

EASEMENT

40-163

FOR and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I We, Cleo Vandeventer and Jane Vandeventer (Husband and Wife) do hereby grant and confirm unto the County of Sarpy, its successors and assigns, permanent full and free right, liberty and authority to enter upon and to construct, operate and maintain LaVista Creek Channel improvements upon the following described lands, to wit:

The South 35 feet of the West 970 feet of the Southwest 1/4 of the Northeast 1/4 (the same being parts of tax lot C and tax lot 4) Section 13 - Township 14-N - Range 12 E containing 4.79 acres; also the South 60 feet of the West 850 feet of the Southeast 1/4 of the Northeast 1/4 (the same being part of tax lot 4) Section 13 - Township 14-N Range 12 E of the 6th P.M. containing 1.17 acres. All in Sarpy County, Nebraska.

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

1) There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land in any manner and for any purpose not inconsistent with the full use and enjoyment by the County of Sarpy, its successors and assigns, of the rights and privileges herein granted.

2) The consideration recited herein shall constitute payment in full for all damages sustained or to be sustained by the Grantor caused by the construction, operation, maintenance and inspection of the works of improvement described herein, including but not limited to damages for loss of access and damages resulting from the diminution of the value of the Grantor's remaining land because of the grading required in said construction. Grantor waives the statutory procedure for arriving at damages by reason of any change of grade.

3) This easement includes the right of ingress and egress at any time over and upon the above described land and any other land of the Grantor which adjoins said land.

4) This easement shall not pass, nor shall the same be construed to pass, to the County of Sarpy, any fee interest or any title to the above described lands. FOR EXPRESS PURPOSE OF FLOOD CONTROL

5) It is understood that no promises, verbal agreements or understanding except as herein set forth will be honored by the County of Sarpy.

IN WITNESS WHEREOF, the Grantor sets his hand and seal this 18th day of June, 1968.

Accepted:

Joseph P. Strasser

For the County of Sarpy

STATE OF NEBRASKA )

) ss

COUNTY OF SARPY )

Cleo Vandeventer  
Jane Vandeventer

FILED FOR RECORD IN SARPY COUNTY NEB June 20 1968 AT 7 O'CLOCK AM  
AND RECORDED IN BOOK 40 OF Public Rec PAGE 163

Abise Henderson REGISTER OF DEEDS

On this 18 day of June, 1968, before me, a Notary Public in and for said County of Sarpy, State of Nebraska, personally came Cleo Vandeventer & Jane Vandeventer (Husband and Wife) who are known personally to me to be the identical persons whose names are affixed to the above instrument, and they acknowledge the same to be their voluntary act and deed.



Joseph P. Strasser  
Notary Public

3-23-72