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EASEMENT

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THIS EASEMENT is made this 23<sup>rd</sup> day of May, 1992, by and between LANE A. ROGERS and PATRICIA J. ROGERS, husband and wife, hereinafter referred to as "Rogers", and ROGER S. DAY and CAROL R. DAY, husband and wife, hereinafter referred to as "Day", and BRUCE C. SCHMIDT, single, hereinafter referred to as "Schmidt".

WHEREAS, Rogers were the owners of real property legally described as follows:

Tax Lot 1 lying in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 3, Township 17 North, Range 9 East of the 6th P.M., Washington County, Nebraska, containing 37.71 acres, more or less. More particularly described as follows: Commencing at the E $\frac{1}{4}$  corner of Section 3 and assuming the East-West Quarter line to bear North 89°03'53" West; thence North 89°03'53" West, a distance of 371.58 feet to the point of beginning; thence continuing North 89°03'53" West, a distance of 943.67 feet to the SW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence North 0°33'15" East, a distance of 1306.39 feet to the NW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence S 88°55'19" East, a distance of 1315.38 feet to the NE corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence S 0°33'30" West along the East line of said Quarter Quarter, a distance of 907.38 feet; thence S 43°55'57" West, a distance of 541.06 feet to the point of beginning (subject to easements of record); and

WHEREAS, Rogers sold to Day the following described real estate:

A tract of land lying in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 3, Township 17 N, Range 9 East of the 6th P.M., Washington County, Nebraska, containing 16.07 acres, more or less. More particularly described as follows: Commencing at the E $\frac{1}{4}$  corner of Section 3 and assuming the S line of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  to bear N 89°03'53" West; thence N 89°03'53" West, a distance of 621.32 feet to the point of beginning; thence continuing N 89°03'53" W, a distance of 693.93 feet to the SW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence N 0°33'15" E, a distance of 1306.39 feet to the NW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence S 88°55'19" E along the North line of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , a distance of 580.11 feet; thence S 28°37'30" W, a distance of 183.62 feet; thence S 06°11'52" E, a distance of 157.94'; thence S 03°26'55" W, a distance of 277.99 feet; thence S 06°57'55" E, a distance of 567.42 feet; thence S 39°04'27" E, a distance of 190.43 feet to the point of beginning (subject to easements of record); and

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WHEREAS, Schmidt is the owner of the following described real estate:

The SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  in Tax Lot 22, all in Section 3, Township 17 N, Range 9, East of the 6th P.M., Washington County, Nebraska; and

WHEREAS, Rogers, Day and Schmidt recognize there is presently a private roadway on a strip of land on the foregoing described property of Rogers and Day for purpose of ingress, egress and regress to each parties respective properties and the parties desire to recognize and reaffirm the mutual easements of each party for the use of said roadway.

NOW, THEREFORE, IT IS MUTUALLY AGREED TO AS FOLLOWS:

Rogers and Day hereby grant a permanent and perpetual easement for the purpose of making ingress, egress and regress to and from the lands above described and said easement is to run along a strip of land described as follows:

An easement lying in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 3, Township 17 N, Range 9 East of the 6th P.M., Washington County, Nebraska. More particularly described as follows: Commencing at the E $\frac{1}{4}$  corner of Section 3 and assuming the East-West Quarter line to bear N 89°03'53" West; thence N 89°03'53" West, a distance of 371.58 feet to the point of beginning; thence continuing N 89°03'53" West, a distance of 943.67 feet to the SW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence N 0°33'15" East along the West line of said Quarter Quarter, a distance of 33.0 feet; thence S89°03'53" East, a distance of 777.60 feet to the point of curvature of a 492.30 foot radius curve; thence Northeasterly along said curve to the left, a distance of 292.92 feet (having a chord distance of 288.62 feet and a chord bearing of N 73°53'23" East); thence S 43°55'57" West, a distance of 160.79 feet to the point of beginning.

Said easement is given upon the express understanding and condition that the same may be used by the parties to this agreement, their heirs, executors, administrators and assigns, for full and free right and liberty for each party, his or their tenants, servants, visitors and licensees, and all other persons having a life right, at all times hereinafter, to pass and repass upon the said easement for all lawful purposes connected with the use and enjoyment of the properties by the parties.

IN WITNESS WHEREOF, the parties have signed this easement this 23<sup>rd</sup> day of May, 1992.

Lane A. Rogers  
LANE A. ROGERS

Patricia J. Rogers  
PATRICIA J. ROGERS

SUBSCRIBED and sworn to before me this 25 day of May, 1992.



Kevin D. Parde  
Notary Public

Roger S. Day  
ROGER S. DAY

Carol R. Day  
CAROL R. DAY

SUBSCRIBED and sworn to before me this 23<sup>rd</sup> day of May, 1992.



Kevin D. Parde  
Notary Public

Bruce G. Schmidt  
BRUCE G. SCHMIDT

SUBSCRIBED and sworn to before me this 26<sup>th</sup> day of May, 1992.



Randy W. Lock  
Notary Public

Recorded   
General   
Numerical   
Photostat

STATE OF NEBRASKA COUNTY OF WASHINGTON) 88 2109  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 26<sup>th</sup> DAY OF May A.D. 1992  
AT 1:53 O'CLOCK P.M. AND RECORDED IN BOOK  
203 AT PAGE 816 OF 831  
COUNTY CLERK Katherine J. Hester  
DEPUTY Karen Madson