

EASEMENT

5:32  
5-6-7

For and in consideration of \$ 125<sup>00</sup> Dollar(s) and other good and valuable considerations, the receipt whereof is hereby acknowledged Oscar W. Fiene and Arlene M. Fiene, husband and wife, Grantor(s), do hereby grant, convey, and release unto the Nemaha Natural Resources District of Tecumseh, 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: N1/2 NE1/4 of Section 5, Township 6 North, Range 7 East, of the 6th P.M., as shown in Tract No. 6 on Exhibit "A" for the purpose of or in connection with construction, operation, maintenance, and inspection of a Floodwater Retarding Structure designated as Site 12-B in the plans for Upper Big Nemaha Watershed, for the flowage of any waters in, over, upon, or through such structure; for the permanent storage and temporary detention, either or both, of any waters that are impounded, stored, or detained by such structure; and for the withdrawal of suitable borrow material for the construction of such structure.

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(s) by reason of the construction, operation, maintenance, and inspection of the works of improvement described above.
2. The Grantor(s) 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(s), their heirs and assigns, the right and privilege to use the above described land of the Grantor(s) 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 described lands.
6. If additional borrow is needed by the Grantee, it will be compensated for at the rate of \_\_\_\_\_ per acre.

TO HAVE AND TO HOLD the aforesaid easement in, over, and upon the above described land of the Grantor(s) 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(s) have executed this instrument on the 25<sup>th</sup> day of March, 1992.

Oscar W. Fiene  
Signature of Grantor

Arlene M. Fiene  
Signature of Grantor

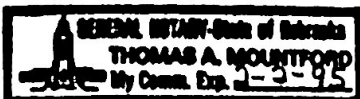
505-16-0952  
Social Security Number

505-30-9249  
Social Security Number

STATE OF NEBRASKA

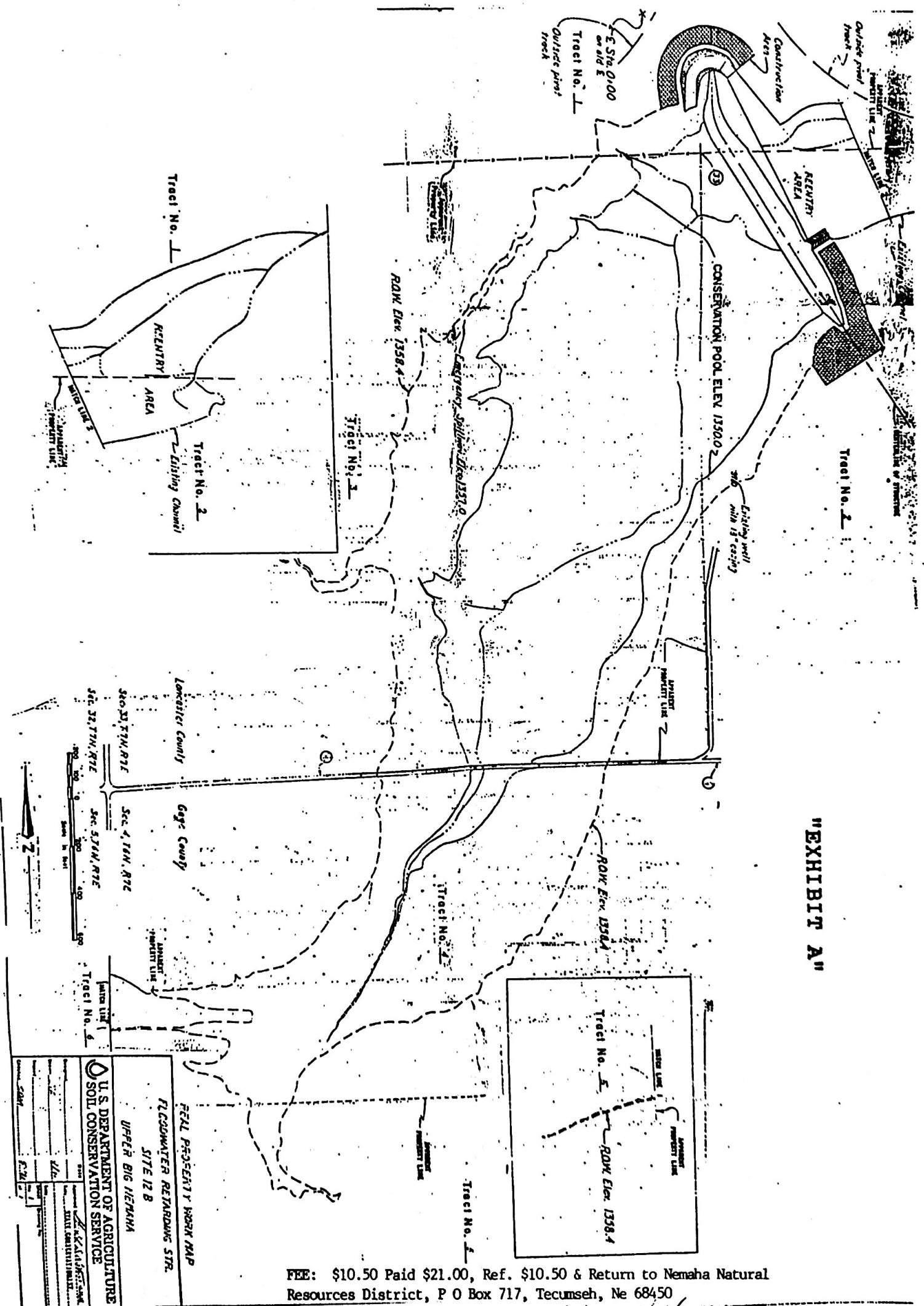
COUNTY OF Gage

On this the 25<sup>th</sup> day of March, A.D., 1992, before me the undersigned THOMAS A. Mountford, a Notary Public, duly commissioned and qualified for said county, personally came Oscar W. Fiene and Arlene M. Fiene to me known to be the identical person(s) whose name(s) is (are) affixed to the foregoing instrument and acknowledge the same to be his/her (their) voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.



Thomas A. Mountford  
Notary Public

My commission expires on the 2<sup>nd</sup> day of February, 1995.



"EXHIBIT A"

FEE: \$10.50 Paid \$21.00, Ref. \$10.50 & Return to Nemaha Natural Resources District, P O Box 717, Tecumseh, Ne 68450

STATE OF NEBRASKA County of Gage ss. Filed for record and entered in Numerical Index on 5th day of June 19 92 at 3:00 o'clock A.M. and recorded in Book 74 of MISCELLANEOUS on Page 411-412

By Ruth E. Diems Deputy Register of Deeds

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