

COLFAX COUNTY REGISTER OF DE

Rita M. Mundil
April 21, 2016
Inst. 2016-00547 at 11:20 AM
Fee: \$16.00. Page count: 2
By Rita M. Mundil

NEBRASKA DOCUMENTARY STAMP TAX	
Date	April 21, 2016
\$	exempt By <u>Rita M. Mundil</u>

Return to: Richard T. Seckman
Karel & Seckman
1109 C Street, P.O. Box 466
Schuyler, NE 68661

PERMANENT EASEMENT

That in consideration of \$1.00 and other good and valuable consideration paid to Dowd Grain Company, Inc., a Nebraska Corporation, and Creighton University, a Nebraska Not-for Profit Corporation, hereinafter referred to as Grantor, by the City of Schuyler, Nebraska, a Nebraska Municipal Corporation, hereinafter referred to as Grantee, said consideration of receipt which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey to Grantee, a perpetual right and easement in and to the following described real estate to build, maintain and repair utility services including but not limited to a water main and any additional sewer, water and electrical utilities with appurtenances and accessories thereto, on that property described as follows, to-wit:

A PARCEL OF LAND LOCATED IN PART OF LOT 3, SCHUYLER COMMERCIAL SUBDIVISION REPLAT ONE AS PLATTED IN THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N89°17'10"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF PARCEL OF LAND PREVIOUSLY DESCRIBED AND RECORDED IN INSTRUMENT 2013-01688 AND BEING THE POINT OF BEGINNING; THENCE N00°38'59"E ON THE EAST LINE OF SAID PREVIOUSLY DESCRIBED PARCEL, A DISTANCE OF 10.00 FEET; THENCE N89°17'10"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 97.99 FEET; THENCE S46°27'42"E, A DISTANCE OF 50.16 FEET TO A POINT BEING 10.00 FEET NORTH OF SAID SOUTH LINE OF LOT 3; THENCE N88°30'24"E, PARALLEL WITH AND 10.00 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 31.86 FEET TO THE EAST LINE OF SAID LOT 3; THENCE S01°29'36"E ON SAID EAST LINE, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE S88°30'24"W ON SAID SOUTH LINE, A DISTANCE OF 75.57 FEET; THENCE CONTINUING ON SAID SOUTH LINE, N01°52'31"W, A DISTANCE OF 35.60 FEET; THENCE CONTINUING ON SAID SOUTH LINE, S 89° 17' 10"W, A DISTANCE OF 89.87 FEET TO THE POINT OF BEGINNING, CONTAINING 2581 SQUARE FEET (0.05 ACRES) MORE OR LESS.

A PARCEL OF LAND LOCATED IN PART OF LOT 4, SCHUYLER COMMERCIAL SUBDIVISION REPLAT ONE AS PLATTED IN THE CITY OF SCHUYLER, COLFAX COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: THE SOUTH 10 FEET OF SAID LOT 4, CONTAINING 2154 SQUARE FEET (0.04 ACRES) MORE OR LESS.

This is a perpetual easement which shall run with the land and inure to the benefit of Grantee, its successors and assigns. Grantee, its successors and assigns, are given full and free right at all times to enter upon said premises to accomplish the purpose of this easement and rights granted herein. The consideration given to Grantor shall constitute payment in full from all damages sustained by Grantor.

Grantor covenants and agrees that Grantor owns the easement area and has good right to grant easement over same and that said easement area is free and clear of liens and encumbrances except those of record and that Grantor will warrant and defend Grantor's title to the easement area against the lawful claims and demands of all persons.

Grantor reserves to itself, its successors and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

IN WITNESS WHEREOF, the Grantor does hereby affix his signature this 18th day of April, 2016.

Dowd Grain Company, Inc.,
A Nebraska Corporation,

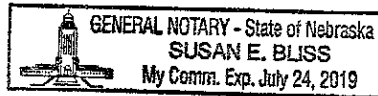
BY: [Signature]
Duane J. Dowd, President

Creighton University,
A Not-for-Profit Corporation

BY: [Signature]
~~President/Vice President~~ / GENERAL COUNSEL

STATE OF NEBRASKA,)
) SS.
COUNTY OF Douglas)

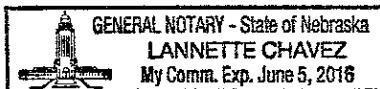
On this 11 day of April, 2016, before me, a notary public in and for said county and state, personally came Duane J. Dowd, President, for an on behalf of Dowd Grain Company, Inc., a Nebraska Corporation, Grantor herein, who did sign the foregoing Permanent Easement and acknowledged the execution thereof to be his voluntary act and deed for the purposes herein set forth.



[Signature]
Notary Public

STATE OF NEBRASKA,)
) SS.
COUNTY OF DOUGLAS.)

On this 18 day of April, 2016, before me, a notary public in and for said county and state, personally came James Jansen, ~~President~~ General Counsel, for an on behalf of Creighton University, a Non-for-Profit Corporation, Grantor herein, who did sign the foregoing Permanent Easement and acknowledged the execution thereof to be his/her voluntary act and deed for the purposes herein set forth.



[Signature]
Notary Public