

CONSTRUCTION EASEMENT

For and in consideration of Nine Thousand Eight Hundred and NO/100 (\$9,800.00
Dollar(s) and other good and valuable considerations, the receipt whereof
is hereby acknowledged, Ivan DeBoer and Birdene M. DeBoer (Husband and
Wife)

of Cortland, Nebraska, Grantor does hereby grant, convey and release
unto the Lower Big Blue Natural Resources District of Beatrice,
Nebraska, Grantee, its successors and assigns, a perpetual easement in,
over and upon the following described land situated in the County of Gage
Gage, State of Nebraska, to wit: 19.9 Acres located in the S $\frac{1}{2}$
NE $\frac{1}{4}$, Section 24, T-6-N, R-5-E of the 6th P.M., lying on or below M.S.L.
contour elevation 1422.9

for the purpose of or in connection with construction, operation, mainten-
ance, and inspection of a Floodwater Retarding Structure, designated
as site 6-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. The grantor shall provide the grantee with ingress and egress as
required to carry out the provisions of this easement.
3. 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.
4. The grantee is responsible for operating and maintaining the above
described works of improvement.
5. 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

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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 31 day of January, 1975.

Ivan DeBoer
Ivan DeBoer

Birdene M. DeBoer
Birdene M. DeBoer

STATE OF Nebraska)
COUNTY OF Gage) ss.

On this 31 day of January, A.D., 1975, before me, the undersigned and qualified for and residing in said county, personally came Ivan DeBoer and Birdene M. DeBoer to me known to be the identical person whose name affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

(SEAL)



L. RONALD FLEECES
GENERAL NOTARY - State of Nebr.
My Commission Expires
September 12, 1976

L. Ronald Fleecs
Notary Public

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

STATE OF NEBRASKA, COUNTY OF GAGE SS: Filed for record and entered in Numerical Index February 3, _____, 1975 at 9:35 o'clock A.M., and duly recorded in book 53 of Miscellaneous, at Page 5.
L. Ronald Fleecs By _____
REGISTER OF DEEDS _____ DEPUTY

Fee: \$6.25 Chg.
Return: Lower Big Blue N. R. D.
Box 826
Beatrice, Ne 68310

NUMBER
ALPHA
PAGED
COMP'D

RECORDS & CLERK
COUNTY OF GAGE
BEATRICE, NEBRASKA



24-6-5
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