

### ACCESS EASEMENT

This Access Easement is made and entered into this 15th day of August, 2017 by and between Eagle Facilities & Grounds Association, a Nebraska non-profit corporation, hereinafter referred to as "Grantor" and James M. Buel, hereinafter referred to "Grantee".

WHEREAS, Grantor is the owner of the real estate more specifically described as follows:

Parcel 1: Sublot 15 of Tax Lot 12 in the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 20, Township 10 North, Range 9 East of the 6th P.M., Village of Eagle, Cass County, Nebraska, more particularly described as follows:

Beginning at a point on the North right of way line of U.S. Highway 34, said point being 493.00' West and 65.00' North of the Southeast corner of the Southeast Quarter of said Section 20; Thence North and parallel to the East line of said Section 20, 408.00'; Thence East and parallel to the South line of said Section 20; 6.00'; Thence North and parallel to the East line of said Section 20; 22.00'; Thence East and parallel to the South line of said Section 20; 200.00'; Thence South and parallel to the East line of said Section 20, 68.00'; Thence East and parallel to the South line of said Section 20, 100.00'; Thence North and parallel to the East line of said Section 20, 51.12'; Thence East and parallel to the South line of said Section 20, 154.00' to a point on the West right of way line of First Street; Thence South along the said right of way line 100.00'; Thence West and parallel to the South line of said Section 20, 232.94'; Thence South and parallel to the East line of said Section 20, 303.38' to a point on the North right of way line of U.S. Highway 34; Thence West along the said right of way line 82.98'; Thence continuing along the said right of way line 147.80' to the Point of Beginning.

EXCEPT Tax Lot 49, a Administrative Subdivision being a fractional part of Sublot 15 of Tax Lot 12, Cass County, Nebraska.

WHEREAS, Grantee is the owner of the real estate more specially described as:

Fraction of Sublot 14 of Tax Lot 12 located in the SE 1/4 of the SE 1/4 of Section 20, Township 10 North, Range 9 East of the 6th P.M., Village of Eagle, Cass County, Nebraska, more fully described as follows:

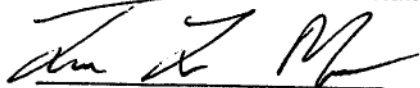
Beginning at the NW Corner of Sublot 14 of Tax Lot 12; thence N 90° E, along the North line, 76.84'; thence S 0° W, 93.71' to a point on the North line of Sublot 11 of Tax Lot 12; thence N 89°45'38" W, along said North line, 75.97' to a point on the West line of Sublot 14 of Tax Lot 12; thence N 0°31'49" W, along said West line, 93.38' to the point of beginning.

WHEREAS, Grantor agrees to grant to Grantee a private roadway on a strip of land 30 feet wide, in and across the Grantor's property, generally running along the south boundary line of Grantor's property for approximately 185 feet as described in Exhibit "A" for purposes of ingress and egress, both by vehicle and pedestrian, by Grantee, their assigns and successors in interest for the use of said roadway to allow Grantee access from his property to First Street, Eagle, Nebraska.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, RECEIPT OF WHICH IS  
HEREBY ACKNOWLEDGED, IT IS MUTALLY AGREED AS FOLLOWS:

1. **Easement:** Grantor hereby grants to Grantee and Grantee hereby accept from Grantor a permanent and perpetual easement, running with the land, for the purpose of making ingress and egress, both vehicular and pedestrian to and from the Grantee's property, said easement approximately thirty (30) feet in width entering Grantor's property at the Northeast corner of Grantee's property, then running approximately 185 feet along the south boundary line of Grantor's property to 1<sup>st</sup> Street, Eagle, Nebraska and more specifically shown on Exhibit "A" attached here to and incorporated herein by this reference to the Pearson Property.
2. **Perpetual Easement:** The foregoing easement shall run with the real estate described herein and shall be binding on all person and parties claiming through Grantor or Grantee and shall be for the benefit and limitation of the future owners of all real estate described herein, this declaration being specifically designated to assure full right of ingress and egress across the Grantor's property to the Grantee's property.
3. **Maintenance:** Grantor, its successors and assigns, are not bound to construct the roadway or to keep the same in repair as this will be the responsibility of the Grantee's and their successors and assigns in interest.
4. **Binding Effect.** This Access Easement shall run with the real estate described herein and is binding on the parties

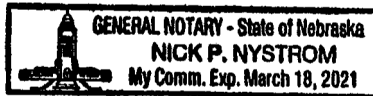
Eagle Facilities & Grounds Association, Grantor




By: Travis Moore, authorized Officer

STATE OF NEBRASKA )

COUNTY OF Cass ) ss.



The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of August, 2017 Travis Moore, the authorized officer of Eagle Facilities & Grounds Association, Grantor.

  
\_\_\_\_\_  
Notary Public

*James M. Buel*

James M. Buel, Grantee

STATE OF NEBRASKA     )  
  ) SS.  
COUNTY OF LANCASTER   )

The foregoing instrument was acknowledged before me on this 15 day of August, 2017 by James M. Buel, a single person, Grantee.

*R Kent Radke*

Notary Public

1:

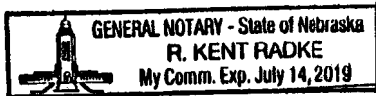


EXHIBIT "A"

# " Fraction of Sublot 14 of Tax Lot 12 "

located in the SE1/4 of the SE1/4 of Section 20-T10N-R9E of the 6th P.M., Village of Eagle, Cass County, Nebraska

### SURVEYOR'S CERTIFICATE

I hereby certify that I have accurately surveyed and staked the boundary of " Fraction of Sublot 14 of Tax Lot 12 ", located in the SE1/4 of the SE1/4 of Section 20-T10N-R9E of the 6th P.M., Village of Eagle, Cass County, Nebraska, more fully described as follows:

Beginning at the NW Corner of Sublot 14 of Tax Lot 12; thence N 90° E, along the North line, 76.84'; thence S 0° W, 93.71' to a point on the North line of Sublot 11 of Tax Lot 12; thence N 89°45'38" W, along said North line, 75.97' to a point on the West line of Sublot 14 of Tax Lot 12; thence N 0°31'49" W, along said West line, 93.38' to the point of beginning. Contains a calculated area of 0.16 Acres, more or less.

Signed this 13th day of April 1999.  
*Charles P. Jordan*  
CHARLES P. JORDAN LS 420



### PLAT APPROVAL

KNOW ALL MEN BY THESE PRESENTS: that we, JOHN W. WULBERN and MILA J. WULBERN, (husband & wife), being the sole owners of Sublot 14 of Tax Lot 12, do hereby approve of our land being subdivided, as shown on this plat. We do also grant 5' wide easements along all lot lines for the placement and maintenance of any and all public utilities, on, over, through, under and across said easements. This subdivision is also subject to any and all easements of record, as of the last date shown hereon.

*John W. Wulbern*  
JOHN W. WULBERN  
*Mila J. Wulbern*  
MILA J. WULBERN

### ACKNOWLEDGEMENT OF NOTARY

On this 17th day of October 1999, before me, a notary public, duly commissioned and qualified in and for said County, did appear, JOHN W. WULBERN and MILA J. WULBERN (husband & wife), who are personally known by me to be the identical persons whose names appear on this plat, and they did acknowledge their execution of the foregoing plat approval to be their voluntary act and deed. Witness my hand and official seal, the date last aforesaid.

*John W. Ball*  
NOTARY PUBLIC

My commission expires 8-10-96

### APPROVAL OF EAGLE BOARD OF TRUSTEES

This plat of " FRACTION OF SUBLLOT 14 OF TAX LOT 12 ", is hereby approved by the Board of Trustees of the Village of Eagle, Nebraska, this 27th day of December 1999.

ATTEST:  
*Janis L. Untard*  
CLERK  
*John E. Dasey*  
Treasurer, Board of Trustees

### COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due against the property described within the Surveyor's certificate and endorsed within this plat, as shown by the records of this office, this 13th day of April 1999.

*Richard Wassinger*  
RICHARD WASSINGER, COUNTY TREASURER

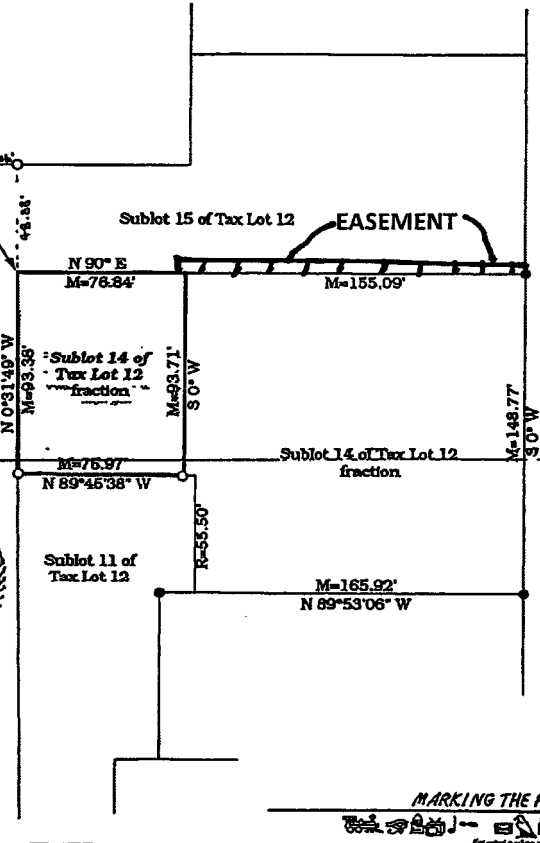
### APPROVAL OF EAGLE PLANNING BOARD

This plat of " FRACTION OF SUBLLOT 14 OF TAX LOT 12 ", is hereby approved by the Planning Board of the Village of Eagle, Nebraska, this 16th day of January 1999.

*Richard Wassinger*  
CLERK

**JORDAN SURVEYING COMPANY**  
LAND SURVEYORS  
PLATISMOUTH, NEBRASKA 68048 (402) 296-3750  
Drawn by: C Jordan  
Project No. 1991026  
Field Book page 22-26  
Date 25

**Wulbern/Buel**



John W. Wulbern et ux  
to  
Public \$15.00 Dec. #477  
PLAT FOR RECORD 05/23/94 AT 3:46 P.M.  
BOOK 14 OF Misc. PAGE 250  
REGISTER OF DEEDS, CASS CO., NE  
(Filed in Plat Book 6, Page 80A)

### SURVEYOR'S CERTIFICATE