



BK 0987 PG 484-486



MISC 1991 24800

THIS PAGE INCLUDED FOR
INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

PERMANENT EASEMENT

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KNOW ALL MEN BY THESE PRESENTS:

THAT CYNET, INC., a Nebraska corporation, hereinafter referred to as "GRANTOR", owner of a parcel of land in Douglas County, Nebraska, as more particularly described on Exhibit A attached hereto and incorporated herein by reference, for and in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, for itself and for its successors and assigns, does hereby grant and convey unto the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT, hereinafter referred to as the "DISTRICT", and to its successors and assigns, a permanent easement over and across all that part of the aforescribed parcel of land lying within one hundred forty (140) feet and East of the centerline of the West Branch Papillion Creek (such part hereinafter being referred to as "THE EASEMENT AREA").

Pursuant to this easement the DISTRICT, and its successors and assigns, may construct, operate and maintain channel improvements and public pedestrian and bike trails in the Easement Area, including fences.

TO HAVE AND TO HOLD unto the DISTRICT, its successors and assigns, together with the right of ingress and egress from said premises for the purpose of using said Permanent Easement rights. The GRANTOR may continue to use the surface of the Easement Area conveyed hereby for other purposes, subject to the right of the DISTRICT to use for same for the purposes herein expressed.

It is further agreed as follows:

1. That no building, improvements, or other structures, shall be placed in, on, over, or across the Easement Area by GRANTOR, or its successors and assigns without express approval of the DISTRICT.
2. This Easement runs with the land.
3. That this instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings between the GRANTOR and the DISTRICT or its agent; and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the DISTRICT or its agents or employees, except as may be set forth herein.
4. The consideration recited herein shall constitute payment in full for any and all damages sustained by the GRANTOR and its successors and assigns by reason of the exercise of any of the rights or privileges herein described or granted.

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DEC 4 9 51 AM '91
GEORGE J. JENSEN
REGISTER OF DEEDS
DOUGLAS COUNTY, NEB.

987 C/O FEE 15.00
484-486 72-359 DEL 11 MC WC
MCC COMP VP F/B 64-26280

IN WITNESS WHEREOF the GRANTOR has executed this Easement this 14th day of November, 1991.

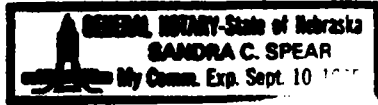
CYNET, INC.

By: Ralph E. Tetrick, Jr.
President

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

On this 14th day of November, 1991, before me, a Notary Public in and for said County, personally appeared Ralph E. Tetrick, Jr., President of Cynet, Inc., known to me to be the identical person whose name is affixed to the above and foregoing instrument, and he acknowledged the execution thereof to be his voluntary act and deed as President of Cynet, Inc.

Witness my hand and Notarial seal the day and year last above written.



Sandra C. Spear
Notary Public

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LEGAL DESCRIPTION: (AS DESCRIBED AND RECORDED JUNE 21, 1974)

PART OF LOT 6, MORITZ PLAZA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 137TH STREET AND THE NORTHERLY RIGHT-OF-WAY LINE OF MILLARD AVENUE; THENCE SOUTH 50°48'17" WEST (ASSUMED BEARING) ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF MILLARD AVENUE, A DISTANCE OF 385 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT 6, MORITZ PLAZA, SAID WESTERLY LINE ALSO BEING THE CENTERLINE OF THE WEST PAPILLION CREEK; THENCE NORTH 33°16'12" WEST ALONG SAID WESTERLY LINE OF LOT 6, MORITZ PLAZA AND SAID CENTERLINE OF THE WEST PAPILLION CREEK, A DISTANCE OF 110 FEET; THENCE NORTHEASTERLY ON A LINE PARALLEL TO THE NORTHERLY RIGHT-OF-WAY LINE OF MILLARD AVENUE TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 137TH STREET, 110 FEET NORTHWEST OF THE POINT OF BEGINNING; THENCE SOUTH 40°52'23" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 137TH STREET, A DISTANCE OF 110 FEET TO THE POINT OF BEGINNING.