



04027168

NO FEE

INST. NO 2004

2004 APR 30 P 2:55

027168

LANCASTER COUNTY, NE

PERMANENT EASEMENT

BLOCK

CODE

CHECKED

INDEXED

FILED

[Handwritten initials]

KNOW ALL MEN BY THESE PRESENTS:

That, Mancel E. McGill and Alice A. McGill herein called the "Grantor", record owner of the real property hereinafter described, for and in consideration of the sum of One and 00/100 Dollars (\$1.00), duly paid, the receipt whereof is hereby acknowledged and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed does hereby grant, remise and relinquish unto Lancaster County, a governmental subdivision of the State of Nebraska, herein called "Grantee", permanent easement on the following legally described real estate situated in Lancaster County, Nebraska, to wit:

Referring to the South 1/4 corner of said section 28, ^{at. 12, R. 8} thence north and with the west line of the SE 1/4, of the said section 28, and the west line of the said NE 1/4, a distance of 3910.00 feet, to a point; thence easterly and perpendicular to the west line of the said NE 1/4, a distance of 61.47 feet to a point, said point also being the point of beginning; thence on the last described course to a point, said point being 80.00 feet distant as measured normal to the west line of the said NE 1/4; thence northerly 80.00 feet east of and parallel to the west line of the said NE 1/4, to a point of intersection with the north line of said Lot 14 I.T., and the south line of Lot 7 I.T., located in the said NE 1/4; thence westerly with the north line of said Lot 14 I.T., and the south line of said Lot 7 I.T., to a point of intersection with the easterly right-of-way line of N. 141st Street, said point also being 50.00 feet distant as measured normal to the west line of the said NE 1/4; thence southeasterly to a point, said point being 65.00 feet distant as measured normal to the west line of the said NE 1/4, said point also being 3942.01 feet northerly from the said S 1/4 corner, as measured with the west line of the said SE 1/4, and the west line of the said NE 1/4, thence southwesterly to the point of beginning.

Containing 0.03 acres more or less.

TO HAVE AND TO HOLD unto Lancaster County, Nebraska, its successors and assigns, the right to construct, use and maintain on the land herein described utilities, such slopes as are necessary to retain and support the County road, the construction and/or extension of drainage structures and/or the construction of a drainage channel or drainage ditch and so long as such utilities, slopes, drainage structure, drainage channel or drainage ditch is used and maintained, the right of ingress and egress to said property herein described from the County road for the purpose of inspecting, repairing, and maintaining the said utilities, slopes, drainage structure, drainage channel and/or drainage ditch located thereon at the will of the Grantee, it being the intention of the parties hereto that the Grantee shall have the right to assign utility easements and that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use the above described property for any purpose that does not interfere with the uses herein granted.

The Grantor, in consideration of the payments herein stated, agrees not to construct buildings, ornamental fences or other improvements which may be damaged by the Grantees uses herein specified. If the Grantor chooses to make such improvements, Grantor hereby waives all claims for damages which may occur from the Grantees use as herein specified with the exception of necessary fence removal and replacement costs, or damages caused by negligence of the Grantee.

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

In witness whereof the Grantor has signed this 16 day of March, 2004.

x Mancel E. McGill

x Alice A. McGill

[Handwritten signature]

Notary Public _____

My commission expires _____

Witness my hand and notarial seal on _____

known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

Before me, a Notary Public qualified for said County, personally came _____

State of _____, County of _____:

Notary Public _____

My commission expires _____

Sept. 13, 2004

Witness my hand and notarial seal on _____

March 16, 2004

known to me to be the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

Before me, a Notary Public qualified for said County, personally came _____

Marcel McGee + Alice McGee

State of Nebraska, County of Lancaster:

