

396

MISCELLANEOUS RECORD, No. 72

State of Nebraska,)
County of Douglas.)

ss.

Entered on Numerical index and filed for Record in the Register of Deeds Office of said county the 18th day of August, A. D., 1925, at 12:30 o'clock P. M.

Harry Pearce,

Register of Deeds.

Compared by W&L.

8. Drainage Right of Way.)
Miles M. Moon)
to)
Elkhorn Valley Drainage District.)

KNOW ALL MEN BY THESE PRESENTS, That I, Miles M. Moon of the City of Denver, County of Denver, State of Colorado, party of the first part, for and in consideration of the sum of One dollar (\$1.00) and other

valuable considerations in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Elkhorn Valley Drainage District, party of the second part for the construction, maintenance and operation of a drainage ditch, waterway, levee (any or all as the case may be) by the said party of the second part, its successors, or assigns, the perpetual use of the following described real estate in Douglas County, Nebraska, to wit:

The east one (1) rod of the West twenty (20) acres of the Southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section thirty two (32), Township sixteen (16), Range ten (10), East of the 6th P. M.

Together with any and all desired access thereto by the said Drainage District, its agents, contractors, representatives and employes across other immediately adjacent/lands of the party of the first part.

It is understood and agreed that the dirt excavated from the said ditch shall, where practicable, be thrown on the strip of land herein granted but if necessary the dirt may be wasted on land of the party of the first part adjoining said strip by reimbursing the party of the first part for any damage they may do to land or crops.

It is further understood and agreed that the party of the first part his heirs and grantees may farm or otherwise use any part of the said strip, the use of which is hereby granted not actually in the ditch which can be used without injury to the said ditch or its embankments.

The party of the first part hereby releases the party of the second part from all liability for damage on account of the occupancy and use of the land above described.

IN WITNESS WHEREOF the party of the first part has hereunto set his hand this 8 day of Aug. A. D., 1925.

In the presence of
John H. Moon,



Miles M. Moon,

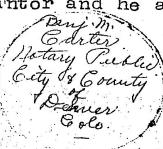
State of Colorado)
County of Denver.)

ss.

On this 8th day of Aug. A. D., 1925 before me a Notary Public in and for said county personally came the above named Miles M. Moon, who is personally known to me to be the identical person whose name is affixed to the above instrument as grantor and he acknowledged the said instrument to be his voluntary act and deed.

WITNESS my hand and notarial seal the date last aforesaid.

Benj. M. Carter,
Notary Public



My commission expires April 6, 1926.

State of Nebraska,)
County of Douglas.)

ss.

Entered on Numerical index and filed for Record in the Register of Deeds Office of said county the 18th day of August, A. D., 1925 at 12:05 o'clock P. M.
Harry Pearce, Register of Deeds.

Compared by W&L.