

CORPORATION WARRANTY DEED

The grantor, LOWER BIG BLUE NATURAL RESOURCES DISTRICT, a body politic and corporate, organized and existing under and by virtue of the laws of the State of Nebraska, in consideration of the sum of Fifty Five Thousand Six Hundred and NO/100 (\$55,600.00) Dollars received from grantee, does grant, bargain, sell, convey and confirm unto:

LARRY G. COLE AND MARGARET E. COLE

the following described real estate situated in Gage County, Nebraska, to-wit:

The East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Eighteen (18), Township Six (6) North, Range Six (6) East of the 6th P.M., Gage County, Nebraska,

together with all tenements and appurtenances to the same belonging and subject to all reservations, covenants, restrictions, easements and rights-of way now of record thereon.

The grantor reserves unto itself, its successors and assigns, the following easements and rights, to-wit:

- a) A perpetual easement in, over and upon the above described land for the purpose of operation, maintenance and inspection of a floodwater retarding structure known as 8-D in the Clatonia Creek Watershed Project for the flowage of any waters in, over, upon or through such structure and for the permanent storage at M.S.L. contour elevation 1409.0 of approximately 22.7 acres and temporary detention at M.S.L. contour elevation 1417.0 of approximately 7.4 acres of waters, sediment and debris that are impounded, stored or detained by such structure, and the right of ingress and egress as required to operate, maintain and inspect such structure.
- b) The grantee and the heirs and assigns of the grantee shall be restricted in their use of this real estate in that they shall not construct any permanent structures on this real estate below M.S.L. contour elevation of 1417.0. This restriction in use shall run with the land.
- c) The grantor shall have the free and full right, liberty and authority to enter upon the above described land for the purpose of planting, spraying, mowing and maintaining 1.3 acres of tree planting which have been planted in accordance with the wildlife planting plan prepared by the Soil Conservation Service for Structure 8-D, Clatonia Creek Watershed.

TO HAVE AND TO HOLD the above described premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the grantee and to the heirs and assigns of the grantee, forever.

And the grantor does hereby covenant with the grantee and with the heirs and assigns of the grantee that grantor is lawfully seized of said premises; that they are free from encumbrance, except the easements reserved herein, and the easements which have been previously recorded affecting this real estate; that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the grantor has hereunto caused these presents to be signed.

Dated this 23 day of March, 1981.

LOWER BIG BLUE NATURAL RESOURCES DISTRICT, A Body Politic and Corporate

By Andrew Schultz
ANDREW SCHULTZ, CHAIRMAN

