

C1075804

LANCASTER COUNTY, NEB

*Dan J. He*

MAY 12 8 43 AM '97

INST. NO 97

*Refile*  
017486

**\$20.50**

BLOCK

CODE

CHECKED ✓

ENTERED ✓

EDITED

Re-recorded to correct legal description of Lot 13 and Lot 64, Irregular Tracts, in the Southeast Quarter (SE 1/4) of Section 20 North, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska

*AP*

LANCASTER COUNTY N.E.B.

RECORDER

Nov 27 2 11 PM '96

CODE

CHECKED

ENTERED

EDITED

047570

9611000

\$15.50

**ACCESS EASEMENT**

This declaration of easement is made this 25<sup>th</sup> day of November, 1996, by and between George W. Hendricks and Barbara J. Hendricks ("Hendricks"), and Ayars & Ayars, Inc. ("Ayars").

**RECITALS**

WHEREAS, Ayars is purchasing the real property described as follows:

Lot 41 (Described in Attachment A and hereafter referred to as Lot 41.)

WHEREAS, Hendricks is the owner of the following described property:

Lots 71 of Irregular Tracts in the Southeast Quarter (1/4) of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska (Hereafter referred to as Lot 71); and

Lot 40, Part of Lot 13 and Part of Lot 64 (Described in Attachment A and hereafter referred to here as Lot 40, Lot 13 and Lot 64, respectively.)

WHEREAS, the parties hereto desire to create for themselves, their heirs, successors and assigns a nonexclusive and perpetual easement for access purposes across the lots described above, as a covenant running with the land,

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged and in consideration of the mutual promises, obligations and rights herein created and intending to be legally bound the parties agree as follows:

1. Hendricks hereby gives, grants and conveys unto Ayars an access easement sufficient in size for an access road, utilities and sewer along and across the entire South property line of Lots 71 and 40, the South 1/2 of the East property line of Lot 71, the entire North side of Lots 40 and 64, and the entire South side of Lot 13.
2. The easement herein created shall be for the use of Ayars and for their tenants, servants, visitors, licensees for purpose of access and it is intended that a road will be built on each of the easements described in paragraph 1 above.
3. Such easements shall burden Lots 71, 13, 64 and 40 and their owners and successors and assigns forever, shall benefit Lot 41 and Ayars and


its heirs, successors and assigns forever, shall be perpetual and irrevocable, and shall run with the land and continue forever.

4. Hendricks shall not take any action which prevents reasonable exercise of access along the easements created.

5. This easement shall not expand the right of Ayars to encroach upon the property owned by Hendricks nor shall it give any right of ownership to Ayars in the property owned by Hendricks upon which said easement is located.

6. This Easement shall be binding upon and shall endure to the benefits of the parties hereto and their respective heirs, personal representatives, successors and assigns.

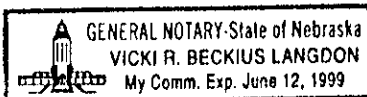
IN WITNESS WHEREOF, Hendricks has executed this Easement on the day and year written above.

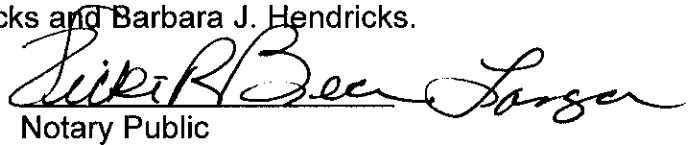
  
George W. Hendricks

  
Barbara J. Hendricks

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of November 1996, by George W. Hendricks and Barbara J. Hendricks.



  
Notary Public

~~Barbara J. Hendricks~~

ATTACHMENT A

**Lot 41 I.T.**

Lot 41 of Irregular Tracts in the Southeast 1/4 of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska

Square Footage - 252,120.09

**Lot 40 I.T.**

Lot 40 of Irregular Tracts in the Southeast 1/4 of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska

Square Footage - 103,862.78

**Part of Lot 13 I.T.**

A Tract of land being a part of lot 13 of Irregular Tracts located in the Southeast Quarter (1/4) of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska more particularly described as follows: BEGINNING at a 5/8" Capped Rebar found for the Southeast Corner of the aforementioned Lot 13 I.T.; THENCE:  $\backslash$ 89°35'10" W., a distance of 626.71 feet, along and with the South line of said Lot 13 I.T., to a 5/8" Capped Rebar; THENCE: N.00°24'50"E., a distance of 41.45 feet to a 5/8" Capped Rebar; THENCE: N.89°37'58"E., a distance of 216.41 feet, to a 5/8" Capped Rebar; THENCE: N.73°58'46"E., a distance of 324.30 feet, to a 5/8" Capped Rebar; THENCE: N.71°19'01"E., a distance of 105.05 feet, to a 5/8" Capped Rebar on the West Right-of-Way of Northwest 27th Street; THENCE: S.00°24'50"W., a distance of 170.52 feet, along and with the West Right-of-Way of Northwest 27th Street, to the POINT OF BEGINNING and containing in all 1.204 Acres of land subject to any Easements, Reservations or Restrictions of Record.

Square Footage - 52,576.92

**Part of Lot 64 I.T.**

A Tract of land out of and a part of lot 64 of Irregular Tracts located in the Southeast Quarter (1/4) of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska more particularly described as follows: BEGINNING at a 5/8" Capped Rebar being the Northwest Corner of the aforementioned Lot 64 I.T.; THENCE:  $\backslash$ 89°35'10" E., a distance of 117.06 feet, along and with the North line of Lot 64 I.T.; THENCE: S.00°24'50"W., a distance of 336.65 feet; THENCE: West a distance of 117.06 feet; THENCE: N.00°24'50"E., a distance of 337.50 feet, to the POINT OF BEGINNING and containing in all 0.906 Acres of land subject to any Easements, Reservations or Restrictions of Record.

Square Footage - 39,457.57

*[Handwritten signature]*