

CONSTRUCTION EASEMENT

For and in consideration of One Hundred Fifty and no/100 (\$150.00) Dollar(s) and other good and valuable considerations, the receipt whereof is hereby acknowledged, Laura Germer and Lowell Germer, each in her or his own right and as spouse of the other,

of Clatonia, Nebraska, Grantor does hereby grant, convey and release unto the Clatonia Creek Watershed Conservancy District of Gage and Lancaster Counties, Nebraska,

of Clatonia, Nebraska, Grantee, its successors and assigns, a perpetual easement in, over and upon the following described land situated in the County of Gage, State of Nebraska, to wit:

SW 1/4 SW 1/4 SW 1/4 SE 1/4 of Section 12,  
Twp. 6 N., Range 5 E of the 6th P.M.

for the purpose of or in connection with construction, operation, maintenance, and inspection of a 7-A site in the plans for Clatonia Creek Watershed, designated as Clatonia Creek Watershed, for the flowage of any waters in, over, upon, or through such structures; and for the permanent storage and temporary detention, either or both, of any waters and sediment that are impounded, stored or detained by such structure and to include a site where suitable borrow materials may be obtained for construction.

The rights and privileges herein granted shall be subject to the following terms and conditions:

1. The consideration recited herein shall constitute payment in full for all damages sustained or to be sustained by the Grantor by reason of the construction, operation, maintenance and inspection of the works of improvement described above.
2. In the event construction on the above described works of improvement is not commenced within 10 years from the date hereof, the rights and privileges herein granted shall at once revert to and become the property of the grantor, his heirs and assigns.
3. The grantor shall provide the grantee with ingress and egress as required to carry out the provisions of this easement.
4. There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land of the Grantor at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the right and privilege herein granted.
5. The grantee is responsible for operating and maintaining the above described works of improvement.
6. This easement shall not pass nor shall the same be construed to pass, to the grantee any fee simple interest or title to the above described lands.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the above described land of the Grantor, with all the rights privileges and appurtenances thereto belonging or in anywise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has executed this instrument on the 23<sup>rd</sup> day of May, 19 69.



Laura Germer  
Signature of Grantor

Arnold Germer  
Signature of Grantor

State of Nebraska  
ss  
Gage County

On this, the 23<sup>rd</sup> day of May, A.D. 19 69, before me the undersigned George D. Hiatt, a Notary Public, duly commissioned and qualified for and residing in said county, personally came Laura Germer and Arnold Germer

to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledge the same to be their voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

George D. Hiatt  
Notary Public

My commission expires the 13th day of March, 19 73.

12-6-5  
1043

EASEMENT  
FROM Laura Germer and Arnold Germer, husband and wife  
to- Clatonia Creek Watershed Conservancy District

STATE OF NEBRASKA } ss  
County of Gage }  
Filed for record and entered  
in Numerical Index June 23  
19 69 at 3:40 o'clock P.M  
Recorded in Book 45 of  
Miscellaneous Page 423

Alvin L. Murrell  
REGISTER OF DEEDS  
By: [Signature] Deputy

fee - 3.25 chg  
& ret - Everson, Wullschleger & Sutter  
Attys - City

filed by Arnold Wullschleger

NUMBER X  
ALPHA  
PAGED  
COMPI'D