

Paris, Texas 7546

CONSTRUCTION EASEMENT

For and in consideration of Two Hundred Twenty-Five and no/100 (\$225.00) Dollar(s) and other good and valuable considerations, the receipt whereof is hereby acknowledged, Roy F. Hoffstaedt and Florence Pearl Hoffstaedt, each in his or her own right and as spouse of the other

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

~~of~~ Paris, Texas, 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:

Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Six (6) North, Range Five (5) East of the 6th P. M.

for the purpose of or in connection with construction, operation, maintenance, and inspection of a 7-A in the plans for 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.
7. Grantees agree to construct a fence between the land under easement and the remainder of grantors land, to erect a culvert if needed, and to seed the fill covered in the easement.

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 any wise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has executed this Instrument on the 11th day of June, 19 69.

Roy F. Hoffstaedt
Signature of Grantor

Florence Pearl Hoffstaedt
Signature of Grantor

TEXAS
State of Nebraska
ss
Lamar County

On this, the 11th day of June A.D. 19 69, before me the undersigned J. Richard Hutchison, a Notary Public, duly commissioned and qualified for and residing in said county, personally came Roy F. Hoffstaedt and Florence Pearl Hoffstaedt, to me know to be the identical persons whose names affixed to the foregoing instrument and acknowledge and same to be their voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

J. Richard Hutchison Notary Public

My commission expires the 11th day of June, 19 69

The undersigned, being the holder of a mortgage, deed of trust, or other lien now outstanding against the land described in the Watershed Protection Easement above, does hereby consent to the execution of said easement and to the installation of the Watershed Protection works and measures therein described.

Signature of Lienholder

STATE OF _____)
COUNTY OF _____) ss.

On this _____ day of _____, A.D., 19 __, before me, the undersigned _____ a Notary Public, duly commissioned and qualified for and residing in said county, personally came _____

to me known to be the identical person whose name affixed to the foregoing instrument and acknowledged the same to be _____ voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

(SEAL) _____ Notary Public

My commission expires the _____ day of _____, 19 ____.

13-6-5
1045

EASEMENT

from-
Roy F. Hoffstaedt and
Florence Pearl Hoffstaedt,
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 427

Alvin D. Moore
REGISTER OF DEEDS

By Wanda J. Pugh Deputy

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

NUMERX
ALPHA
PAGED
COMPID