearing of N 83° 12' 38" W, a distance of 244.9 ft; thence on a bearing of S 60° 47' 22" W, a distance of 159.9 feet to the northerly ROW line of West Maple Road; thence on a bearing of S 71° 39' E, along the northerly ROW line of West Maple Road, a distance of 250.0 feet to the point of beginning, containing 1.04 acres more or less.

NOTE: The east line of said Section 8 is assumed to bear due north and south.

Plat to scale showing tract surveyed with all pertinent points.



Scale 1"=100'

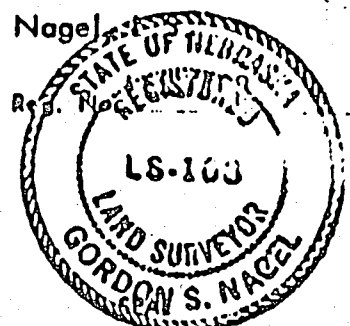
- - 3/4" Gas Pipe Found
- - 3/4" Gas Pipe Set

McGAUGHY, MARSHALL,  
McMILLAN & BACKLUND  
ARCHITECTS - ENGINEERS

*Gordon S. Nagel*  
Signature of Land Surveyor

Gordon S. Nagel

Nov. 12, 1971



DATE RECEIVED: \_\_\_\_\_

Date: \_\_\_\_\_

OFFICIAL ADDRESS: \_\_\_\_\_

DEED PERMIT NO. \_\_\_\_\_

Exhibit "B"

EMMETT ST

DRAWING NO. \_\_\_\_\_  
 APPROVED \_\_\_\_\_  
 REVISED \_\_\_\_\_  
 SUPERSEDES DRAWING NO. \_\_\_\_\_

SCALE 1" = 50 FT.  
 ALL DIMENSIONS & SIZE DESIGNATIONS GIVEN ARE SUBJECT TO VERIFICATION ON JOB SITE AND ADJUSTMENT TO FIT JOB CONDITIONS.

CUSTOMER \_\_\_\_\_



BY \_\_\_\_\_  
 DESIGNER \_\_\_\_\_

THIS IS AN ORIGINAL DESIGN AND MUST NOT BE RELEASED OR COPIED UNLESS APPLICABLE FEE HAS BEEN PAID OR JOB ORDER PLACED.

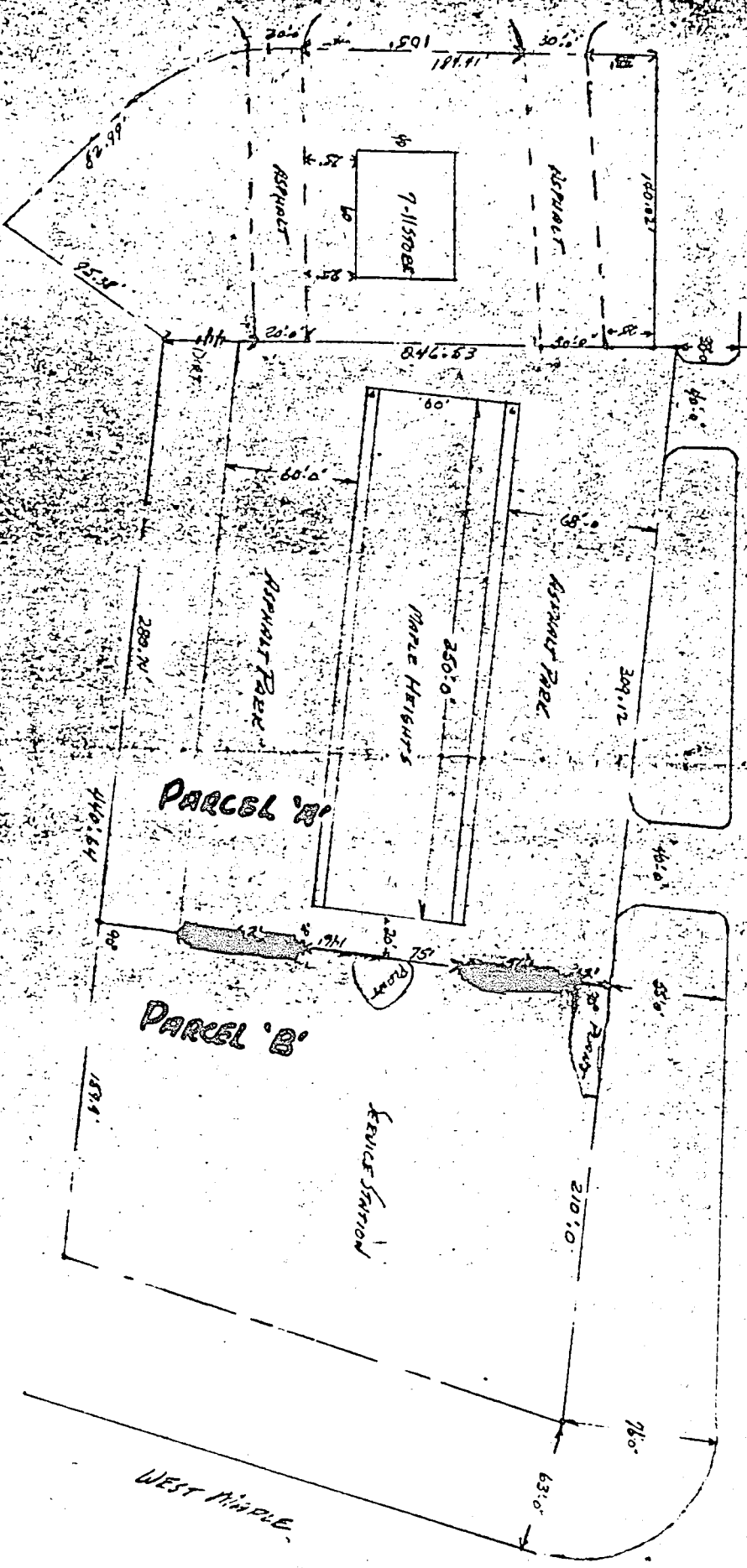


Exhibit "C"

05/11/11 34111

RECEIVED  
 1985 JUL 18 PM 2:35  
 GEORGE J. BUGLEWICZ  
 REGISTER OF DEEDS  
 DOUGLAS COUNTY, NEBR.

Book 745  
 Page 249  
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