

EASEMENT FOR RIGHT OF WAY FOR WATER LINES

For valuable consideration the receipt whereof is hereby acknowledged, Magnus Metal

Division of National Lead Co., Fremont, Nebraska, designated herein as Grantor, does hereby grant and convey forever to the City of Fremont, Nebraska, a municipal corporation, its successors and assigns, designated as Grantee, easement to construct, lay, maintain, operate, repair, remove, and replace a water pipe line or lines, with required attachments, appurtenances and equipment, under, through and over the following described premises:

All in the south 10 ft. of Tax Lot 13, parallel to Dodge County road and between Chicago and North Western trackage and Highway 275. The line to be located is near the south margin of grantor's property as possible. All ground to be tamped and re-placed and driveway restored. Construction to be arranged so as to permit continuous use of driveway together with the free right of ingress and egress thereto at all reasonable times, all subject to the terms thereof.

Grantee agrees that said pipe line or lines shall be placed at a reasonable distance below the surface of the ground so as not to interfere with the reasonable surface use thereof. Nothing herein is intended to obligate the City to continue to maintain, operate and install water mains on the above premises, and City has right to discontinue this easement at any time. Grantee further agrees that the above mentioned water line or water lines laid or to be laid in the above mentioned area will be done with no cost thereto to the owner of said property. Grantor, its successors or assigns will not make any attachments to or suspend from or connect anything to or with said water lines or facilities so installed or maintained without written consent of the City, its successors or assigns. Grantor will maintain surface of the ground and any construction which is an extension of or substitute for the surface level and any construction or use thereupon or thereunder in such manner as will not harm or hinder the exercise of the easement rights granted hereunder.

Grantor will be furnished a 6 inch connection and valve in said pipe line without further connection fee.

As regards any loss or damage to any property or person arising from or in connection with the existence, construction, maintenance, repair, operation or use of any water line or lines or appurtenances thereto on said assessment area, the Grantor does forever indemnify and hold harmless the City from all claims, demands, lawsuits or liability or damage to any property or person arising from or in connection with the existence, construction, maintenance, repair, operation or use of any said water lines or appurtenances thereto, except when such damage is caused ~~solely~~ by the negligence of the City, its successors or assigns.

IN WITNESS WHEREOF, undersigned owners affix their signatures on this 27TH day of MAY, 1970.

Grantor MAGNUS METAL, DIVISION OF NATIONAL LEAD CO.

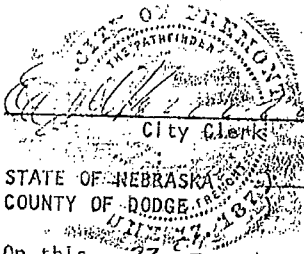
RECEIVED  
PRODUCTION DEPT.

MAY 12 1970

By: [Signature]  
VICE PRESIDENT - NATIONAL LEAD CO.

CITY OF FREMONT, a Municipal Corporation,  
Grantee

By: [Signature]  
Mayor



STATE OF NEBRASKA ss  
COUNTY OF DODGE

On this 27 day of May, 1970, before me a Notary Public in and for said county, personally came [Signature], to me personally known to be the identical person whose name is affixed to the foregoing easement and acknowledged the execution of the same to be his voluntary act and deed for the purposes therein set forth. WITNESS my hand and official seal the day and year last above written.

STATE OF NEBRASKA, DODGE COUNTY: ss:

Filed for record this 26th day of Aug, 1970 at

2:30 o'clock P.M. recorded in book 5

misc. Page 670 Fee \$ 3.25

[Signature] Registrar of Deeds

By: [Signature] Deputy

INDEXED  
GRANTOR  
GRANTEE  
REGISTER  
COMPARED  
PAGED

[Signature]  
Notary Public, State of New York  
No. 80-2926125  
Qualified in Westchester County  
Cert. filed in New York County  
Cert. filed in Rockland County  
Commission expires March 30, 1971