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INSTRUMENT NUMBER
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REGISTER OF DEEDS

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Fee $ 15.50

EASEMENT

This agreement is made and entered into this 21 day of August, 1992, by and between SAPP BROS. PETROLEUM, INC., a Nebraska corporation, hereinafter referred to as "Sapp Bros." and DONALD J. NEITZEL, ROSE MARIE NEITZEL, DUANE E. NEITZEL, JOYCE A. NEITZEL and NEITZEL BROTHERS PARTNERSHIP, hereinafter collectively referred to as "Neitzel".

WHEREAS, Sapp Bros. is the owner of part of Lot 7A2, Grand Square Addition to Springfield, Sarpy County, Nebraska; and,

WHEREAS, Neitzel is the owner of Lot 7B, Grand Square Addition to Springfield, Sarpy County, Nebraska; and;

WHEREAS, underground storage petroleum tanks have been installed on the property owned by Sapp Bros. (7A2) which extend across the North boundary line dividing the property owned by Sapp Bros. and the property owned by Neitzel (7B); and,

WHEREAS, the parties desire to enter into an agreement whereby the owners of Lot 7A2, Grand Square Addition, as described above, will be granted an easement over the portion of Lot 7B, Grand Square Addition, upon which and under which the petroleum tanks exist.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein and also for and in consideration of $1.00 paid from Sapp Bros. to Neitzel, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Neitzel, their heirs, successors and assigns hereby give and grant to Sapp Bros., their heirs, successors and assigns, a perpetual easement over that portion of Lot 7B, Grand Square Addition, upon which and under which the current petroleum storage tanks exist.

2. With respect to this easement, the property of Sapp Bros. (7A2) shall be the dominate tenement and the property of Neitzel (7B) shall be the serviant tenement.

3. The parties further agree that any and all expenses associated with the maintenance and/or repair of the petroleum

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storage tanks shall be the responsibility of Sapp Bros., their heirs, successors and assigns.

4. The benefit of this easement shall attach to and run with Lot 7A2, Grand Square Addition, as described above in the hands of subsequent owners thereof and shall also be binding upon Lot 7B, Grand Square Addition, described above and the subsequent owners thereof.

DATED this 21 day of August, 1992.

SAPP BROS. PETROLEUM, INC., A Nebraska corporation

By: W. D. Sapp
Its President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on this 21 day of August, 1992, by W. D. SAPP, President of SAPP BROS. PETROLEUM, INC., a Nebraska corporation, on behalf of the corporation.

James T Blazek
Notary Public

GENERAL NOTARY-State of Nebraska
JAMES T BLAZEK
My Comm. Exp. Febr. 26, 1993

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DONALD J. NEITZEL

ROSE MARIE NEITZEL

DUANE E. NEITZEL

JOYCE A. NEITZEL

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on this 21 day of August, 1992, by DONALD J. NEITZEL, ROSE MARIE NEITZEL, DUANE E. NEITZEL and JOYCE A. NEITZEL.

Notary Public

GENERAL NOTARY-State of Nebraska
JAMES T BLAZEK
My Comm. Exp. Febr. 26, 1993

NEITZEL BROTHERS PARTNERSHIP,

By:

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on this 21 day of August, 1992, by DONALD J. NEITZEL Partner, on behalf of NEITZEL BROTHERS PARTNERSHIP, a Nebraska partnership.

Notary Public

GENERAL NOTARY-State of Nebraska
JAMES T. BLAZEK
Exp. Febr. 26, 1993